2015 Queensland state election: an overview

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Executive summary

• This paper provides an overview of the issues and outcomes for the January 2015 election for the Queensland Legislative Assembly. Where appropriate, it draws on the Library’s earlier publication on the 2012 Queensland state election.1

• The 2015 Queensland state election result surprised many observers with the dramatic shift in the fortunes of the two major parties. The Australian Labor Party (ALP), having lost government at the 2012 election and retaining just seven seats, emerged with 44 of the 89 seats with a swing of 10.8 per cent. The Liberal National Party (LNP), which had won a record majority of 78 of the 89 seats at the 2012 state election, experienced a swing of 8.3 per cent against it with its seats reduced to 42. Of the remaining seats, two were won by Katter’s Australian Party and one by Independent Peter Wellington.

• The election outcome was initially unclear when it was revealed that a Palmer United Party candidate was ineligible as a result of being an undischarged bankrupt. Electoral Commission Queensland (ECQ) indicated that it would refer the Ferny Grove election result to the Court of Disputed Returns but subsequently decided not to proceed based on legal advice, paving the way for the ALP to form minority government with the support of an Independent.

• Several key issues emerged during the election campaign including political financing, privatisation and asset sales, the impact of mining on the Great Barrier Reef and anti-association laws. Other events also overshadowed the election, including two defamation cases involving Premier Campbell Newman, a Senate Select Committee into the Queensland Government’s administration of Commonwealth funds, and leadership issues in the Queensland and Commonwealth Governments.

• The incoming ALP minority government led by Annastacia Palaszczuk features several milestones in Australian and Queensland political history, including:
  – the first Australian ministry with a majority of women
  – the first female state opposition leader to lead her party to victory
  – the second all-female elected leadership team in Australia
  – Queensland’s first female Attorney-General and

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Introduction

On 6 January 2015 Premier Campbell Newman announced that the state election would be held on 31 January, two months before the Government reached its full three-year term. It would be the first January election in Australia for more than a century, and provided for a minimum 26-day campaign. Elections for the Queensland Legislative Assembly are regulated by the Electoral Act 1992 (Qld) and managed by the ECQ. Queensland is the only Australian state to have a unicameral legislature. An election is usually announced towards the end of each term, but there is no minimum period required between state elections so a government can choose to hold the election at any time during its three year term.

According to Premier Newman, the snap election was intended to overcome the ‘endless politicking and uncertainty’ over the Queensland economy which was experiencing difficulties as the mining boom slowed. The Queensland election took place a little more than two months after the Victorian state election at which the first-term Coalition Government led by Denis Napthine had been soundly defeated. The Victorian result was widely considered to be a reflection of broader voter dissatisfaction with the federal government’s proposed budget measures, and this dissatisfaction was also expected to be felt in the Queensland election outcome. The timing of the Queensland election meant that voters would go to the polls before the federal parliament returned in early February to debate the budget measures.

Background to the 2015 election


The LNP led by Campbell Newman won the Queensland state election held on 24 March 2012 with a swing of 15.7 per cent against the ALP—the largest recorded swing in Australian political history. The ALP, which had held power in Queensland for 20 of the previous 22 years, was reduced to seven of the 89 seats in the Legislative Assembly, and was forced to ‘rely on the mercy of Mr Newman for it to retain official party status’. After losing government at the 1998 election the Coalition parties, comprising the National Party of Australia (Nationals) and the Liberal Party of Australia (Liberals), had been slowly building support. Their lowest electoral performance was in 2001 when they won 15 seats (12 to the Nationals and three to the Liberals) with 28.48 per cent of the vote. By 2012 the Nationals and Liberals, which had merged in 2008 to become the Liberal National Party of Queensland, captured a record 78 seats out of the 89 seats. The Katter’s Australian Party (KAP) won two seats and two seats went to independents. Newman, who had sought preselection whilst holding the position of Brisbane Lord Mayor, won the seat of Ashgrove with nearly 52 per cent of the vote, and became the first premier in Australian history to attain that post from outside the parliament. With the LNP winning the largest parliamentary majority in Australian history, Newman was dubbed the “can-do” commander by the Australian.

