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# **FINANCE AND ADMINISTRATION COMMITTEE**

**Members present:**

Ms DE Farmer MP (Chair)  
Miss VM Barton MP  
Mr MJ Crandon MP  
Mr CD Crawford MP  
Mr DA Pegg MP  
Mr PT Weir MP

**Staff present:**

Ms D Jeffrey (Research Director)  
Dr M Lilith (Principal Research Officer)  
Ms L Johnson (Executive Assistant)

## **PUBLIC FORUM—INQUIRY INTO THE INTRODUCTION OF FOUR YEAR TERMS FOR THE QUEENSLAND PARLIAMENT; CONSTITUTION (FIXED TERM PARLIAMENT) AMENDMENT BILL 2015; CONSTITUTION (FIXED TERM PARLIAMENT) REFERENDUM BILL 2015**

**TRANSCRIPT OF PROCEEDINGS**

**WEDNESDAY, 30 SEPTEMBER 2015**

**Toowoomba**

## WEDNESDAY, 30 SEPTEMBER 2015

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### Committee met at 6.01 pm

**CHAIR:** Good evening, ladies and gentlemen. I would like to welcome you all to this public forum of the Finance and Administration Committee's inquiry into possible changes to Queensland parliamentary terms. I am Di Farmer. I am the chair of the committee and the member for Bulimba. The other members of the committee in attendance tonight are Mr Michael Crandon, our deputy chair; Mr Craig Crawford, the member for Barron River; Mr Trevor Watts, the member for Toowoomba North and is attending in place of one of our permanent committee members, the member for Broadwater, who could not join us this evening; Mr Duncan Pegg, the member for Stretton; and Mr Pat Weir, the member for Condamine.

Whilst this forum is intended to be an informal discussion and information session, I would like to remind everybody that it is still a formal proceeding of the parliament and so is subject to the Legislative Assembly's standing rules and orders. We have Hansard reporters here with us this evening who will record the proceedings and a copy of the transcript from this and the other forums that we are holding will be available on the committee's website.

The committee has been referred two separate inquiries which we are considering as a single process. Firstly, the parliament has asked the committee to conduct a general inquiry into the introduction of four-year terms for the Queensland parliament. Under the terms of reference for this inquiry, the committee has been asked to consider a number of aspects, including a comparison with other jurisdictions, the advantages and disadvantages of four-year terms and determining when and how a referendum question might be put to the Queensland people. The second aspect of our inquiry is consideration of two private members' bills which were introduced by Mr Ian Walker MP which are related in their intent to the general inquiry that I just mentioned. The Constitution (Fixed Term Parliament) Amendment Bill 2015 seeks to establish fixed four-year terms, with a general election to be held on the second Saturday in March every four years. The Constitution (Fixed Term Parliament) Referendum Bill 2015, which is a different one, seeks to facilitate the necessary referendum to introduce four-year terms if approved by the parliament.

The purpose of this forum is to commence a discussion with the community around some of the key matters that the committee will have to consider as part of this inquiry process and to help inform the committee's recommendations to parliament when it reports in November. The committee also wishes to invite anyone here tonight to put in a written submission addressing any of the issues that are contained in either the referral or the bills. The closing date for submissions is 4 pm on 20 October.

I want to stress that the committee has not formed any conclusive views in relation to the inquiry or the two bills. We will be drawing on views that are put to us in tonight's forum and other forums to be held over the coming two weeks, as well as information that is contained in submissions. On that note, I am going to hand over now to the Clerk of the Parliament, Mr Neil Laurie, who is going to give a brief introduction to the inquiry and an overview of the key matters under consideration. Neil has been the principal officer of the Legislative Assembly, the chief executive officer of and the accountable officer for the Parliamentary Service since February 2003. He has over 22 years experience with the Parliamentary Service, including six years as Deputy Clerk and Clerk of Committees and over 12 years as Clerk. Thank you very much, Neil.

**Mr Laurie:** Thank you, ladies and gentlemen. My purpose here tonight is to give a brief overview of the significant issues that the committee will be investigating and also touch upon the two bills that the committee has been charged to look at. As part of that I will look at some of the advantages and disadvantages of the four-year term and some of the issues that arise out of fixing terms, if it should be recommended. I am also quite happy to take, with the committee's leave, questions as we progress through, but I will leave that to the committee.

**CHAIR:** Thank you, Neil, and I am sure that will make things a lot easier. If I can just explain to people—and this is going to make things slightly more stilted than a general conversation that we might otherwise have—because this is a formal proceeding of parliament we do need to record it so I just ask if anybody has a question could you please come up to the microphone and state your name

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and just make your comment or ask your question there. Sorry to make that slightly awkward, but it is unfortunately the way we have to do it. Thanks very much, Neil.

**Mr Laurie:** Madam Chair, to start with I will just take members of the public through the current situation. Currently the law in Queensland states that every Legislative Assembly—that is, every parliament—lasts for three years. It lasts three years from the day appointed for the return of the writ. What actually happens in an election cycle is the Governor dissolves the Legislative Assembly for a general election and issues a writ and the writ contains, amongst other things, the date that the election will be held and the date that the writ has to be returned back to the parliament. When the writ is returned it is basically returned with who has been successful in the election, if you like, and the members who have been elected are endorsed on the writ.

At this current time the Legislative Assembly can go no longer than three years after the date of the return of the writ—not the date of the election but the return of the writ. The writs are generally returned about four to six weeks after the election date. The constitution is very clear: three-year maximum term. The term is not fixed, however, and the Governor does enjoy the prerogative and the discretion to dissolve the Legislative Assembly before three years. In fact, most assemblies are dissolved rather than expire. Generally speaking, elections are, on historical average, held about every two years and nine months, so slightly less than three years. In some instances they are held earlier than that, again as little as two years and three months sometimes.

The three-year term was established in 1890. Prior to that we had five-year terms. In 1890 it was three-year terms. In 1934 the Constitution Act Amendment Act 1934 fixed—'entrenched' in legal speak—that provision of section 2 of the Constitution Act. So from 1934 it meant that this provision in the Constitution Act which fixed three-year terms could not be removed from the constitution without a referendum. In 1890 three-year terms are fixed; in 1934 the three-year term maximum is entrenched—that is, it cannot be removed without a referendum. Coincidentally—not so coincidentally—the 1934 act actually did two things: it entrenched the three-year terms and it entrenched the abolition of the Legislative Council. Queensland had two houses of parliament from 1860 through to 1921-22. In 1921-22 the Legislative Council was abolished. In 1934 they entrenched the abolition of the Legislative Council. In other words, we cannot re-establish an upper house without a referendum. By the same token, we cannot get rid of three-year terms without a referendum. Those two things were done together in 1934. That is the current situation in Queensland.

As the chair outlined earlier, the committee has been tasked with two things. The first is a general reference that was given to the committee on 15 September to look at the introduction of four-year terms. In doing so, the committee has to look at a comparison of three- and four-year parliamentary terms and the advantages and the disadvantages, a comparison of parliamentary terms in other Australian jurisdictions, a mechanism for determining the referendum question that will be put to the Queensland public and the possible starting date for any new arrangements if adopted. That is the reference that was provided to the committee.

In addition to that, following this reference the member for Mansfield, Mr Ian Walker, introduced two private members' bills on 17 September—so three days later. The first bill is the Constitution (Fixed Term Parliament) Amendment Bill and the second bill is the Constitution (Fixed Term Parliament) Referendum Bill. The first one seeks to change the law and the second one seeks to set out the terms of the referendum for that change to occur. The Assembly has decided that, given that the committee was looking at four-year terms, the committee should consider these two bills in the context of the wider inquiry, which makes sense.

In terms of the bills, essentially the first bill recommends a fixed four-year term. It also recommends that general elections be held on the second Saturday in March every four years and on the fourth calendar year after the first election. It does retain the ability to dissolve the Assembly despite the fixed four-year terms in exceptional circumstances in which the Governor must dissolve. That includes, for example, lack of supply—that is, the government cannot get the budget through the Assembly—or a vote of no confidence. It also retains the general prerogative of the Governor to dissolve the Legislative Assembly and issue a writ for election in accordance with established constitutional conventions. We can talk about that a little later.

