

Selected highlights of the 1992 Queensland Cabinet Minutes

Civil rights

After some deliberation and consultation late the year before, in May 1992 Cabinet approved draft legislation – presented in a joint submission from Premier Wayne Goss and Attorney-General Dean Wells – which would recognise Queenslanders' right to peaceful public protest. The proposed Peaceful Assembly Bill sought to establish a statutory right to peaceful assembly, subject to certain restrictions “as are necessary in a democratic society in the interests of public safety, public order or the protection of the rights and freedoms of other persons” (Decision 2147). The draft bill was mostly consistent with recommendations of the Electoral and Administrative Review Commission's (EARC's) earlier review of Queensland's public assembly laws, while also taking into consideration concerns of local councils – particularly the Brisbane City Council – regarding maintaining ‘control’ over public use of pedestrian malls. Those people taking part in an authorised public protest would be afforded immunity from certain laws relating to matters such as obstruction of traffic, so long as the assembly remained ‘peaceful’. The bill passed through Parliament two months later, “ending what Mr Wells called a repressive and violent chapter of Queensland's history” (‘Qld's ‘odious’ street-march laws to be abolished’, *Canberra Times*, 21 May 1992).

Criminal justice system

Juvenile crime strategy

At its first meeting for this year, Cabinet deliberated on a range of policy matters related to juvenile justice in Queensland. Following the establishment of a dedicated task force within the Office of the Cabinet, in March the Minister for Family Services and Aboriginal and Islander Affairs, Anne Warner, and the Minister for Police and Emergency Services, Neville Warburton, jointly presented proposals to Cabinet aiming to lessen the incidence of youth crime and address “mounting public concern” about the issue. Cabinet noted progress towards a ‘whole of government’ juvenile crime strategy, including development of a Juvenile Crime Prevention Initiative, and requested a further submission be presented summarising the programs and full costs related to that initiative (Decision 2001). In May, the Family Services and Aboriginal and Islander Affairs Minister put forward a detailed submission outlining preferred options for preventative programs designed to reduce levels of youth offending in specific high crime rate areas of the state. Cabinet duly endorsed the key elements of the Juvenile Crime Prevention Initiative, including a suite of diversion programs focused on youth training, employment, and recreation activities, along with matters pertaining to reform of the Children's Court (Decision 2096; also see Decisions 2074, 2345).

SP bookmaking

Ahead of the public release of a Criminal Justice Commission (CJC) report into SP bookmaking and related illegal gambling activities in Queensland, in November Cabinet considered proposed amendments to the state's Racing and Betting Act. As noted in the Cabinet Office briefing paper, this followed criticism of the Goss government for not acting sooner to stamp out unlawful bookmaking, action that had to await the completion of SP bookmaking-related criminal trials resulting from the Fitzgerald Inquiry. A submission from the Minister for Tourism, Sport and Racing, Bob Gibbs, recommended changes to the definitions of and penalties for unlawful bookmaking contained in the Act, to bring these elements more into line with comparable provisions in New South Wales and Victorian statutes. Cabinet approved preparation of amending legislation which would allow for the imprisonment of persons convicted of unlawful bookmaking but decided against any immediate change to definitions until a time after the public release of the CJC report (Decision 2480, marked ‘Secret’). A fortnight later,

Cabinet agreed that the draft bill to amend the Racing and Betting Act be introduced promptly into Parliament, subject to alterations to some provisions relating to alternative penalties imposed in certain circumstances (Decision 2530, marked 'Secret').

Economy

The Goss government chose this election year to compose and release a detailed statement on its economic development policy. Bearing the title, 'Queensland – Leading State', the policy document sought to encourage diversification of the state's economy while also consolidating government support for 'traditional' economic sectors, such as tourism and the coal mining industry. The joint submission by the Premier and the Treasurer, Keith De Lacy, noted the importance of clearly conveying the government's economic perspective and agenda to both the business community and the wider populace. The submission also highlighted the government's predilection for 'market enhancement' and 'minimal government intervention' in commercial decision making and economic activity, besides fostering economic conditions to "stimulate exports and create jobs", according to the Treasurer ('Tax cuts, tourism, mining in \$1b boost for Queensland', *Canberra Times*, 28 April 1992). In April, Cabinet duly approved the statement's initiatives – which included new tourism infrastructure and mining projects in north and central Queensland promised hundreds of millions of dollars in funding, along with tax relief measures for coal mining companies – and approved the statement's release by the Premier at the inaugural CEDOQ (Council for the Economic Development of Queensland) business event later that same day (Decision 2070).