The ALP failed to achieve 50 per cent of the first preference vote in any seat, and lost 44 sitting MPs including ten senior ministers. Its result was below 40 per cent in all but two seats, Woodridge and Inala. The Age described the result as ‘Labor’s ground zero’, noting that the party would take decades to rebuild. Brisbane’s major daily, The Courier Mail, had been critical of the long-term Labor Government throughout the campaign. On the eve of the election the newspaper noted that, while the LNP campaign had been light on policy detail, it was sufficient to convince the electorate: ‘[o]verwhelmingly, its main positive, however, is that it is anything but

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2. The last January election in Australia was the Tasmanian state election held on 23 January 1913.
3. The Legislative Assembly comprises 89 members, each representing a single-member electorate. The Australian Capital Territory (ACT) and Northern Territory (NT) parliaments are also unicameral. The Queensland Upper House was abolished in 1922.
Following the election, the newspaper welcomed the change of government and its “can do” mentality that defines our character.11

Former Labor Premier Anna Bligh’s program of asset sales, combined with her personal attacks on Newman’s credibility, were considered to be major factors contributing to the ALP’s demise at the polls.12 Bligh retained her own seat of South Brisbane, surviving a swing of 9.8 per cent against her, but she resigned from Parliament after the election saying that “her continued presence would prevent Labor rebuilding”.13 Annastacia Palaszczuk, the Member for Inala, was elected unopposed as the new ALP leader.14 With the ALP reduced to a handful of parliamentary seats, concerns were expressed that the parliamentary processes of scrutiny and accountability would be greatly weakened, as the tasks of opposition would be shouldered by too few ALP MPs.15

Cuts to the public service

Following the LNP’s historic victory in 2012 the Newman Government began focusing on key elements of its reform agenda. In 2012 Premier Newman announced his intention to restore the Government’s finances by making significant cuts to public spending in his first budget including the proposal to cut more than 14,000 public service jobs.16 The job cuts, aiming to save $3.7 billion by 2015–16, attracted union-led protests from angry public servants, many of whom lived in Brisbane’s commuter suburbs. Indeed Newman’s own suburban seat of Ashgrove, with its high concentration of employees in the public health and education sectors, was one of the hardest-hit by the cuts.17

‘Bikie’ laws

In 2013 the LNP Government introduced controversial legislation to target criminal associations. The suite of legislation targeting ‘bikie’ gangs included the Vicious Lawless Association Disestablishment Act 2013 (‘VLAD Act’), the Tattoo Parlours Act 2013 and the Criminal Law (Criminal Organisations Disruption) Amendment Act 2013 (‘the CODA’).18 The legislation contained a series of provisions making it a criminal offence for members of a known criminal organisation to meet in numbers greater than two in public places or designated clubhouses, for new members to be recruited, and for members to work in specific industries. The legislation introduced tough mandatory sentencing laws to be imposed on top of the court’s sentence for any crimes committed in furtherance of the organisation.

Defamation cases

Palmer v. Newman

During 2014 Premier Newman became involved in a defamation action arising from a long-running dispute between Newman (LNP) and Queensland federal MP and mining magnate Clive Palmer (Palmer United Party) (PUP). A lessee of a coalmine in the Galilee Basin, Palmer was referred to the Crime and Misconduct Commission (CMC) by the Deputy Premier Jeff Seeney who claimed that Mr Palmer had sought ‘special treatment’ in 2012 for his mining operations, Waratah Coal, in return for his support of the LNP.19 Mr Palmer subsequently repudiated the claims, releasing letters from the LNP Government that proved its willingness to continue dealing with him. Palmer refused to refer his evidence to the CMC because he considered that it lacked independence from the Newman Government, and indicated that he planned to sue Mr Seeney for defamation in the Supreme Court.20 In May 2014 Palmer served a defamation action against Newman after Palmer took exception to Newman’s
claims in a media interview that Palmer had tried to ‘buy’ his government. Palmer stated that the claims ‘were totally false and damaging to his integrity’. Palmer promised any damages awarded through the legal action would be donated to Mission Australia to assist the charity with its work to help sacked Queensland public servants. In July 2014 Palmer, who had declared his opposition to the federal Abbott Government’s proposed $7 Medicare co-payment for a general practitioner visit, accused the Queensland Premier of not standing up to the Prime Minister. Palmer, a former member of the LNP, was thought to have fallen out with Newman over the Queensland Government’s rejection of his coalmine proposal, and was now focused on ‘beating Campbell Newman’ and destroying the Liberal-National alliance in Queensland. Meanwhile PUP Senator Glenn Lazarus proposed a Senate enquiry into the Queensland Government’s administration to report to the Commonwealth Parliament by 31 March 2015 (see Senate inquiry into Newman Government below).26

Newman and Seeney v. Jones

Palmer’s defamation action against Newman was followed by a separate action a week before the 2015 state election. The action was filed by Newman and Deputy Premier Jeff Seeney against the Sydney-based broadcaster Alan Jones on 23 January 2015 in response to a series of radio programs which aired between 19 and 21 January 2015. During the programs Jones claimed that Newman and Seeney lied to him about their plans for the expansion of the New Hope coal mine at Acland on the Darling Downs in southern Queensland. In response, Newman and Seeney claimed that they were defamed by Jones when he claimed the LNP received a ‘bribe’ of $700,000 from the owners of the mine in the form of donations to the party, and that this donation had induced Newman and Seeney to approve the expansion plan.29