If the amendment bill is passed, the proposed referendum bill basically sets out when it must be held and in what circumstances it must be held and who can vote. Essentially the bill complies with the 1934 act by saying that the referendum must be held at least two months after the four-year fixed term bill is passed and that anyone who is entitled to vote in a Queensland state parliament election can vote in the referendum.

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As we would like to stress, the issues that are being discussed tonight and are being considered by the committee generally are a little bit more than just a choice between whether or not there is a three-year term or a four-year term. Other issues include whether or not to have a fixed term or a minimum fixed period in which there can be no dissolution—that is, you could simply change the three-year formula in the current act to a four-year formula which would mean status quo for everything else. It just means that instead of going to an election every three years we would go to an election every four years. Or you could have a bill that actually sets a minimum period in which you cannot dissolve it earlier—that is, it cannot be dissolved in the first three years except in exceptional circumstances. Or you could have a bill that sets fixed four-year terms with a date. So there are a number of combinations of what you can do. Mr Walker's bill has obviously put forward at least one proposition along those lines.

An interesting question is: if you have a fixed term, in what special circumstances should a dissolution occur? Mr Walker's bill has mentioned lack of supply and no confidence, but there may well be other circumstances that should be catered for in the legislation. What is the appropriate extent of the reserve powers? Should these prerogatives that the Governor retains continue or should they be somehow limited and what are the implications of that? Those are issues that must be considered. Are there any other safeguards necessary or desirable as a general proposition?

I stress that this list is not an exclusive list; it is an inclusive list. These are some of the proposed or noted advantages and disadvantages of a four-year term. The advantages of a four-year term include that a longer term allows a government a longer period to implement policy, particularly in areas of planning and the delivery of major infrastructure. It is often said that when governments are elected their first six to 12 months is all about getting into government, setting up and reviewing what is going on. They have one year then to implement and one year ready for an election, if you like. So it is felt that if you extend it to four years governments have a longer time to not only start the planning processes but also implement many of their policies.

There is an argument that stability is enhanced and that a government can plan in a steadier manner rather than introduce legislation very quickly in order to implement their policies. By the same token, once a government implements a policy it does not immediately disappear after the next election within three years. There is an argument that policy development is less driven by the polls and more driven by a proper long-term view of what is right and in the best interests of the state. There is an argument that representatives—that is, the members of parliament—would be better able to focus on and attend to electorate needs and concerns in the longer term rather than being distracted by the whole campaigning issue within three years of being elected. The community, especially the business community, would be better able to plan and manage its affairs with certainty, not fearing that policies would be introduced and legislation introduced that may disappear within a relatively short period of time. Of course, with fewer elections there are fewer costs in elections and even in transitions between governments, where there are some costs. So they are some of the advantages that are often touted. As I said, they are not an exclusive list.

Most of the disadvantages go to the issue of accountability. That is, there is a greater period in which a government is not able to be held to account by the electorate. Fewer elections, whilst perhaps popular in reducing costs, mean that there is reduced accountability to the people. That is, governments have a longer period where they do not have to go back to the people to be accountable. It is argued that, therefore, governments could become less responsive and more complacent, resulting in poorer policy outcomes.

Importantly, Queensland, unlike every other state jurisdiction, has a unicameral parliament, which means that there is only one house of parliament; there is no house of review. There are very few entrenched safeguards to ensure the review of decisions and legislation. Therefore, it is argued that it is appropriate that, as a unicameral parliament, there should be three-year terms. Another disadvantage is that a longer term might mean that any minority government could in some circumstances be left in limbo for a longer period. A variation on that theme is that if you get a bad government it is a longer period to wait.

That, ladies and gentlemen, is a very quick overview of the current law, what the committee is looking at and some of the disadvantages and advantages. As I said, it is an inclusive list; it is not an exhaustive list. I am sure that there are many other disadvantages and advantages that people here would join in with tonight.

**CHAIR:** I am going to go to the audience now. Can I just say at the outset that I know there are people here tonight who have come just to hear the various sides of the argument. The purpose of this forum has been to give information as much as to hear people's views, so please do not feel

like, just because you are here, you have to state your opinion. You are very welcome to sit back and just hear what people have to say. We have certain questions that we are very interested to ask people's views about, but I just wonder if anybody would like to come up to the microphone and give us a couple of minutes on what they think of any one or more of these questions. I know that a couple of people have told us their ideas. Would anyone like to do that—just come and stand up at the microphone and speak? Thanks, Jim. If you come from any particular organisation, just let us know, thank you.

**Mr Taylor:** My thoughts are that if you have a three-year term it stops governments going off the rails—and it does happen. They say it does not happen, but it does. If you go to a four-year term, there must be a safeguard. The upper house must come into play, because they will be able to stop or steady it all up. The other thing with the upper house is that you will say that it is going to mean a lot more politicians. We have 89. You can take half of them away and put some of them in the upper house and extend the thing, so it will be cost-neutral. That is my view.

**CHAIR:** Thank you very much, Jim. Just to clarify then, Jim, you think four years but we would have to introduce an upper house?

**Mr Taylor:** Yes, definitely.

**CHAIR:** To have some accountability. And fixed terms? Are you open?

**Mr Taylor:** The fixed-term part, I will give you an example. The last Labor government put elections on because their reasoning was that it clashed with the local government so they had to pass a bill. A fixed term would be a fixed month with two weeks in that term, so it would be the first and second week or the third and fourth week. That is my view on that.

**CHAIR:** And can we ask why you think fixed terms rather than flexible terms?

**Mr Taylor:** From my reasoning, if you have fixed terms you know that it is going to happen and they cannot say, 'We'll put it on now.' If a fixed thing is there and it has been brought up, what can you do to stop it? It is all good.

**CHAIR:** Thank you very much, Jim. Would someone else like to say something?

**Ms Hardy:** I have just a clarification. I am not sure whether Neil can help me with this. He mentioned that there is a bill before parliament and that once that bill is passed in parliament you have a two-month window in which you can then take it to a referendum; is that correct?

**Mr Laurie:** No, the constitution act 1934 provides that you have to pass a bill and you have to wait a minimum of two months before you can then have the referendum. In other words, you cannot pass the bill and have the referendum the next week; you have to wait at least two months before you can have the referendum.

**Ms Hardy:** Should that happen, what would happen with the current term of this government? This government was elected in February 2015. It has a three-year term, which is what the people elected them for—a three-year term. So that would stand?

**Mr Laurie:** That is right, because the fixed term bill only starts to apply from the next election. The next election would be the first four-year term.

**Ms Hardy:** I have just one comment. I have done a little bit of research on this of the other states. They have moved from three years to four years and fixed or non-fixed. It seems to me that a lot of them, when they moved to a four-year term, did that as a four-year not fixed, I guess to get a bit of a feel for how the community has responded to that. I am looking at the bill that is before the parliament. Obviously, it is for a fixed term. Is that something that the committee is considering or would it purely be for the four-year fixed term?

**CHAIR:** Sorry, Cynthia, just so I am clear, we are looking at—

**Ms Hardy:** The bill that is before the parliament, I understand, is to vote on a four-year fixed term.

**CHAIR:** Yes.

**Ms Hardy:** So is that one of the things that we are considering here—whether it be a fixed term or whether maybe we can go back with something like the four years but not fixed?

**CHAIR:** There is a range of questions. There are almost three things we are considering here. There is the first inquiry and then there are two bills and in that mix is that issue of fixed terms. Some of the things that Neil referred to then we would look at. Regardless of whether it is a three-year or four-year term, should they be fixed? If it was a four-year term, maybe it is three years fixed and then

you can go any time the next year. It could be four-year terms not fixed so that you can go any time in the four-year period just as we can go any time in the three-year period here.

You were talking about the other states and territories. Queensland is the only state without four-year terms. In all of the other states and territories, except for Tasmania, they are fixed terms. Certainly that is absolutely one of the questions that we would be looking at. What is your view on that?