Education

Student behaviour management

Following an Education Department review of school discipline policy and practice commenced in the previous year, in May the Minister for Education, Paul Braddy, presented a submission to Cabinet seeking endorsement for programs to enhance student behaviour management in state schools. The Minister's preferred option among the four suggested approaches to strengthen school discipline included a proposal to phase out the use of corporal punishment in Queensland schools by the beginning of the 1995 school year; other options proposed either immediate abolishing of corporal punishment or allowing individual school communities to employ the punishment "as a means of student behaviour management for male students in Years 3-12." The submission noted how, at that time, Queensland and the Northern Territory were the only Australian jurisdictions where corporal punishment was 'generally available' as a means of school discipline. It also noted that student behaviour management had been identified as the 'prime issue of concern' for teachers and community members across the state's Education Department regions. Cabinet agreed with the Minister's preferred initiatives, which included increased support measures and enhanced school discipline policy guidelines ahead of the phasing out of corporal punishment (Decision 2156).

Curriculum management review

In July, Cabinet considered an information paper regarding a review of curriculum management in Queensland. This followed a review of the state's curriculum development bodies, undertaken in the previous year by education academic Prof Phillip Hughes, along with a Public Sector Management Commission (PSMC) review of the Education Department. Both Prof Hughes' and the PSMC's reviews reported excessive duplication and inefficiency in the management of curriculum development. Included among recommendations in the Hughes report was establishment of a Queensland Curriculum Authority, a sole statutory body to replace overlapping bodies such as the Ministerial Consultative Council on Curriculum (MCCC) and the Ministerial Advisory Committee on Curriculum Development (MACCD). The information paper noted concerns about the extent of Prof Hughes' recommendations expressed by several education system stakeholders. Cabinet noted the Education Minister's intention to form an advisory committee to analyse the Hughes report in light of national investigations into

education system structures, with recommendations for the state's curriculum management to be reported subsequently to Cabinet (Decision 2276). Later in the year, Cabinet authorised measures to abolish the MCCC and MACCD, as well as approve an extensive independent review of Queensland's school curriculum (Decisions 2419, 2550; Decisions 2435, 2473).

Electoral reform

Reform of Queensland's electoral system had been a high priority for the Goss government since its coming to office. With EARC having completed its redrawing of the state's electoral boundaries late in the previous year, in April of this year Cabinet considered a draft Electoral Bill that would, among its many provisions, confirm EARC's earlier electoral redistribution. In line with a Fitzgerald Report recommendation to upgrade the state's Elections Act to guarantee the integrity of the conduct of elections, the draft bill importantly would establish an Electoral Commission of Queensland to oversee the electoral process. As noted in the submission from the Minister for Justice and Corrective Services, Glen Milliner, EARC's draft version of the bill had been reviewed by the Parliamentary Electoral and Administrative Review Committee (PEARC) and several variations proposed to EARC's recommended provisions; these included elements such as the corporation status of the new Commission, the registration of political parties, the timetabling of elections, and the adoption of optional preferential voting. Cabinet endorsed those options favoured in the Minister's submission, bar a few exceptions – such as doubling the recommended number of members required for registration as a political party from 250 to 500 (Decision 2081).

Environment

Midyear, Cabinet considered a submission from the Minister for Environment and Heritage, Pat Comben, which sought authority to prepare environmental protection legislation in keeping with the government's pre-election commitments. The proposed bill would consolidate some existing Acts (such as the *State Environment Act 1988*) and provide extensive protection for natural habitats from environmental contamination and degradation. Additionally, the bill would introduce a new regime of penalties for 'harmful' pollution, plus measures recognising a need to integrate environmental, economic, and social imperatives into protections. Interestingly, the proposed legislation included provisions "to introduce economic mechanisms to better incorporate market forces into pollution control [such as] tradeable emission rights (TER) which permit those who can perform better than required to trade their 'pollution allocation' to others in a defined area." The Cabinet briefing paper attending the submission noted several issues likely to arise in deliberation of (and consultation around) the proposed bill's provisions; perhaps chief among these was the matter of 'third party' rights enabling certain groups to seek injunctions for a breach of the legislation. In June, Cabinet decided that an Environment Protection Bill be drafted subject to clarification of several matters identified in the Minister's submission (Decision 2180).