Newman also sought damages over claims that he lied in a press release in 2012 when, as Leader of the Opposition, ‘he said the LNP would not approve the expansion if elected’. Newman and Seeney both sought damages due to the ‘the sensational language, tone and prominence of the matters complained of’, and because Alan Jones made the claims ‘knowing them to be false or with reckless indifference to their truth or falsity and lacking an honest belief in what he published’. Clive Palmer offered Alan Jones his financial support, stating that ‘Campbell Newman wants to intimidate [Jones] and stifle freedom of speech which is one of the foundations of our great democracy’. The LNP agreed to pay Newman’s and Mr Sweeney’s legal costs. Some legal experts suggested that, whilst defamation actions are not uncommon amongst politicians, it was a risky approach during an election campaign because it served to attract voter attention to the allegations.33

By-elections

Large swings to the ALP in two state by-elections during 2014 signalled the degree to which the LNP Government’s popularity had declined by mid-2014, giving the party further cause for concern for its re-election chances as it neared the end of its turbulent first term in office.34

On 22 February 2014 the Redcliffe by-election was held to fill a vacancy left by the resignation of sitting LNP member Scott Driscoll. He had been suspended from the party in March 2013 following allegations of financial

22. Ibid.
23. Ibid.
25. Ibid.
29. Ibid.
30. Ibid.
31. Ibid.
improprieties and subsequently resigned from the LNP to sit as an independent and resigned from Parliament in November 2013. The by-election was won by the ALP’s Yvette D’Ath (57.12 per cent), representing a 17 per cent swing.

The Stafford by-election was held on 19 July 2014 following the resignation of the sitting LNP member Dr Chris Davis who had held the position of Assistant Minister for Health in the Newman Government. He resigned from the ministry after differences with the Newman Government over doctors’ contracts and electoral donation laws, and he subsequently resigned from parliament creating what ABC election analyst Antony Green described as a ‘difficult by-election for the Newman government’. The by-election was won by the ALP’s Anthony Lynham (62 per cent). The seat was regarded as a safe ALP seat that had been taken by the LNP in 2012 so, while its loss was not unexpected, the 18.6 per cent swing against the LNP was significant. Newman initially pointed to the difficult issues that his government was addressing, then followed up with an apology for his government’s more controversial policies and pledged to listen more to unhappy voters. He also announced a series of reversals of some of his government’s policy decisions, although these were perceived as largely ‘cosmetic’.

Senate inquiry into Newman Government

In October 2014 the Newman Government became the subject of a federal parliamentary inquiry following support for the inquiry by the Palmer United Party, the ALP and the Greens. The federal government had previously succeeded in averting an inquiry, and argued that it was ‘without legal precedent and overrides parliamentary convention’. The Senate Select Committee into Certain aspects of Queensland Government Administration related to Commonwealth Government Affairs, chaired by Senator Lazarus (PUP), commenced its hearings on 13 November 2014. The terms of reference included the Queensland Government’s administration of Commonwealth funds allocated to Queensland since 2012, judicial independence and separation of powers in the Queensland courts and judicial system, the approval process for development of projects for export of resources and services, and the Commonwealth Government’s oversight of approvals for coal seam gas projects in Queensland.

The election

Campaign launches

Following the announcement of the 2015 state election on 6 January 2015, Premier Newman launched the LNP’s campaign on 18 January 2015 by emphasising his government’s ‘strong’ record over the past three years in changing Queensland’s health, education and transport systems, as well as highlighting the strengthening of the state’s economy. Anticipating a second term, he outlined the cost of living savings that families could expect to receive, funded from the sale of asset leases, such as the reduction in household water bills and the subsidisation of the solar bonus scheme. Newman further pledged $90 million into the research and entrepreneurship sector, hundreds of university scholarships for teaching degrees and the construction of up to 22 new schools.

At the ALP’s campaign launch on 20 January 2015, Opposition Leader Palaszczuk highlighted job creation and training measures as key policy platforms for the ALP, and declared the election to be a vote on privatisation and

36. Driscoll had been referred to the Crime and Misconduct Commission in November 2012 and to the Queensland Parliament Ethics Committee in June 2013. In November 2013 he was found guilty of 42 counts of contempt of parliament, four counts of failing to register interests and one count of misleading the House.
cost-cutting by the Newman Government. She also sought to emphasise the Government’s close links to the Prime Minister Tony Abbott and the Commonwealth Government. Palaszczuk announced $240 million over four years to fund community and industry organisations, three-year payroll tax holidays for companies moving to Queensland, $34 million to improve TAFE institutions, and an injection of $200 million to the Royalties for Regions fund. On environmental policy she promised that the ALP would invest in research to increase protection of the Great Barrier Reef, and would ensure stricter regulation of maritime traffic. She also emphasised that the ALP would only announce policies it could fund without selling the state’s assets. The Federal Opposition Leader Bill Shorten spoke at the launch, stating that the LNP had turned the Prime Minister into an ‘invisible man’ and that Prime Minister Abbott and Newman were a ‘double team’ working to cut services.