**Ms Hardy:** I support four-year terms. It is just the community consensus to it. It is a big adjustment. People have always had a three-year term that is not fixed. Just how the community would respond to that, I do not know whether it is a good or a bad thing to do it. I support a four-year term and I think fixed gives a lot of certainty to the community.

I agree with probably a lot of those dot points there as to why we look at a fixed term, but I do also support that it is all well and good when you have a good government that is a proactive government and working well with the community and listening to the community and listening to business and so forth. If you have a government that has lost its way and all sorts of things, I guess there is room there, because there can be a vote of no confidence in the parliament et cetera. So there is that little bit of caution there, I guess, and that could be a bit of a concern. Queenslanders tend to be a little bit nervous about change. Referendums particularly do not have a very good track record for getting up either. So I think we need to get on how we put it to the community.

**CHAIR:** They are very good points. In the referendum in 1991, which just asked about four-year terms—it did not ask about fixed terms—the ‘no’ vote was something like 51.1 or 51.9 per cent, so it was just over. But you are right: it is one of the reasons the committee is going to a fair bit of trouble to travel around the state. We have written to over 1,100 individuals or groups specifically to ask if they would like to make a submission. We are going to 11 different regional centres around Queensland for forums like this and we are trying to advertise as far and as wide as we can so that people can take part in the debate, because it is a very big question and we want to make sure that the recommendations we make reflect community views. I might hand over to our deputy.

**Mr CRANDON:** Thank you, Di. Just to make it very clear, we are here to ask your views. We are not here telling you that we are going to a four-year term, a fixed four-year term or whatever. We are here to ask your views, as the chair has said, and we are going right around the state over the next few weeks to get those views. Then we are going to go back and digest all of that. Then we have another public hearing scheduled at a later date prior to us then taking our recommendations back to the parliament to provide the parliament with your views and everyone else’s views around the state.

As the Clerk mentioned in relation to having a fixed four-year term, there would be certain triggers that would need to be considered for inclusion in that so you were not stuck with a four-year term regardless of whether it was a lame government that could not do anything because it did not have the support of the House. I am referring to such things as not being able to pass the budget—in other words, if they were not able to pay their own employees and pay their bills on an ongoing basis. Those are the sorts of triggers that may be considered. We are looking for suggestions or ideas from the community as to what they think even those things may be. There are some well-informed individuals in the community who have some very good and very strong views on various things like that.

Can I throw one thing into the mix that came to me over the last few days whilst mulling over this? What if we went forward with fixed four-year terms, our first fixed four-year term came up, we were going down the road of having a government and one of those triggers occurred—for example, the budget was not passed? We could not get the budget through the House, whoever the government may be. There is the trigger. A new election is called. Let us say, to make it easier, it is 3½ years down the track. If we went for a fixed four-year term in March every four years and we went six months early, does that then change the fixed four-year term to four years from the new date or does that now mean we are going to go for a 4½-year term?

There is a lot of complexity in this, and we need your feedback as it is very important to us. We want to get a general idea across the state before we go back to the parliament, because parliament in the end will make the decision as to whether or not they are going to a referendum. That is their decision to go to a referendum—to ask all of the people in Queensland who are able to vote whether they agree. Remember that last time it went to a referendum back in 1991 it was defeated 51.8, I think it was, to 48.2 per cent.

One of the suggestions that was put to me is that it was defeated because there was not that fixed element in that particular proposal in the referendum. It was a four-year term but the government of the day could go to a new election at any time, and there was a suggestion to me that perhaps that

was the reason it did not get across the line. All of the other mainland states have gone to a fixed four-year term with those various triggers possible. It may be that if you are going to go four years then you need to seriously think about whether we are going to lock in a fixed date in the future each and every time.

Of course, our councils do exactly that. The Toowoomba Regional Council goes on a fixed date every year. It was pointed out, quite rightly, by our first speaker that we had to change the date because it so happened that the Queensland government called an election in March and we had to change the date by a few weeks, and a bill was put through to enable us to do that. That is already happening with local government. It is happening in every other state and territory including Tasmania, and all of the mainland states have a fixed four-year term. So we are a little out of kilter there, but we are in the same situation as the federal government with a three-year variable term.

**Mr Jordan:** I am Bill Jordan and I am here as an ordinary voter. I think the deputy chair said that you could get a dissolution if the budget was not passed. In the state of Queensland I think that would be next to nil, wouldn't it, because as it is now there is a majority of one or two? And you cannot tell me the likes of the Katter party and those would not vote against the government.

**CHAIR:** There could be any range of circumstances in the future. We have some crossbenchers now. There may be a situation in the future where a government has a one-person majority, there is a by-election and it changes. I do not think any government likes to make constitutional change too often. If there were going to be any changes, we would be looking at every possible form of government in the future and how we make sure we are catering for every possible contingency. When we look at what happens in some of the other states and territories, the triggers are those two things that Neil said: whether there is a vote of no confidence or whether the budget cannot be passed. It looks at those sorts of precedents. They are some examples. What are your thoughts on that?

**Mr Jordan:** I am totally against four years.

**CHAIR:** Why is that?

**Mr Jordan:** No. 1, you can have a government come in with a set idea of getting rid of all positions that the previous government put in place. They are usually given to party hacks or people who have supported the government. I think we have seen that on both sides. Flegg was a typical example in the Nationals, getting rid of a fellow. It gives you the chance to get rid of a bad government. It is unfortunate if you have a good government that it stops then, but I would be totally against four years.

**CHAIR:** What is your view on fixed terms? If it stayed at three years, do you think the term should be fixed at three?

**Mr Jordan:** Yes—being halfway through and then going to an election because the opposition has changed its leader or is having a barney or something. I would be for three but I would not be for four. There is just too much damage being done.

**CHAIR:** Thank you for that.

**Mr Jordan:** Thank you very much for your time.

**Ms Stack:** I am Deanne Stack. I am here on behalf of the other hundred thousand in the area who did not get here tonight. I do not think this 12 really give us a representative view of what people really think. Referendums are the only honest way to run a democracy in my opinion, as in Switzerland. I think we could pay for them if we maybe reduce the salary of first-year MPs who come in with no experience and no qualifications. If I get a job somewhere, I am on probation for several months and I do not get the full pay until I am doing the job. I think we could save money and have a referendum on real issues.

I certainly agree with the first and the last speaker about not giving them any more time. I have here from the local paper all the homes that are being sold and people who cannot pay their rates, and this is due to our friend Mr Beattie, who said that when we had competitive electricity firms we would have cheaper electricity and that amalgamating councils would give us cheaper costs. Exactly the reverse happened. I do not think we should give them five more minutes of power than they already have and they should be accountable. Maybe three-year fixed terms and do not let them choose to their own advantage when to go to an election. It is time we got some real honesty and integrity back into government.

**CHAIR:** Thank you very much, Deanne.

**Mr Redman:** My name is John. I have a couple of questions. One is probably obvious. What is the percentage to carry a referendum? Is 50.1 good enough?

**CHAIR:** That is my understanding.

**Mr Laurie:** One vote over 50 will carry it.

**Mr Redman:** I put a question mark on the rules for a by-election. If they come up during the term, what are the rules? If a member dies or resigns, can a by-election be held over or does it have to be held straightaway?

**Mr WEIR:** If it potentially changes the government?

**CHAIR:** That is a good question.

**Mr Redman:** I know this is a curve ball, but I don't care. You are talking about a four-year term giving greater stability to the government. It might for the MPs, but no-one has highlighted the fact that to have an effective administration you have to have an effective Public Service. If you are going to continually chop and change your Public Service at the whim of the government of the day, that is not good stability to me. To me, that is something that has to change.

In terms of four-year terms, I think I would rather see an upper house reintroduced into Queensland, like Jim said, but it would have to be an upper house that gives a weighting to country electorates. As we all know, there are seats such as Warrego that are two or three times the size of the state of Victoria. To me, they do not get the recognition for that geographic disparity. Other than that, extending the term to four years worries me because you may get a shambolic government.