Gambling

In May, Cabinet considered the matter of issuing a licence to establish a major casino facility in Brisbane. Prospective CBD sites for a new casino had been identified previously, with a handful of proponents submitting proposals situated at Southbank, the old Treasury Building, or Queensland Place (close to the Roma Street railyards). A joint submission from the Premier and the Treasurer outlined several financial and logistical factors that – while being conscious of public concerns over impacts on heritage values and historical usage – suggested the Treasury Building site as preferred location. After examining competing proposals, an inter-departmental committee recommended the Jupiters (Treasury) consortium as preferred applicant for the casino licence. As the joint submission noted, the Jupiters proposal presented the highest financial return for the state, a critical factor considering a key reason for issuing a Brisbane casino licence was to fund construction of a major convention centre in the capital. Cabinet approved the Jupiters Treasury proposal as preferred applicant for a casino licence, subject to requirements for negotiating matters relating to heritage preservation and entering into a

formal agreement with the state government (the latter the subject of Cabinet decisions in November; Decision 2177, marked 'Secret'; Decisions 2475, 2505).

Government reform

Rural services review

Following negative reaction to the closure or reduction of certain government services in rural areas of Queensland, the government undertook a review of the impacts of service closures and changes in affected communities. In February, Cabinet noted an information paper compiled from the Rural Communities Policy Unit's review and presented for consideration (among three consecutive, related submissions) by the Premier (Decision 1901). Notably, the review made apparent its distinction between 'actual' changes in personnel numbers and services since the Goss government came to office, and 'perceptions' within rural communities of the extent of changes. As the Premier's submission conceded, however, "for certain rural communities the withdrawal of personnel from a number of different Departments more or less simultaneously has had a significant adverse effect." To address both community concerns and actual service shortfalls in rural areas, the following submissions presented recommended guidelines for better identifying, managing, and assessing required service changes, as well as proposing a Government Agent pilot project for delivering services in rural locations for the 'whole of government'. Cabinet endorsed adoption of those guidelines as presented, and subsequently approved implementation of the Government Agent pilot project in selected rural communities over a two-year timeframe (Decisions 1902, 1903).

Freedom of Information

Cabinet in the previous year had approved enacting freedom of information (FOI) legislation based on an earlier EARC report. A resulting Freedom of Information Bill (with noticeable variations from EARC's recommendations) was tabled in Parliament in the previous December, awaiting a period of public comment. In July of this year, the Attorney-General presented a submission containing several issues relating to the bill requiring Cabinet's consideration – most of these concerned with certain organisations (for instance, churches and Grammar schools) and government bodies seeking exemption from FOI requirements. Cabinet decided that the bill should proceed through the Parliament subject to amendments in line with its responses to these various matters; interestingly, the Brisbane City Council's request for FOI exemption was rejected, while most others were not (Decision 2298). The legislation passed through Parliament in August, establishing a (qualified) right of public access to government agency documents. Subsequently, Cabinet approved administrative arrangements and regulations stipulating how FOI laws would apply in certain circumstances and with respect to certain bodies (Decisions 2320, 2361, 2444, 2489). After an oral submission by the Premier, Cabinet also confirmed that any request for FOI disclosure of Cabinet-related material "may be of 'substantial concern' to the Government" (Decision 2524).

Health

Nursing education and registration

From the middle of this year, the Minister for Health, Ken Hayward, sought Cabinet's approval to introduce a Nursing Bill which would "provide for education, registration, and enrolment functions ... to be undertaken by a single body to be called the Queensland Nursing Council." This would see the abolition of the then Board of Nursing Studies and the Nurses Registration Board of Queensland, moves which had the support of most of the state's nursing associations and unions. The legislation aimed to 'rationalise' nurse training, enrolment, and registration through establishment of a single oversight body ahead of the end-of-year graduation of the first cohort of nursing students trained through the higher education sector. In June, Cabinet authorised that the bill be introduced into the Legislative Assembly following its consideration by the Labor Caucus; Cabinet also directed, in light of PSMC concerns over

ongoing funding arrangements, that the new Nursing Council should become self-funding within four years (Decision 2211). After a period of consideration and identification of further matters, most related to issues of costs and a new nursing code of conduct, in November Cabinet again approved that the bill be introduced into Parliament (Decision 2462).