Leaders’ debates

The first leaders’ debate of the campaign was held as a live-to-air broadcast or ‘people’s forum’ in Brisbane on 23 January. One hundred undecided voters were in attendance and questions were asked at random from amongst their number. At the end of the debate The Courier-Mail and Sky News (the co-hosts of the forum) proclaimed Newman to be the winner. The second, and final, leaders’ debate was held on 30 January on the eve of the election. Accordingly the leaders played it safe, reiterating their main policies and avoiding any costly mistakes. As a result no media outlet was willing to call a definitive winner, although commentators tended to favour one or other of the candidates without declaring a champion.

Election issues

Newman’s leadership

Before becoming Premier, Newman had twice served as Brisbane’s Lord Mayor and was widely regarded as a successful politician. An APN poll conducted five months into Newman’s leadership in 2012, however, had shown that 65 per cent of voters thought his government had performed ‘below expectations’. As his first term as Premier progressed, Newman’s leadership style came under increasing public scrutiny with various commentators labelling him as ‘arrogant’ and ‘uncaring’, ‘militaristic’ and ‘abrasive, even vindictive’. Whilst few observers were predicting an ALP victory given the scale of the LNP victory in the 2012 state election, there was a palpable sense of anger in the electorate with the Newman Government’s unpopular policies and leadership style. Tony Fitzgerald QC, the former chair of the Commission of Inquiry into Official Corruption in Queensland (1987–9), emerged as one of his fiercest critics:

> From behind a populist façade, [the Newman Government] engaged in rampant nepotism, sacked, stacked and otherwise reduced the effectiveness of parliamentary committees, subverted and weakened the state’s anti-corruption commission, made unprecedented attacks on the courts and the judiciary, appointed a totally unsuitable Chief Justice, reverted to selecting male judges almost exclusively and, from a position of lofty ignorance, dismissed its critics for their effrontery.

46. Ibid.
47. Ibid.
49. Ibid.
54. D Shanahan, ‘Poll rout “was down to Newman”’, Weekend Australian, 7 February 2015, p. 6, accessed 7 February 2015.
56. See for example M McKenna, ‘Snap decision gives LNP early leg-up in poll campaign’, Weekend Australian, 10 January 2015, p. 4, accessed 26 February 2015.
Newman himself conceded that his government was facing a tight election that, if the polls were any indication, could see a minority ALP Government returned if ‘wasted votes’ went to independents and minor parties. 58 Political scientist John Wanna later wrote that the rush to the polls post-Christmas was inexplicable given that Newman had nine months left of his term, concluding that it was ‘an all-or-nothing bid for calculated political gain’ that failed. 59

In the weeks leading up to the election, polling indicated that Newman could lose his own seat of Ashgrove, causing some commentators to speculate about the possibility that the LNP could win the election and its leader lose his seat. 60 Given that Newman’s selection as party leader in 2012 was influenced by his ability to wrest inner-city seats from ALP hands as a popular ex-mayor, it was reasoned that many of these seats would also be susceptible to any decline in support for his leadership. As early as October 2014 the LNP was reported as being under pressure to announce a leadership succession plan should Newman lose his seat. 61 Newman himself insisted that the LNP’s fate was directly tied to the LNP winning Ashgrove and that, if he lost Ashgrove, the LNP would lose government (see Appendix 3). 62

**Political fundraising**

In the midst of the 2015 election campaign, media attention focused on the impact of the Newman Government’s changes to political donation disclosure laws in 2014 that enabled donors to give large amounts (up to $12,400, bringing it into line with federal disclosure limits) without disclosure and exploiting the gap between legal donations and fees for goods and services. 63 The ALP accused the LNP of receiving $11 million from secret donors, and promised to reduce the threshold if they came into office. 64 During the first leaders’ debate, Newman asked Palaszczuk if her party’s donation money was ‘clean’, and to guarantee that she had not accepted donations from bikies. Palaszczuk dismissed the claim as ‘ridiculous, offensive and just desperate’. 65 Newman repeated the claim the next day, stating that the funds were being channelled through the Construction, Forestry, Mining and Energy Union (CFMEU) and that the ALP had to prove they did not accept such donations. When asked for evidence, Newman told reporters to try googling CFMEU bikie links and see what came up. 66