**CHAIR:** To clarify, going back to what you said before, you would prefer a four-year term but only if you had the checking mechanism of a Senate, as Jim suggested earlier? Is that your view, or not to go to four-year terms at all?

**Mr Redman:** No, four years worries me. If four years is supposed to bring greater stability, keep a three-year term but bring bipartisan committees in to consider long-term projects so you are getting a bipartisan approach to those projects so they carry on. There are other ways of approaching better governance than having four years.

**CHAIR:** What is your view about fixed terms?

**Mr Redman:** Quite frankly, if you have a shambolic government, fixed terms worry me. We all know that to get projects up and running that are in the interests of the state it takes a lot of forward planning. They do not just happen. As I said, have a bipartisan committee to overlook those processes so you have agreement from both sides on an ongoing basis. It is just a thought.

**CHAIR:** You have raised some very interesting issues.

**Mr Mackenzie:** Good evening. I would like to acknowledge the Indigenous owners of the land on which we are meeting today, the Jagera and Ugarapul people. My view, and I have been contemplating this for some time, is that security and assurity of governance and government are very important. We had the certainty early this year of going into Christmas holidays and then an election, but the timing was not very good for the stability of business, government and all sectors. My personal view is to have a four-year fixed term. We have a football season and a cyclone season; let's have an election season. Let's pick the right time so that business knows and can have some assurity, government knows and has some assurity, and the administration of government has some sort of assurity about the timing cycle.

I notice from the schedule it looks like the times of the year are March or November. They are the two clustered dates around which the elections are called. I think March is far too close to a cycle for doing a budget and estimates and then doing the security of supply with regard to the transition of the government, whether it is the same or new. I have worked in the administration of a government department, and that can involve briefing new ministers and establishing a budget time line. As we know, this year was a late budget compared to previously.

My feeling is that it should be November after the Melbourne Cup, so outside the other competitors. It should be a fixed term in November that does not clash with local councils. I believe an act was passed which told local councils, 'It is four years fixed and it is March.' Let us look at that conversation of having a four-year fixed term in November. They are my thoughts.

**CHAIR:** Thank you very much. Would any of the committee members like to ask any questions of Ken? Any others?

**Mr WATTS:** If I may, I have a question of the Clerk. In reference to the issue that was raised about what happens if there is a by-election and/or what happens if for some reason the government

is dissolved early, what happens to the fixed dates: do we know what happens in the other jurisdictions in relation to that?

**Mr Laurie:** I will answer the question in relation to the by-election first. On my reading of the fixed-term bill, it does not affect the current law in relation to by-elections. Currently, what happens with a by-election largely depends on when the vacancy occurs. Under the existing Queensland law in the Electoral Act, if the vacancy occurs when the House is sitting then the Speaker of the day issues the writ for the by-election. If the House is not sitting it is a writ issued by the Governor. If a writ is issued by the Governor, the Governor issues that writ on the advice obviously of the premier of the day. There is no time scale that I can recall within the Electoral Act that deals with the writ having to be issued within a certain time. Once the writ is issued there are time scales that apply under the Electoral Act, but there is no actual requirement under the Electoral Act, from my memory, as to how soon that writ for the by-election has to occur. I know that in past parliaments we have had by-elections that have taken four to five months from the vacancy until the election. What has the second part of the question, sorry?

**Mr WATTS:** If under exceptional circumstances an election was called early by the Governor, what would then happen to the fixed date of March?

**Mr Laurie:** This is a matter ultimately for the legislation that passes through. Under Mr Walker's fixed-term bill, the next election takes place in the fourth calendar year after the election. This is my understanding of the bill: if the elections are set for March every fourth year and we get to, say, September of the year before it is due and the House is dissolved for exceptional reasons, the election must happen essentially in the March of the fourth calendar year which means you could never end up with 4½ years but you could end up with 3½. Does that make sense?

**Mr WATTS:** Yes.

**Mr Redman:** Just following up what was said about the by-elections, that means that if there are no rules there about when a by-election must be called, if I am the Premier and I have a one-seat majority and there are no rules about a by-election I could just hold it off until half-past whenever.

**CHAIR:** In fact, you have just raised an issue which we had not talked about as a committee, and we are really grateful for that. It means that we must make sure that we address that question. I will ask you a question while you are here, because it is part of it and I am interested in everyone's views on this. In terms of this issue of, if you have a fixed term, there needing to be some triggers for the Governor to intervene, which might be if there is a vote of no confidence or we cannot get a budget through, do you think they are sufficient triggers or do you think there should be other triggers?

**Mr Redman:** It was like the comment that was made here before. We have only one house; there is no upper house. A vote of no confidence or something like you are talking about could never succeed. You could have a shambolic government. In any other state of Australia, if you have a shambolic government, or some other scenarios that we will not talk about, a no-confidence vote, if you convince enough members, could succeed. It cannot in Queensland under the system we have at the moment.

**Mr PEGG:** Neil, I might be testing you, but in terms of a budget not passing the House, do you know when was the last time that actually occurred? In fact, has it ever occurred in the history of Queensland?

**Mr Laurie:** I would say that there would have been instances of that in the 19th century, like in the first 40 years. I cannot recall us being in that situation since the growth of the modern party system. So from the First World War I have no recollection, but I will certainly check that for you. I think in the real politics of the world, a government would probably know that the writing is on the wall beforehand and would go. In our history we certainly have had governments that have changed mid term. The closest one is 1996, when the Borbidge government took over from the Goss government after the Mundingburra by-election. We have certainly had earlier examples of that throughout our history, but certainly in the 20th century and so far this century I can recall no lack-of-supply issues because you usually lose confidence before you lose supply.

**Ms Wilson:** Before you do anything about putting this as a referendum, do you have bipartisan support in the parliament for this to go to the people?

**CHAIR:** I think that is a good question.

**Ms Wilson:** Because it will not go anywhere.

**CHAIR:** That is right, and you might remember, too, that there was a recommendation in 2000 as a result of a general constitutional review that we actually go to a referendum again, but there was

not bipartisan support. My understanding is that it was the decision of Peter Beattie at the time that it would be a waste of time to go if there was not bipartisan support. Certainly the LNP has stated its position very clearly in the bills what its position is and the Premier has certainly said that she thinks it is time for a serious discussion to get certainty. I do not pre-empt anything, but I think it is a given that there would be no point going to a referendum unless there was bipartisan support. Certainly as a committee, just so people know, there are three government members on this committee and three non-government members. We work in a bipartisan way. We sometimes disagree and we sometimes agree on things. The way we make our recommendations is going to be critical just because of that. I will just hand over to Michael.

**Mr CRANDON:** That is quite right. We have had some monumental disagreements and we have had some really positive agreements as well. If I can once again make the point that our role as a committee is to report back to the parliament on what the people of Queensland say in a spattering of I think 11 of these forums around the state starting here today, the very first one. We will also go to the Sunshine Coast, Gold Coast, Brisbane, Mount Isa, down the coast of Queensland and finally out to Emerald. So we are going right around the state to get the flavour from people in all walks of life, if you like—people from the country, people from the city, people from the regional towns and so forth and so on. When we gather the evidence we will then put that evidence into a report and give that to the parliament for the parliament to then debate, give consideration to and so forth. Clearly the LNP has already signalled its position in that it has put two bills into the House, so clearly there is a position already set by the LNP. As far as the ALP is concerned, I believe the Premier has indicated that, yes, it is time to go to the people and ask the question.

Once we go back to the parliament, of course, it is all debated and if we then move forward to passing the bills, or passing another bill that may be put into the House, we then go back to the people of Queensland as a whole. So now we are talking to the people of Queensland around the state getting their views and advertising widely and then we will be going back to the people of Queensland as a whole and the people of Queensland as a whole will then make their decision, assuming we go to that referendum.