Women's health policy

Since its election in December 1989, the Goss government had several times acted on a commitment to improve the status – including the health and wellbeing – of women in Queensland. In November of this year, Cabinet noted an information paper submitted by the Health Minister regarding a comprehensive strategy to support women's health through various government agencies (Decision 2517). This information paper ultimately sought to initiate and help develop a detailed Queensland Women's Health Policy, beginning with a consultation process overseen by the Women's Health Policy Unit within the Health Department. As noted in the Minister's submission, it was hoped this consultation process would underline the government's encouragement of community participation in a significant area of policy development. Furthermore, the Minister considered the development of a comprehensive policy statement through this process would allow the government to address Queensland women's health issues "in a holistic manner for the first time." The discussion paper identified a range of health issues and needs of particular groups of women, including those from non-English speaking and First Nations backgrounds as well as those in geographically remote areas.

Heritage preservation

With the government's interim *Heritage Buildings Protection Act 1990* set to expire in March, that month the Environment and Heritage Minister sought Cabinet approval to introduce long-awaited, extensive heritage protection legislation, and to temporarily extend the interim legislation until passage of the overriding Heritage Bill through Parliament. Cabinet duly agreed to the Minister's submission, authorising the draft Heritage Bill as presented to be introduced promptly into the Legislative Assembly (Decision 1974). The bill would provide Queensland with its first substantial, legislated heritage protection framework – making it the last mainland Australian state to enact such protection. In addition, the bill would establish a Heritage Council consisting of qualified persons responsible for assessing nominated sites' cultural heritage, and further "set out procedures for the registration of significant cultural heritage sites and regulatory provisions for development work on these sites." The legislation passed through Parliament in late March, from when the government commenced adding significant buildings and structures to the new Heritage Register. In August, Cabinet approved additional heritage regulations and a schedule of fees pertaining to heritage works as submitted by the Environment and Heritage Minister (Decision 2334; also see Decision 2061).

Indigenous affairs

Government response to RCIADIC report

The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) delivered its final report in April 1991. In February of this year, Cabinet considered the government's response to the Commission's final report, ahead of a planned simultaneous tabling of responses by federal, state, and territory governments in late March. A submission from the Family Services, Aboriginal and Islander Affairs Minister outlined proposals for framing Queensland's response to the RCIADIC final report, as well as presenting a strategy for meeting the resource needs of implementing report recommendations (of which there were 339). Cabinet endorsed in principle the total of sixteen proposals – which were endorsed by relevant government departments – included in the Minister's submission, subject to a further submission to clarify arrangements for "co-ordinating and monitoring Queensland's implementation of [RCIADIC] recommendations" (Decision 1905). A fortnight later, Cabinet duly approved arrangements as presented by the Minister, including establishing an Aboriginal Deaths in Custody Interdepartmental Committee and an Implementation Unit, in addition to establishment of an

Aboriginal Justice Advisory Committee as recommended in the RCIADIC report (Decision 1953). In turn, Cabinet in March endorsed (with only minor alteration) the proposed Queensland response to the RCIADIC report's recommendations as submitted by the Minister (Decision 1967).

Education support centre

Following an audit and evaluation of Indigenous education services throughout Queensland initiated in the previous year by the Education Minister, in May this year Cabinet deliberated on a major recommendation resulting from that investigation: the establishment of a statewide school support centre for Aboriginal and Torres Strait Islander education. Townsville was nominated to host the support centre on both geographic grounds and having the network infrastructure and staffing resources to provide support services for other established Indigenous education centres in regional cities. As noted in the Minister's submission, the recommendation followed consultations with Indigenous communities and discussions at more than 500 meetings in every education region in Queensland. According to the Education Minister, "the new Statewide School Support Centre would provide a direct link to all the regions involved in the decision-making processes that shape Aboriginal and Torres Strait Islander education in urban, rural and community areas." The support centre would be established at a cost of \$573,000 which would cover operating and building costs and staffing. Cabinet duly approved that the statewide Aboriginal and Torres Strait Islander School Support Centre be established in Townsville "at the earliest possible opportunity" (Decision 2125).