**Privatisation and asset sales**

As in previous state elections, the issue of privatisation was at the forefront and became the major point of difference between the major parties. Commentators observed that a sense of betrayal over the actions of the Bligh Labor Government in relation to privatising Queensland Rail was a major factor in the ALP’s electoral defeat in the 2012 state election, and that the 2015 state election would be a ‘referendum on leasing state assets for half a century to pay down debt’. 67 Central to the LNP’s campaign for re-election was its plan to invest in a range of infrastructure projects and reduce debt by raising $37 billion through the leasing of state-owned ports, power generators and other energy distributing infrastructure. The leases were for a period of 50 years with the option to renew for another 49 years. The ALP opposed the selling off of state assets and repeatedly cast it as one of the core issues of the campaign, if not the main issue. As Palaszczuk stated: ‘I can sum up the difference between the LNP and Labor in six simple words: Labor will not sell our assets’. 68 The ALP also claimed

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59. J Wanna, ‘Newman’s political suicide’, *The Australian*, 4 February 2015, p. 12, accessed 19 February 2015. Wanna notes that, of the 44 federal elections since 1901, none have been held in January or February and similarly in Queensland’s 42 state elections since 1902 most have been held in March to May and none in January.
66. Ibid. Federally, the Palmer United Party was also under investigation for failure to adequately disclose a $6 million donation ahead of the 2013 federal election.
that future governments would continue to receive $2 billion a year in dividend revenue if the assets remained in the hands of the state. 69

Great Barrier Reef

Environmental concerns about the Great Barrier Reef emerged as another key issue, further complicating the dispute over the Government’s handling of coalmining leases discussed above. The Newman Government had approved increased maritime traffic through the Great Barrier Reef for coal traffic, an upgrade of port facilities at Abbot Point, and the dumping of dredge spoil in the Caley Valley wetlands which are connected to the Great Barrier Reef World Heritage Area (WHA). 70 One opinion poll had indicated that 73.2 per cent of Queenslanders opposed dumping dredge spoil in the Great Barrier Reef WHA. The proposed upgrade involved a rail link to coalmine leases in the Galilee Basin region southwest of the port. 71 Early campaign polling indicated that the normally safe LNP seat of Whitsunday, where Abbot Point is situated, was trending towards the ALP. The ALP, in turn, announced that they would not fund the port upgrade until the Galilee Basin issue was resolved, that it would not sell assets for mining projects, and that it would ban the dumping of dredge spoil in both locations. 72

LNP’s anti-association ‘bikie’ laws

The Newman Government’s suite of legislation aimed at ‘bikie’ gangs introduced in 2013 proved to be controversial, with Labor MP Jackie Trad calling them ‘chaotic and unworkable…They are the supertrawler equivalent in law enforcement sweeping everyone up and treating them as guilty before being proven innocent’. 73 In November 2014 the High Court rejected a challenge by a member of the Hell’s Angels bikie gang. 74 Despite originally voting for the legislation, the ALP declared that it would repeal the laws and promised a review of the legislation signalling a return to the laws introduced by the Bligh Labor Government in 2009. 75

Health

Both major parties outlined detailed health policies at the start of the campaign. The LNP promised to add an extra 1,700 nurses, 490 doctors and 464 health practitioners over three years, and proposed a policy—at a cost of $583 million—whereby the Government would pay for public patients to have surgery in private hospitals if the expected wait time for a procedure fell outside the recommended wait time. 76 Newman received little criticism over his heath policy in the media, and was described by some commentators as having neutralised an area of traditional LNP criticism while past ALP governments were perceived to have mismanaged health funding. 77 Indeed, an early election poll showed the LNP leading the ALP 46 per cent to 43 per cent in relation to who was more trusted to manage the health care system. 78 The ALP similarly promised additional spending and reform in the public health sector having offered to employ an additional 400 nurses, as well as adding up to 1,000 new graduate nurse positions in teaching hospitals each year for four years. 79 The ALP also promised to

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71. One of the largest lessees is Indian power distribution giant, Adani. In 2014 a legal challenge was mounted against the federal government and Adani to test the powers of the Commonwealth’s Environment Protection and Biodiversity Conservation Act 1999. According to the head of research at Deakin University’s law school the case, which will consider whether greenhouse gas emissions generated from the coal will impact negatively on the Great Barrier Reef, is ‘a potential game changer in relation to mining law in Australia’: J Rose, ‘Reef motif’ The Saturday Paper, 24 January 2015, p. 9, accessed 11 February 2015.
75. ‘ALP plans “fair” bikie laws’, The Courier Mail, 27 January 2015, p. 8, accessed 5 February 2015. The Criminal Association Act 2009 (Qld) enabled the Queensland Police Commissioner to apply to the Supreme Court to have an organisation declared criminal under stringent criteria, and to place control orders on individuals.
76. A Wilson, ‘Queensland health has a better outlook, so who deserves credit?’, The Conversation, 28 January 2015, accessed 5 February 2015.
77. Ibid.
78. Ibid.
legislate nurse-to-patient ratios. However, whilst health remained an important election issue to voters, it did not become a contentious issue for either major party.80