**CHAIR:** It is a very good point. Thank you for raising that.

**Ms Wilson:** Secondly, if the Governor, who is an unelected person, has the right to make that dissolution call in the event of no confidence or no supply, are the Governor's powers the same as the Governor-General's powers when that similar thing happened and the Governor-General called a double dissolution? The Governor-General, and I assume the Governor, is obliged to take the advice of the elected government of the time.

**CHAIR:** That is a very good question, and Neil referred to it briefly in his presentation. In some of the other states there is very, very specific wording around the reserve powers of the Governor. For instance, I think in New South Wales there is actually a buffer period. For instance—and you might correct me if I am wrong here, Neil—my understanding is that if there is a vote of no confidence there has to be a period of time before the Governor may make a decision. A government may, for instance, I guess, engineer a vote of no confidence in order to actually get around the restrictions of a fixed term. My understanding is that it is to actually address any politicking around it. I do not know if you would like to comment any further than that, Neil, but it is something that we must very clearly address.

**Mr Laurie:** Obviously the two, in a way, are simple scenarios that are well known which usually trigger elections: a vote of no confidence and the Governor does not feel confident in appointing another government—that is, this government may have lost confidence but no-one else can form government—or obviously the loss of supply. But there are other circumstances around the Governor's reserve powers. The Governor exercising those reserve powers does not necessarily have to take the advice of the government of the day, the premier of the day, in exercising those reserve powers and there is a fair degree of controversy about the limits of that, as we know from 1975 and the Whitlam dismissal at the federal level.

**Ms Wilson:** Is that a convention?

**Mr Laurie:** I have been in forums with academics that will still argue both sides of that argument. There have been examples throughout history. For example, in New South Wales in the 1930s the Lang government was dismissed because the Governor felt that the Lang government was acting unlawfully by raising funds in the manner it was proposing to do so, so the government was dismissed by the Governor on the basis that the Governor felt that the government was acting unlawfully. In Queensland in 1864 a government proposed to raise money during a recession by the issue of convertible notes and the Governor of the day called up the Premier and said, 'If you pass

this bill I will not assent to the bill because I think it is unlawful,' in the sense that we were tied to the British currency at the time and they thought it was a greenback issue, if you like—a paper money issue. So there are instances, quite unusual, outside of that issue of supply and confidence, where there are precedents for Governors to dissolve and at the end of the day, even though the Governor is an unelected person, they always have that reserve power.

**CHAIR:** Thank you. There are some really good issues being raised here. This lady over here has not had an opportunity to speak yet.

**Ms Allen:** I want to ask why Queensland is behind the other states. You said that all the other states and territories have a four-year fixed term and Queensland only has three years. Why is this? Why is it not like the rest of Australia?

**CHAIR:** Thank you for that question, Mary. Before I answer that, can I acknowledge John McVeigh who is up the back. John, you are very welcome to come down here and join us if you would like. John is the member for Toowoomba South. I am sure you all know him.

Mary, in answer to your question, I do not know if one would say that we are behind or not. I think Neil referred to the fact that, back when they converted to three-year terms, there was that link. The Senate had been abolished and some of the speeches at the time are very clear about the fact that, if they abolish the Senate, they need to keep to three-year terms. Parliament needed to keep going back to the people because, with the abolition of Senate, there was no longer that checking mechanism. I guess there has been that opportunity with the referendum in 1991. It was a pretty close vote when you look at the figures. Since then, there has not been an opportunity. That is why this is such an important question. It is so good that people are raising issues that have not come up to this point.

**Mr Jordan:** There is one question that I would like to clear up. If the government of the day is on a knife's edge, there is a four-year term and it only has a majority of one, if a poor individual dies does that mean that the opposition could come in and defeat the government on the floor because a person has died and then try to go to an election?

**CHAIR:** I have some thoughts on that, but Neil might answer that.

**Mr Laurie:** Yes, essentially. Our democracy, our system of government, is based upon the notion that whoever has the confidence of the House can form government. If the numbers change midstream, then, yes, the government can change. With the example that I gave before about the Mundingburra by-election in 1996, Frank Tanti was elected for the then Liberal Party and, effectively, it changed the numbers in the House. Liz Cunningham, who was the Independent, said that she would support Borbidge. Goss therefore tendered his resignation and Borbidge was appointed as Premier. That occurred midterm. This would also happen.

**Mr Redman:** But was it not the case that Frank Tanti was in that situation because there was a court challenge?

**Mr Laurie:** Yes. The microphone might not have picked up your question, which was that situation arose because it was a court challenge. You are right, but it took almost six months through the court in order for that to occur.

**Mr Jordan:** In a situation where this person dies, is there one against one that they work to keep their number?

**Mr Laurie:** No, not in a legal sense.

**Mr Jordan:** You know how sometimes they have—

**Mr Laurie:** No, that is called pairing. No, I have never seen them pair with anyone who is not there.

**Mr CRANDON:** You are not expecting someone else to die.

**CHAIR:** The Mundingburra one is a good example. In fact, the government continued to govern until the results of the Mundingburra by-election were known and then—

**Mr Laurie:** It does not necessarily take a by-election for that to occur. It may well be that there is a minority party or a group of Independents who halfway through a parliament decide that they are not going to support this government any further, but they will support the opposition.

**Mr WEIR:** Neil, in the event of that happening, there being a by-election that changes the government, then the new government continues to that four-year expiry date and then you go to the polls?

**Mr Laurie:** Yes, under Mr Walker's bill. I should add, Madam Chair, so the ladies and gentlemen of the audience understand, that the bill can be amended. When the committee reports, the committee can report obviously on the general issue but it can also recommend that the bills not proceed or that the bills proceed with amendment. These bills, as they stand at the moment, are subject to change.

**Mr Mackenzie:** I have not read the draft bill. Is there a provision that there will not be any clash of cycles of elections? We have fixed four-year terms for local government. Will it be the same year as the state? Is that something to avoid?

**Mr Laurie:** Yes, there is. I certainly recall reading something along those lines. It also has provision in there if a federal election is called to change the formula by a couple of weeks to make sure that you do not have a state and federal election on the same date. So that would be the case, yes.

**Mr Mackenzie:** That brings in my full formula. Wouldn't it be great if we all had four years? We would have an election every year and then a year with no elections.

**CHAIR:** There is a breakthrough here.

**Ms Hardy:** What scope do you have with a referendum? We do not want to confuse Queenslanders. From listening to people tonight, most people seem to support a fixed term and a number prefer three years to four years, if I am picking up the debate here. Can you put a referendum for one or the other—a four-year fixed term or a three-year fixed term—to the people, or is that going to confuse them? Referendums are difficult as it is. There has been mention by a couple of people of the fact that we do not have an upper house to keep the balance, as it were—if that is possible with the Senate. Is that something that the Queensland parliament talks about? I know that these committees can work well. Sometimes they do not. This committee is a bipartisan committee, from what you have said. Maybe all committees are not. I guess that is one of the concerns that a lot of Queenslanders have. Most people think that we have too many politicians as it is. I would think the chances of getting a Senate back in Queensland would be near impossible. Is there some mechanism for a few more things to be considered? People hate going to the polls, be it for a referendum part-way through a term or if there is a referendum at the same time as there is an election. There are a number of things to be considered there.

**CHAIR:** They are some very good questions. I will make a couple of comments about the committee system. There are a number of committees in the parliament and they are all of the same composition as ours: three government and three non-government members, although there may be a combination of crossbenchers as well. We are all responsible for different portfolio areas. We consider that our job is to make recommendations to parliament. Sometimes, as Michael said, we do not agree on things. We have fundamentally different views. There have been more times than we probably expected when we have agreed. We make recommendations to parliament and it is up to parliament to consider them. When we do not agree, we say to parliament, 'This is what the government side thinks. This is what the non-government side thinks.' We consider that our job is to lay out the evidence that was before us so that we can inform parliament to make their own decision. Even if we could not agree, we would never consider, I do not think—I think I can speak on behalf of everybody—that we should not actually inform parliament. We spend a lot of time considering issues and we consider that we need to use that then to inform parliament.