Industrial relations

In July, Cabinet considered its response to recommendations arising from the Commission of Inquiry into the Activities of Particular Queensland Unions, otherwise known as the 'Cooke Inquiry'. After being established by the previous government in August 1989, the Cooke Inquiry presented the last of its investigative reports in July 1991, detailing the financial dealings of certain trade unions and the election of some union officials among other matters. In a submission from the Minister for Employment, Training and Industrial Relations, Ken Vaughan, it was suggested that many of the inquiry's recommendations were 'unnecessary and impractical' given then-existing legislation and industrial relations practice. Still, other recommendations were deemed worthy of consideration – particularly around the conduct of union elections – hence Cabinet approval was sought to prepare a bill to amend the *Industrial Relations Act 1990*. Cabinet endorsed the proposed responses to inquiry recommendations as outlined in the Minister's submission, subject to several clarifications and exceptions pending further advice or consultation with industry bodies (Decision 2296). A significant adopted recommendation (endorsed in a letter from the Premier included in the Cabinet briefing paper) was the proposal to have the newly established Electoral Commission of Queensland responsible for the conduct of union elections.

Infrastructure

Cabinet in the previous year had been apprised of the progress of planning for an additional road transport corridor between Brisbane and the Gold Coast (the 'Eastern Transport Corridor'). With a comprehensive planning study of the transport route completed, in February of this year the Minister for Transport, David Hamill, sought Cabinet approval for action required after consideration of the planning study's findings. Among other matters, Cabinet was asked to consider the feasibility of tolled sections of highway, possible redefinition of adjoining land areas, and likely impacts of route selection and motorway construction including effects on surrounding koala habitat. As noted in the Transport Minister's submission, the planning study had "provided much uncertainty in relation to real estate transactions and associated building and development activity", let alone the sensitivity it had aroused in surrounding communities concerned over disturbance to bushland vegetation and koala habitat. In this election year, the Cabinet Office briefing paper interestingly touched on concerns over potential electoral ramifications related to planning for the transport corridor; Cabinet decided to progress with planning and highway upgrades for the likely route, though stipulating that further environmental impact assessments be undertaken (Decision 1954).

Miscellaneous

Radioactive waste storage

In February, Cabinet considered a submission from the Health Minister seeking to determine the new site of a radioactive waste storage facility. The need for an alternative site in which to store hazardous waste from medical, industrial and research facilities had been identified by the Health Department as early as 1985. With existing storage facilities at or near capacity, and with the government having given an election commitment to not utilise a purpose-built storage facility at Redbank constructed by the previous government, the need for a new facility was deemed 'pressing'. Cabinet in the previous year had established the suitability of two potential sites at Beerburrum and Esk, both sufficiently isolated from conflicting surrounding land uses. After impact assessment studies ruled out the Beerburrum site, the Esk site was favoured as most suitable location. As noted in the Health Minister's submission, community consultation revealed 'total opposition' locally to the proposal – this was attributed to "the so-called 'NIMBY Syndrome'." Despite this, Cabinet accepted the Minister's recommendation that the Esk State Forest site be approved as the site of a new radioactive waste storage facility; this was confirmed in a subsequent works approval late in the year (Decisions 1894, 2608).

Bicycle Offence Penalties Scheme

Cabinet had in the previous year made the wearing of bicycle helmets while riding compulsory in Queensland, taking effect from 1 July 1991. At that time, it was agreed there would be no penalties for failure to wear a bicycle helmet, with public education programs relied upon to improve rates of helmet wearing. Despite a reported increase in the use of helmets over the ensuing twelve months or more, research showed that Queensland bicycle riders lagged well behind other states (where compulsory rules and penalties applied) in compliance with compulsory wearing rules. As noted in the Transport Minister's submission, community consultation showed 'considerable' public support (especially among parents and medical practitioners) for penalties to apply to those who failed to wear bicycle helmets. While Cabinet had previously rejected the notion of imposing penalties on children riders, in November of this year Cabinet approved the Minister's repeated recommendation for penalties to apply and introduced a fine of \$30 to be imposed for failing to wear a bicycle helmet, to take effect from 1 January 1993 (Decision 2507). Interestingly, the Cabinet briefing paper noted that the *Courier-Mail* had pre-empted Cabinet's decision with a newspaper announcement of the new penalty ten days prior.