**The parties**

**Liberal National Party**

Whilst polls in early 2013 suggested that the LNP would win on first preference votes at that time, support dropped sharply in October 2013 as the Government faced criticism of its new enterprise agreement with the Queensland public service, changes to electoral donation laws, the move towards privatisation following the Commission of Audit report, public service job cuts, and the anti-association ‘bikie’ laws. Polling trends were ‘volatile’ during 2014.81 In the first quarter of 2014 the LNP was ahead 52–48, but the LNP recorded its worst performance in the April–June 2014 quarter where the fall-out from the government’s reforms continued to build and the emergence of new disputes, such as the decision to appoint Tim Carmody as Chief Justice of the Supreme Court, appeared to influence polling. In July Newman extended an olive branch to the legal fraternity and judiciary with a public apology and retreat on several policy issues.82 The LNP moved ahead again in the August–September polls with 54–46 but, by the last quarter of 2014, Newspoll had the two party-preferred vote at 50–50 while the Essential Research poll for December 2014 showed LNP on 49 per cent and ALP on 51 per cent.83

On the night of the election announcement on 6 January 2015, the polls indicated equal support for the two major parties. However, by 14 January, the Galaxy Research poll showed that the LNP could lose many of the seats won in the 2012 landslide election, with primary support for the ALP substantially improved in those seats.84 ReachTEL’s poll conducted on 20 January 2015 showed the LNP was still tracking ahead of the ALP on the primary vote, and moving ahead on the two-party preferred result, while the majority of voters polled (60.1 per cent) predicted that the LNP would win the election.85 Election specialist Antony Green speculated that, apart from Newman’s seat of Ashgrove, the ALP was likely to have too much ground to make up after the 2012 election.86

How far Queensland voters distinguished between federal and state politics is unclear, but Prime Minister Tony Abbott’s absence from the LNP’s campaign attracted media speculation that Newman was deliberately distancing himself from the federal Coalition Government which was embroiled in a series of political crises.87 Whilst the federal Opposition Leader Bill Shorten and his shadow Cabinet joined their Queensland ALP counterparts on the campaign trail, the Prime Minister was noticeably absent from Newman’s launch of the LNP election campaign on 18 January. On 20 January, the Prime Minister announced that he would not be joining the Queensland Premier on the Sunshine State campaign trail saying that: ‘Campbell Newman is a very strong Premier, he’s got a strong team, he wants to run his own race’.88 Then, on 27 January, just four days before the Queensland state election, the Prime Minister controversially announced his ‘Captain’s pick’ award of Australia’s highest honour to a member of the British royal family, a move that shocked his Coalition colleagues and made headlines across Australia and overseas.89

**Australian Labor Party**

Following the 2012 election, observers expected that the ALP would not have the numbers to mount a robust challenge for some years. Indeed, in the first few months as Opposition Leader, Palaszczuk scored only 15 per

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80. Ibid.
87. For example, see K Silva, ‘Newman off to rousing start with campaign’, The Sydney Morning Herald, 19 January 2015, p. 8, accessed 12 August 2015.
cent in a Galaxy poll as to who would make the better premier. Nevertheless, polling during 2013 and 2014 revealed a growing satisfaction with her performance as leader as her exposure to the electorate grew. The early announcement of the election in the midst of the holiday-season caught the ALP without detailed policies or election costings, and mounted its campaign through ‘old-fashioned door knocking and word of mouth’. On the eve of the election, Newspoll, Galaxy and ReachTEL all indicated that the LNP had a decisive lead of 52‒48 on a two-party preferred basis. Most commentators did not expect the ALP to win the state election and anticipated that there would be a change in leadership of the ALP shortly thereafter.

**Family First Party**

The Family First Party (FFP) was formed in 2001 in South Australia. The Queensland branch secured 0.82 per cent of the primary vote at the 2009 election, 1.32 per cent in 2012 and 1.19 per cent in 2015. The party would normally have given preferences to the LNP but, according to a report just prior to the election, it had not been able to arrange a preference deal because the LNP had not ‘returned their phone calls’ while the LNP was ‘asking Queenslanders to just vote 1 LNP’.