There have been a number of inquiries this year that we have overseen where our views at the beginning of the process have completely changed and where we have made recommendations about things that were not in our consideration at all. I can think of one in particular where our view changed completely after the process. That is at least one example. I think that is really healthy, because it says that the evidence that was presented to us helped us to change our views, which we were then able to inform parliament about. If, for instance, everybody across the state in all of their submissions say, 'We think there should be a Senate,' we are going to reflect that in our report. It is not in the scope of this inquiry, but we would still consider it our job to let parliament know of any issues that have been raised if the majority of people have raised them. I might hand over to Michael on that one as well.

**Mr CRANDON:** Thank you, Madam Chair. I think Di has really covered it off very well. The discussion about the upper house comes up quite regularly. It is not something that is new. I have been in this place since early 2009 and I have heard the conversation many times from many people.

On the inquiry aspect, remember we have those three parts: the inquiry and then the two bills. The government, in asking us to look at this, made the point that it is not limited to these four points. These are areas that it wants us to look at, but we are not limited to just looking at those things. So

we are all ears. We are going around the state over the next two weeks and then there is a further process that we will go through. Believe me, we will report back to the parliament with the views of the people of Queensland so that they are better able to move forward in their decision-making process as a parliament—all 89 members.

I remind you again that, ultimately, it may be something that we take through to passing the bills, or passing the bills in whatever format they are. As the Clerk quite rightly pointed out a moment ago, these are two bills that have been presented to the House. There may be recommendations that we make and changes may occur in those bills if we go down that road. Ultimately, it comes back to the people of Queensland to make the final decision in a referendum.

**Mr Laurie:** Madam Chair, can I address the referendum issues that were raised?

**CHAIR:** Yes.

**Mr Laurie:** You talked before about a referendum in which there were options for people to say yes to four years or whether they prefer four years fixed or would prefer an upper house, or whatever the case may be. That is an indicative plebiscite or an indicative referendum. In order to change the law, you need one proposition in a bill. Even if we did have an indicative referendum and 60 per cent said, 'Yes, we want fixed four-year terms,' that would not enable the Assembly to pass the legislation by itself. We would still need a bill that passes the Legislative Assembly that then goes to the people and the people get the opportunity to say yes or no to that bill. If you were to have an indicative plebiscite, you would have to run an indicative plebiscite and then see what the results are and then do a bill and do another referendum.

**CHAIR:** That is a very interesting question you have raised.

**Mr Redman:** I have one point to make. It is not on what you were talking about. If we are talking about democracy, I would like to make a point that really annoys me. As I understand it—if my maths are correct—we have 89 seats in state parliament. Sixty-six of those are centred on the Gold Coast, Brisbane and the north coast. That means that only 23 seats represent the rest of Queensland. As I understand it, there is a redistribution coming up which will probably make that situation worse. It does not matter what any one of us in this room says. If I were the Premier—Joe Blow can do pretty simple maths—I would know that all you have to do is look after Brisbane, the Sunshine Coast and the south coast to stay in government, and the rest of the state can make their own arrangements. If that is democracy, then I am not here.

**CHAIR:** Thank you for that.

**Mr WATTS:** To clarify committees for people, the reason the committees are 3-3 at the moment is that that reflects our parliament, and that is not necessarily the case. The committee structure will reflect the numbers in the parliament, and in the PCCC there is a majority of government members.

My question was actually to Neil. There is some discussion about four-year terms and an upper house. I am wondering whether we have it now or whether we could get information on where an upper house may have triggered an early election in any of the other jurisdictions. People are saying that an upper house is a safeguard. I am curious whether, in that time scale for any of the other jurisdictions, any of those have triggered an election because of an unstable government.

**Mr Laurie:** I am doing a quick index. Nothing springs to mind. For example, in 1975 at the federal level the Senate was refusing supply and it triggered the dissolution of the House. I know of no state example of a similar situation. I am not saying that it has not happened, but I know of no particular example like that. That being said, if you go back to Queensland pre 1922 there were immense difficulties between the lower house and the upper house in the early years of the 20th century. I might be misquoting the figures, but something like 600 bills over a 20-year period were rejected by the upper house. You had reform governments in the lower house and very conservative non-elected, appointed members in the upper house who were not going to allow those bills to pass. That ultimate conflict was the reason the government of the day wanted to get rid of the upper house, which was not prepared to make itself elected.

I think in modern times in the states that have upper houses it is quite regular that bills are rejected by the upper house or amended significantly by the upper house. Those jurisdictions have a much greater culture of negotiation—a culture of trying to reach a consensus through negotiation. In Queensland, because governments generally do not have to negotiate in order to get matters through, we do not have that culture.

**CHAIR:** There was some comment earlier—I think by Cynthia—about people not being comfortable with change. I am not sure whether Deanne is still here, but Deanne was talking about the four-year council terms. Could I ask people for their opinions? We have now had four-year fixed

terms for councils since I think 2000. Does anyone have any comment on that system and how that works for you?

**Mr Taylor:** If you want to know what I think about a four-year council with the shires, it is bloody ridiculous. Here in Toowoomba you have amalgamated a heap, and it was the Labor government that did it. It was wrong. You combined places like Clifton with Pittsworth. I could have understood it if you had put them together, but you pulled it into Toowoomba and it is not fair for the outside shires. This is going to happen as sure as night follows day: the majority of the councillors will come from Toowoomba and that has to be stopped.

**CHAIR:** Would you have preferred it if there were not four-year fixed terms for council, given that?

**Mr Taylor:** I think it is a shemozzle. Just to go back, I come from the west. You have a shire Barcoo that is at Jundah. It is a little town and it has Jundah, Stonehenge and Windorah. The reason they amalgamated was that big is better. They have still stayed there. Winton is another one. It still stayed there. They are working all right. I still do not know why you amalgamated them.

**CHAIR:** Thank you.

**Ms Hardy:** I think business prefers fixed terms because it does give that stability. As Neil said earlier, you have six months to settle into government, for 12 months you try to put in any reforms if there is a change of government, be it a change of party in government, and then all of a sudden you are starting to wonder when an election will be called. A fixed term to me is good. I would like to see it go to four years because I think we need that to achieve things and also to keep us in line with the rest of the states. Whether federally that would ever be considered I do not know, but I think a fixed term is important. From a council perspective it seems to work well.

I agree with Jim in relation to the amalgamation of councils. It certainly has come with its problems, but I think the fixed term for local government has worked well for some time and it appears to work well in other states because you know an election is coming. I support fixed terms. I would like to see fixed terms, whether that be three or four years. That was why I asked my earlier question. Thank you for that, Neil. I do understand: make the referendum or the plebiscite as simple as possible so that you get the outcome that is being sought.

**Mr Jordan:** The amalgamations were done for two reasons. One, Mackenroth reckoned it was a breeding ground for National Party members and, two, Beattie reckoned all these councils were broke. The main ones that were broke were Townsville, Rocky and Toowoomba, and they were all Labor strongholds.

**Mr Munro:** I am a voter from Toowoomba North. I think we tend to be a little too cynical about governments. We want them to be accountable; of course we do. A bit of cynicism is a healthy thing, but rather than being negative it would be nice if we could be a little more positive and give them a chance to govern if they are a good government. In my opinion, they do need four years, particularly with implementing infrastructure. We just get too negative about government. Give them a go.

**CHAIR:** So four-year terms, and is a fixed term your view?

**Mr Munro:** I do not know. Whichever one is more likely to get through a referendum. Probably one more likely to would be a more variable term because people might think that is a halfway house. Referenda are notoriously bad in getting passed in this country. That is the history of it. It needs to be something that we can be certain is most likely to get through. Whether it is fixed or not I do not really care. We have the triggers in place—supply not getting through or votes of no confidence or criminality if it is a hung parliament that could change the government. Whether it is fixed or not fixed I do not think matters—whichever one is more likely to get through a referendum.