Parliamentary reform

Following the CJC's 'travel rorts' investigation, the report of which was tabled early in this year, in March Cabinet noted the contents of an information paper submitted by the Premier highlighting issues raised by the CJC's recommendations (Decision 1982). This was followed in June by a memorandum submitted by the Premier that presented Cabinet with options for implementation of those CJC recommendations, alongside similar Parliamentary Criminal Justice Committee (PCJC) and EARC recommendations on Members' entitlements and parliamentary resource needs; Cabinet endorsed most of these without (or with only minor) alteration (Decision 2247). Cabinet did likewise after considering a continuation of that memorandum, submitted by the Premier in July (Decision 2251). Subsequent submissions by the Premier followed in the same vein, presenting the redrafted version of the new Members' Entitlements Handbook (all approved by Cabinet mostly in whole; Decisions 2347, 2474, 2504).

Parliamentary committees

Midyear, Cabinet considered measures and draft legislation aiming to strengthen the independence of certain parliamentary committees and to alter the appointment provisions for the state's Auditor-General. This followed the release in the previous year of EARC's 'Report on Review of Public Sector Auditing in Queensland' which recommended similar steps be taken. A submission from the Premier

sought Cabinet's authority to prepare a bill that would amend the *Public Accounts Committee Act 1988*, the *Public Works Committee Act 1989*, and the *Financial Administration and Audit Act 1977* in ways that ensured (or enhanced) those committees' independence. The proposed bill would implement that aspect of the government's platform which sought reforms to the Public Accounts Committee Act, reforms that were also, as it happens, recommended by EARC. Amendments to the secrecy provisions of the Financial Administration and Audit Act were proposed to allow the Auditor-General to disclose information to certain third parties, including the Public Works Committee and Public Accounts Committee. In June, Cabinet approved preparation of an Audit and Parliamentary Committees Legislation Amendment Bill in line with the draft legislation included in the Premier's submission and authorised its prompt introduction into the Legislative Assembly (Decision 2218).

Planning and development

Ecologically sustainable development

From early in the year, Cabinet at different times considered the matter of ecologically sustainable development (ESD) in the context of national efforts – through collaborative bodies such as the Commonwealth-chaired Ecologically Sustainable Development Working Group – to develop joint ESD policy recommendations. These efforts proceeded with a view to potential implications – and likely international agreements on climate change and/or greenhouse gas issues – expected to arise from Brazil's Rio Earth Summit in June 1992. In February, Cabinet noted the contents of an information paper presented by the Premier which acknowledged the establishment of an Interdepartmental Working Group (IWG) on Ecologically Sustainable Development, chaired by the Office of the Cabinet (Decision 1952). This was followed from the middle of the year with a number of submissions from the Premier keeping Cabinet and the IWG informed of draft national strategies to underpin ESD policy recommendations and the development of a national 'greenhouse response'. Cabinet acted on these submissions with directives that government departments should initiate consultation with stakeholders on ESD policy issues contained in the draft national strategies; further, "the IWG should also consider the need for a formal Queensland Government response to the draft [national] strategies" (Decisions 2275, 2390, 2510, 2540).

Wolffdene Dam land

Late in the year, Cabinet deliberated on a submission from the Minister for Primary Industries, Ed Casey, relating to disposal of land previously acquired and earmarked for the proposed Wolffdene Dam in the Gold Coast hinterland's Albert Valley. With the controversial Wolffdene Dam project abandoned shortly after the Goss government came to office, the Minister's submission sought approval for the 'unused' land to be disposed of. This followed Cabinet's decision in the previous year that lands previously acquired but not utilised for dam construction should be sold off by the South-East Queensland Water Board (SEQWB) "in accordance with a marketing strategy developed by SEQWB to optimise returns." As noted in the Cabinet Office briefing paper, the land's 'history' as part of the controversially abandoned dam project would need to be factored into whichever marketing approach SEQWB adopted to dispose of it (even going so far as to recommend avoiding a bulk sell-off of the once-proposed dam site for fear of "flooding" the market). In any event, SEQWB arrived at its preferred strategy for the land's disposal; in December, Cabinet duly agreed that the surplus land be sold off at public auction and disposed of within two years (Decision 2603).