**Katter’s Australian Party**

Katter’s Australian Party (KAP) was formed by independent federal MP Bob Katter in 2011. KAP won two seats in the 2012 Queensland state election, and gained a third in November 2012 when Ray Hopper MP resigned from the LNP to join KAP. In March 2014 Rob Katter, son of federal MP Bob Katter, announced that the three Queensland MPs in KAP were seeking to merge with the two Palmer United Party (PUP) members to create a new ‘third force’ in Queensland politics. Queensland MP Dr Alex Douglas, leader of PUP in Queensland, expressed interest in a merger, although he noted that any new party resulting from such a merger would benefit from the strength of the PUP brand. However PUP’s federal leader, Clive Palmer, moved quickly to dispel any talk of a merger, stating that there were no plans for an amalgamation ahead of the next state election and welcoming any Queensland KAP MPs to join his party.

**One Nation**

Former federal MP Pauline Hanson assumed leadership of One Nation in November 2014, fielding 11 candidates for the 2015 election on a platform of accountability, jobs and leadership, and promising to be the ‘watchdog’ of government. Apart from Hanson herself, candidates included a senior staffer to US Senator Teddy Kennedy, President of the Corrective Services Union, business people and professionals, as well as Pauline Hanson’s One Nation MP Jeff Knuth. Early results took many Queenslanders by surprise. Hanson initially led the vote for the LNP-held seat of Lockyer, having achieved a significant swing that suggested a potential political comeback. If successful, she would become the fourth crossbench MP in a hung parliament, although commentators predicted that her lead would be reduced as preferences were distributed in areas where the ALP was polling strongly. In the final result, Hanson failed to win the seat by less than 200 votes.

**Palmer United Party**

Palmer United Party (PUP) was formed by mining magnate Clive Palmer in 2013. The new party’s success in winning one House of Representatives and three Senate seats at the 2013 federal election, particularly so soon after the party’s formation in April 2013, encouraged some commentators to predict that PUP could be a ‘force...
to be reckoned with’ in the 2015 Queensland election.\textsuperscript{102} In December 2014 Palmer announced that the son of former Queensland premier, Sir Joh Bjelke-Petersen, would lead the party into the state election replacing Alex Douglas, who resigned from the party earlier in the year.\textsuperscript{103} In the lead-up to the election, however, PUP’s campaign was somewhat sidetracked by Palmer’s own dispute with Premier Newman which resulted in a defamation case (see Defamation cases above), while after the election the PUP candidate for Ferny Grove was found to be ineligible as a result of being an undischarged bankrupt (see Aftermath below).

**Queensland Greens**

The Queensland Greens (The Greens)\textsuperscript{104} was formed in 1991 but was the last of the state Greens parties in Australia to gain parliamentary representation. In 2008 Ronan Lee defected to the Greens from the ALP, giving the party its first state MP, although he lost his seat in the 2009 state election. The party has gradually increased its share of the vote, from 2.51 per cent in 2001 to 7.52 per cent in 2012.

**The outcome**

After the polls had closed, there were early indications that opinion polling had accurately predicted voter sentiment, with the LNP ahead on primary votes. However, during the course of election night observers watched in disbelief as results began to show a substantial swing towards the ALP. As one commentator wrote:

> The scale of the upset tonight dropped jaws across the state and the country. Just three years ago, the LNP won an unprecedented landslide. The vast majority that the LNP enjoyed made an ALP victory at the 2015 election seem unimaginable.\textsuperscript{105}

By the end of election night, the ALP had 43 seats to the LNP’s 38 with five undecided including Mansfield, Maryborough and Whitsunday (the LNP seat at the heart of the Abbot Point controversy—see Great Barrier Reef above). Palaszczuk was optimistic, declaring:

> Well I said it was going to be a ‘David and Goliath’ battle and it certainly was. Who would have thought three years ago we would be making history tonight? It’s still too close to call at present but I am very hopeful that we will be able to form government in this election.\textsuperscript{106}

Nevertheless, with a number of close seats the early results were inconclusive and Queenslanders had to wait as preferences were painstakingly distributed. According to election analyst Ben Raue, pollsters had used preferences from the 2012 state election to estimate how minor party and independent votes would flow in the 2015 state election. However, this election was different because minor party preferences had shifted from KAP to the Greens ‘thanks to KAP’s declining vote and focus on a small number of seats’.\textsuperscript{107} On 11 February Labor leader Annastacia Palaszczuk approached Governor Paul de Jersey to advise him that she could form a minority government. The ECQ finished declaring the results of the election on 13 February and the Governor invited Palaszczuk to form a government. She was sworn in as the 39th Premier of Queensland on 14 February.\textsuperscript{108}

The final results are presented in Table 1 below:

<table>
<thead>
<tr>
<th>Party</th>
<th>Abbr</th>
<th>Candidates</th>
<th>Formal Votes</th>
<th>%</th>
<th>Seats</th>
<th>Swing</th>
</tr>
</thead>
<tbody>
<tr>
<td>LNP</td>
<td>LNP</td>
<td>89</td>
<td>1,084,060</td>
<td>41.32</td>
<td>42</td>
<td>-8.34</td>
</tr>
<tr>
<td>Australian Labor Party</td>
<td>ALP</td>
<td>89</td>
<td>983,054</td>
<td>37.47</td>
<td>44</td>
<td>+10.81</td>
</tr>
<tr>
<td>The Greens</td>
<td>GRN</td>
<td>89</td>
<td>221,157</td>
<td>8.43</td>
<td>-</td>
<td>+0.90</td>
</tr>
</tbody>
</table>


\textsuperscript{104} The Queensland Greens website, accessed 19 August 2015.