**Mr CRANDON:** The suggestion has been made, to me at least, that the reason it did not get over the line the last time was that it did not have a fixed term element to it—in other words, it was variable. One of the propositions that Madam Chair mentioned in her opening was that perhaps you could have a four-year term with a fixed three years and then any time in the next 12 months there could be an election. I am not saying to do that or agree with that. I am just giving you the broad possibilities: a fixed term; a four-year term; a fixed term for three years and then any time in the next 12 months you could have an election; and variable, as is currently the case. Then there is a question that has already been raised of three years versus four years, but I think you have supported the four-year aspect of it.

**Dr Sivertsen:** I am here in my individual capacity as a voter. I wish I could claim to represent 100,000 people who are not attending, but I think I may be mistaken. First of all, I would like to thank the committee for coming out here and for giving us this opportunity. I think it is a fantastic idea that

the electorate gets an opportunity to air their views and concerns. I wish there had been a little more notice. I think most of us only got 48 hours. I did not have the opportunity to digest any of the information, but obviously people down the track will have a better chance.

From my perspective, as I mentioned to you outside, Madam Chair, I came here with an inclination of an opinion but I have an open mind. The longer I have sat here, however, listening to the varying views I think the more inclined I am to go with a four-year term and a fixed term. Most of the pros and cons that have been outlined I think are fairly clear. There has been relatively little added to that, although there have been some interesting different perspectives.

The prime issue from my perspective is stability. I will declare that I am an LNP member, but even during the recent election there were many people in small business like myself who felt incredibly unsettled by the lack of certainty as to when the election was going to be held. I am not partisan in my views. I believe there needs to be consideration of the community and business, in particular, in terms of knowledge and predictability as to when potential changes are going to take place.

I agree with the opinion that at the moment there is a tendency for there to be a settling-in period which could be as much as 12 months for new members of the House followed by one year of serious business, and then people are starting to get fidgety and anxious in terms of the likelihood of them not maintaining their position. Therefore, they are looking at serving their own interests in terms of maintaining their employability rather than necessarily looking after the interests of the public. The reality is that the electorate did not elect people to serve their own interests but to serve the interests of the state at large.

I have had the opportunity to live in a situation where four-year fixed terms have been the norm. I lived through five four-year fixed terms of bad government under Robert Mugabe. I am very aware of the situation. Yes, the public do not like being led by a bad government. However, the reality is that if the election is predictable once the election is over all the electioneering stops and the distractions around it generally settle down. People who aware of international news will notice that even in countries where there is unstable government once the election is over things tend to be much calmer and people just get on with the job of doing what they have to do, regardless of who is in power. That element of certainty I think is good for everyone regardless. The reality is that we are extremely fortunate in Australia and Queensland that we are not going to have a government that is anywhere near as bad as that. I back Neil's comments on that. I think we need to have a little more trust in the elected government, regardless of whether they are coming from our team or not.

**CHAIR:** Thank you very much, Rob. They are very good comments.

**Dr Sivertsen:** I have one or two others. Another point is that, in terms of four-year terms, there may be many potential candidates who are reluctant to put their hand up for only three years. I look at someone like our local member, Trevor, who in reality has had to give up a career in order to pursue another on the assumption that he may only be there for three years and then he may be outside for another three years before possibly re-entering the position. Personally, I think if it is a guaranteed four-year position then if he is successful there is a chance that you may get a better class of candidate. I am not suggesting that any of the candidates here are unsuitable.

**Mr WATTS:** I am not sure if that was good or bad!

**CHAIR:** No offence is taken by anyone, Rob.

**Dr Sivertsen:** I do feel that there are people who would make very good candidates but who are perhaps holding back because three years of commitment is not acceptable to them. If they are out, to be out for a full four years gives them an opportunity to pursue some other option before re-entering the race once again.

I have two final comments. I think we need to take care to avoid reinventing the wheel. When we have referendums, the comments have been made that people tend to err on being conservative if in doubt. I would be interested to hear from other states what concerns or what poor experiences they have had so that we can learn from their poor experiences. I think people are more concerned about the potential for bad experiences. If there is just a short list of potential goods and potential bads, I think people may still err on the conservative side and be afraid of the bads, which may never happen in reality. There is enough experience in the rest of the country that we can learn from.

I have just one final thing. I disagree with the comment about November. I think November, certainly in the social and professional circles that I mingle in, is getting towards Christmastime. People are not thinking about serious matters. I believe from the beginning of November until probably

mid February—that whole period—is not a good time to be considering serious business like elections.

**CHAIR:** Thank you very much for that, Rob. If I can just comment on a couple of those things, too. I apologise for the relatively short notice for you in Toowoomba. The inquiry and the bills were introduced into parliament two weeks ago. Because the committee was very keen to go to as many regional centres as possible and to make the consultation as broad as possible, just the sheer logistics of putting together an 11-stop public consultation schedule—and I just acknowledge the parliamentary staff, Megan over here, who have been putting it together—has been quite huge and then making sure that we are promoting that. So I am sorry that you did not get more notice. We will be putting up on the website on a regular basis any submissions that we get in, so I would encourage people to keep watching the website to see what is going on. That may inform your views even further. Please put in written submissions if you would like to. Certainly, of course, as Michael has said a number of times, if we go to a referendum that is, again, your ultimate way of exercising your opinion. Michael, do you want to say something?

**Mr CRANDON:** No, that is fine, Madam Chair.

**CHAIR:** I was going to comment on something else that you said, Rob. It has completely slipped my mind. I am sorry, I might grab you about it afterwards. John, did you want to say something else?

**Mr Redman:** I was just going to ask Neil something. If we move to four-year terms, the only jurisdiction that will not have four-year terms is the federal government. Would I be correct in that, because the federal government has a Senate, the senators have a six-year term?

**Mr Laurie:** That is correct.

**Mr Redman:** One of the arguments that they are having against a four-year term for the federal government is that the senators would then have an eight-year term. An upper house in Queensland is not up for discussion, but if we went to that, what do the southern states have with their upper houses?

**Mr Laurie:** There have been variable changes to those. Some of the upper houses not all that long ago had 12-year terms, but they have generally normalised now back to the eight-year terms. With the federal parliament, because the Commonwealth Constitution is a fixed document, you cannot change it without a referendum either. So to change at the federal level you would need a referendum as well.

**Mr Taylor:** There is just one thing that has been on my mind a while. You are going to Mount Isa and you are going to Emerald. There is a big area between Toowoomba and Roma, Charleville and Longreach. Have you ever thought that you may be able to drop into one of those towns? They are representative and believe that they are the forgotten race. I come from out there and we definitely do think that. It would be very nice of the committee if you could fit it in—just pull in there—because they need to have something to say.

**CHAIR:** Thanks very much, Jim. I accept your comments on that—and I do not know if Michael wants to comment as well—but I have to say that, because parliament is sitting again the week after next, every spare minute that we have is being allocated. We worked out a schedule that would get us to as many places as possible. Can I just add, too, that we have written to local governments and to other peak bodies and people from those areas to ask them to do written submissions. Also, there will be a public hearing after submissions have closed—and Michael referred to that—and we will be giving people the chance to do videoconferencing, skyping or teleconferencing. There will be a lot of people who just physically we will not have been able to get to see, despite our best intentions. So we are trying to make as many different ways available as possible for people to speak to us. We have had teleconferences with people in the Torres Strait islands and from places in remote Queensland. We have done it that way because it is just so difficult to get around to everybody in the time.

**Mr Taylor:** As I understand it, you are going to come around again and tell us; is that right?

**CHAIR:** We will not be physically visiting places again.

**Mr Taylor:** That is all right.

**CHAIR:** The one public hearing that we have will be in Brisbane and after submissions. So after we have heard from everybody, then we will be coming back. Anyone here, for instance, is very welcome to videoconference in. We will make those arrangements if you want to do that.

**Mr Taylor:** It is just a bit far for people that far out to come down, that is all.

**CHAIR:** Yes, I take your point.

**Mr Redman:** One thought that just occurred to me: is there a minimum, laid down number of sitting days that parliament has to sit in 12 months?

**CHAIR:** A minimum? That is a good question. Neil, thank goodness you are here.

**Mr Laurie:** Yes. There is no minimum number of sitting days per year but the House has to sit once every calendar year.