Public Sector

Late in the previous year, EARC had released its report on public sector auditing in Queensland, shortly afterwards reviewed and generally endorsed in its findings by PEARC. EARC's review led it to make various recommendations on auditing functions and transparency as well as tenure and structural location of the Auditor-General's office. Significantly, EARC recommended extensive amendments to the *Financial Administration and Audit Act*. In response to a memorandum on the EARC review

submitted by the Premier and the Treasurer, in May Cabinet requested further consideration of the review and prompt resubmitting of a revised memorandum (Decision 2161). A fortnight later, Cabinet considered a more thorough assessment of the EARC review and decided on several reform options presented in the Premier's and Treasurer's joint submission. These included constituting the Auditor-General's office (renamed as the Queensland Audit Office) under the auspices of the Financial Administration and Audit Act, and endorsing that Auditors-General be appointed for a maximum non-renewable term of seven years (Decision 2194). Subsequently, Cabinet decided on recommended amendments to the Financial Administration and Audit Act, to provide the Auditor-General with security of tenure and improved structural independence (Decisions 2195, 2321, 2481).

Social policy

Disability services

In the previous year, Queensland along with the other states agreed to introduce legislation that would complement the Commonwealth's Disability Services Act, aiming for uniformity of disability service standards and access regulations. In February, the Family Services and Aboriginal and Islander Affairs Minister sought authority to prepare legislation along those lines and reflecting the principles of state government policy. Cabinet approved that legislation be drafted in accordance with those principles expressed in the submission, and further requested that the Minister present an information paper to Cabinet on the likely division of funding responsibilities for disability services over the projected five-year duration of the Commonwealth/State Disability Agreement (Decision 1941). Two months later, the Minister submitted a draft Disability Services Bill which Cabinet approved for introduction into the Legislative Assembly, subject to minor amendments (Decision 2084). The following month, the Minister presented an information paper outlining financial implications of the Commonwealth/State Disability Agreement, including that finalising the Agreement in the current financial year would entitle the State to a 'transition payment' offered by the Commonwealth; Cabinet endorsed the Directions Statement for Disability Services included in the Minister's submission and authorised that an Interdepartmental Working Group on Disability Services be established (Decision 2158).

Domestic violence protections

In April, the Family Services and Aboriginal and Islander Affairs Minister sought authority to prepare legislation that would amend the *Domestic Violence (Family Protection) Act 1989*. After engagement with the Queensland Domestic Violence Council and consultation with stakeholder and support service groups, the Minister's draft amending legislation aimed to better fulfil the functions of the original Act – "protection of victims of domestic violence from further physical injury, damage to property, threats, intimidation, abuse or serious intimidation." The Minister's submission argued that proposed amendments would afford greater protection by "expanding the range of options available to the Courts and clarifying administrative difficulties" identified by key groups. Cabinet agreed, authorising a bill be prepared in line with the proposed legislation in the submission, subject to further consideration of firearm relinquishing measures and additional Ministerial consultation (Decision 2039). Two months later, the Minister presented revised draft amending legislation which Cabinet approved for prompt introduction into the Legislative Assembly, subject to additional minor alterations (Decision 2206). After the bill's passage through Parliament, the Premier presented for Cabinet's consideration a government statement of policy on prevention of violence against women, which Cabinet duly endorsed and authorised for public release (Decision 2358).

Prostitution laws

Cabinet this year considered the matter of prostitution laws in Queensland. This issue had been prominent in the public domain since featuring among recommendations from the Fitzgerald Inquiry. Responding to those recommendations, the CJC had investigated the state's prostitution laws, reporting on the matter in the previous year. In that report, the CJC recommended establishing a regulatory framework (effectively 'decriminalisation') for controlling prostitution. In April, Cabinet noted an

information paper submitted by the Premier outlining the CJC's positions and the PCJC's lukewarm response to them (Decision 2059). At the same Cabinet meeting, the Premier presented a memorandum exploring various prostitution reform options; Cabinet expressed in-principle support for the notion that prostitution 'per se' should not be unlawful, but still endorsed an approach of 'strict enforcement' of the criminal law especially towards prostitution clients or those profiteering from prostitution (Decision 2068, marked 'Secret'). In effect, contrary to the CJC's earlier proposals, prostitution remained an activity liable to prosecution in Queensland. Later in the year, Cabinet decided on various related matters and legislative amendments, including health and social measures to "address the consequences of prostitution" (Decisions 2430, 2431, 2438, 2439, 2498; 'Qld sex reform starts at health', *Canberra Times*, 26 October 1992).