**Mr Redman:** In other words, if we go to a four-year term, if I were Premier I could say to you, 'We will sit tomorrow and see you next year.' Surely there should be a laid down minimum number of sitting days that parliament has to sit every year?

**CHAIR:** That is a fair point. Can I just say, though, that, as a politician, elections have a funny way of taking care of politicians and governments who do not do the right thing. I think any government that met just once a year would quickly be taken care of at the ballot box, but that is a valid point. This is our first forum and we have already heard a number of points that we had not considered.

**Mr Hogan:** That was very well put. The point about it is that if you have a four-year fixed term the politicians will not have to answer to the people for a four-year fixed term, and that could be four years too long. I will put any money you like on it tonight that if this is put to the people of Queensland—for a Senate, we cannot afford any more politicians. We have no money anyway. We are nearly broke. The next thing is, if you put it as a fixed term, it will never get in because, unfortunately, the perception out there is that the quality of our politicians at the moment is not really good. That is what I am saying. I think to give any politician a fixed term anywhere is a disaster for the little people. Thank you.

**Mr Eacersall:** One of the main problems you will have is getting the message out to the general population. You mentioned a number of ways of doing that, but do you have a television advertising campaign or a newspaper advertising campaign? What are your views on having people know what the situation is? I know people in my own family who would know nothing about it. With people wanting things to happen very quickly—60-minute makeovers and so on—they are not going to be bothered. They cannot take the time. They do not see any value in it. So they will come to a referendum and probably stay with the status quo.

I have been in the building industry for 40-odd years and have been engaged in some major projects. They would take four or five years in construction sometimes and two or three years in planning. So my view would be that to have a four-year term is something that should be looked at, and a fixed one. But my interest would be in your comments as to how you are going to get the people to know what it is that you are doing in a way that they will come to a referendum with some knowledge of what they are going to do rather than just say, 'I don't know anything about this. I'll just tick a square and not bother what the result is.'

Queensland being the only state with a three-year term is interesting. I would suggest from the committee's point of view that we might ask the other states—which you are saying you will probably do—what are the pluses and minuses. In Tasmania it was back in 1972. It would obviously be interesting to have their comments and so on. Thank you.

**CHAIR:** Yes, thank you very much. That is a very good point. It reminds me of what I was going to say when Rob was speaking. Yes, part of our brief, as you acknowledged, is to look at what has happened in other jurisdictions. It is interesting—and we were discussing this before the forum started—that in 2000 there was a constitutional review and a committee similar to ours made some recommendations about going to four-year terms. That document we can put on our website. We might do that just so that people have as much information as possible. It is a really comprehensive report that was made at that time. We might make sure that any of the other material that has been available is also there. There were some very senior people in governments from other states—former premiers, former speakers of the federal parliament—who made submissions to that committee. They were really very well informed and useful. That is what we are seeking. We do not want to just look at who has had fixed terms and how long it has been in. We want to know if there is any evidence, even anecdotal evidence, of what works and what does not. I think the point that you raised about how you make sure that people are well informed for referendums is probably the sixty-four million dollar question for every government—putting a referendum to people and making sure they are actually well informed enough to make their vote matter. That is certainly something that we can take on board.

**Mr Eacersall:** Just taking this evening—I do not know how many people you have here—you have 20 or 30 people. You are going to 10 or 11 different venues. So you might get 150 or 200 people

making comments. You have had a diverse range of opinions. You might need to take a larger sample. The voters of Queensland who have been in a referendum—the last referendum was 150,000 people or something. You are only getting 200 people who you are listening to in these sorts of forums. Sure, we only had a couple of days notice, but the others at the end of the line would have more notice of these things. So it would be good if the audience could be larger for you.

**CHAIR:** Yes. I will just pass over to Neil.

**Mr Laurie:** Can I make just one correction before we proceed? I said one sitting every 12 months. It is actually two sittings every 12 months—every calendar year—and six months must not pass between one sitting and another sitting. That was changed in 2001. Previous to that it had been one per session.

**Mr CRANDON:** Thank you for the comments that you are making. We were worried that we were going to be sitting here on our own tonight, so thank you all for making the effort to come out tonight and be here. This is not the end of the journey. We have a long road ahead of us—literally—on some occasions on buses and flights. I just wanted to address that issue of advertising. In my memory of these sorts of things they have been well advertised, and the for and against and so forth has been well put out there. I think we as a committee can make a commitment here tonight that it will form part of our recommendations to the government. I am sure that the government, whatever those recommendations end up being, would be taking things like that on board themselves. But if the evidence is that we should perhaps consider going down this road et cetera, then part of that, I would suggest, would also be to embrace the concept of comprehensive advertising and getting the message out to people. I just wanted to make that point that this report is not limited to just those aspects but is much broader than that.

**Ms Hardy:** Following on from the previous question, if the government has bipartisan support across the parliament for this referendum, your advertising obviously would be to the citizens to support this referendum. Is it true that those who might like to form a group to oppose it have to fund their own advertising in a referendum or plebiscite of any nature?

**CHAIR:** Again I am going to defer to the Clerk.

**Mr Laurie:** I will have to take that on notice, Madam Chair. I know that the Referendums Act as it was in 1991 did have a provision that the 'no' case would only be funded if there was a vote against the bill in the House. In other words, if a bill passed unanimously the 'no' case would not be funded. That is how it was in 1991. I would have to check the current act to see whether there are provisions in relation to funding, but I am happy to do that and get back to the committee.

**CHAIR:** What is your view on that?

**Ms Hardy:** I think we live in a democracy. I would like to think that perhaps funds were available. You shoot yourself in the foot, I guess, in a sense by doing that, but if we have bipartisan support, and it would appear that we do, the opposition has put forward this private member's bill by Ian Walker and obviously the government has asked you to look into it, and I would presume that there is the support for that. In a sense it would be futile actually to fund the 'no' vote, but broadly in referendums I would like to know what that is. If, for example, it was just passed in the parliament by one vote and it was just a majority and not bipartisan, would funding be available—of course with guidelines as to what they can do with that? I would be interested to get information on that, thank you.

**CHAIR:** I was just consulting with our research director about how we might get that information back. We have your email details, but we will publish the answer to that question on our website. It is a good question and I am sure it will not be the last time we are asked it.

**Mr Laurie:** By virtue of modern technology it appears that the House must resolve that there will be funding.

**CHAIR:** We might even actually ask that question a bit as we are going around and see what people's views are on that.

**Ms Hardy:** It is not just for this referendum; it is for future referendums that may come up. Some groups might feel very, very strongly and they certainly do not have the resources and the finance to do it. We are a true democracy.

**CHAIR:** Does anybody else have comments or questions? Can I just thank everybody most sincerely on behalf of the whole committee for tonight. This has been the most excellent discussion. I think we would all agree with that. Some excellent points have been raised. People have very clear views on some of the very key questions. It has been a great start for us as we launch on this 11-forum

Public Forum—Inquiry into the Introduction of Four Year Terms for the Queensland Parliament;  
Constitution (Fixed Term Parliament) Amendment Bill 2015; Constitution (Fixed Term Parliament)  
Referendum Bill 2015

schedule. It is very much appreciated. I would encourage you to watch that website to see the other submissions and you may see answers to questions being posted on the website as well as we go through the other places.

Any submissions must be received no later than four o'clock on Tuesday, 20 October. The issues paper that you were given tonight gives you details of how you actually make those submissions. As we talked about tonight, we have that further public hearing after the submissions close and if you would like to be part of that please let us know. There is an email address. It will be in Brisbane. I apologise for that. If you would like to come in on videoconference or teleconference—

**Mr Laurie:** We do have videoconferencing available from locations in Toowoomba.

**CHAIR:** You are most welcome. Keep in touch with us about that. I think you have got the picture very clearly from us: we want as much interaction from people as possible so that we can do the best job possible in reporting back to parliament. Thank you again. The time for the hearing has expired.

**Committee adjourned at 7.52 pm**