\textsuperscript{107} B Raue, ‘Qld 2015: what happened to the preferences?’, The Tally Room, 3 February 2015, accessed 19 February 2015. Polls were also incorrect because more people allocated multiple preferences than they had previously, and fewer votes were exhausted.

### Analysis

The ALP received 37.5 per cent of the vote resulting in 44 seats and a swing of 10.8 per cent. This represented a significant recovery from the 2012 election when the party was reduced to seven of the 89 seats (increasing to nine seats as a result of the Redcliffe and Stafford by-elections in 2014). The ALP received the support of Independent Peter Wellington enabling it to form a minority government.\[109\]

The ALP’s two-party-preferred vote was higher than that recorded by the Bligh Government when it was re-elected at the 2009 state election. It won four seats in regional Queensland that it did not hold in 2009, benefiting from the first preference votes from KAP and the flow of preferences from third parties. As ABC election analyst Antony Green noted, ‘[t]he swing to and from Labor across the three elections [2009, 2012 and 2015] has gone around the LNP, not to and from the LNP’.\[110\]

The LNP, which had secured a record win in the 2012 election, won 42 seats and suffered an 8.3 per cent swing against the party while Newman lost his seat of Ashgrove to the ALP’s Kate Jones with a swing against him of 5.5 per cent.\[111\] Lawrence Springborg was subsequently chosen by the party to replace Newman as leader. Commentators speculated on the reasons for such a large swing away from the LNP, with some pointing to the impact of federal political issues and the unpopularity of the Prime Minister as well as domestic state issues (see Election issues above)

The most successful of the minor parties was KAP with two seats while the Greens, although failing to gain a single seat, proclaimed it as the party’s ‘best-ever’ result in Queensland with 8.43 per cent.\[112\] PUP, One Nation and Family First also failed to gain a seat

The new Queensland Parliament comprises 25 women out of 89 Members (28.1 per cent), a significant increase from 21.3 per cent in the previous parliament.\[113\]

### Aftermath

Immediately following the election there was some confusion about the final result after revelations that the PUP candidate for the seat of Ferny Grove, Mark Taverner, was ineligible as a result of being an undischarged bankrupt. The ECQ indicated that it would refer the Ferny Grove election result to the Court of Disputed Returns. Labor’s Mark Furner won the seat by 466 votes after a swing against the incumbent LNP Member Dale Shuttleworth. The LNP argued that Mr Taverner’s 993 votes influenced the outcome and the result should be

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111. She had served as Minister for the Environment in the Bligh Government, and lost the seat of Ashgrove to Newman at the 2012 state election.
annulled and a by-election held. The ALP argued that Furner’s winning margin was greater than the number of PUP votes that did not distribute preferences, and the outcome was therefore clear.

Speculation mounted about who should govern. Newman had remained as caretaker Premier until the return of writs but, on 9 February, Labor MP Jackie Trad declared that ‘Campbell Newman is the caretaker premier. And come 6.01 pm tomorrow evening [10 February], he must resign his commission to the governor’. In fact this was the cut-off date for the return of postal votes, and Newman remained as caretaker Premier until the return of writs on 16 February. In the meantime the ECQ released a statement on 12 February indicating that it had received new legal advice and would not be lodging a petition with the Court of Disputed Returns:

...having regard to the final count in Ferny Grove, the winning margin, the number of votes for the PUP candidate, and the distribution of preferences.

The LNP indicated that the party would be writing to constituents about a ‘potential election re-run’, but the ECQ decision cleared the way for the ALP, having won 44 seats, to claim government with the support of Independent Peter Wellington. Wellington promised his support on confidence motions while retaining the right to vote on conscience if ‘there is evidence of gross fraud, misappropriation or like illegal activities’.

On 13 February, the Governor Paul de Jersey invited Palaszczuk to form government, and she announced her 14-member ministry (a reduction in size from the Newman Government’s 19-member ministry). The new ministry represents a number of significant milestones in Australia’s political history (see Appendix 5):

- for the first time in Australia’s political history the majority of Palaszczuk’s cabinet are women (eight women in a 14-member Cabinet, representing 57.1 per cent)
- Palaszczuk is the first female state opposition leader to lead her party to victory
- Palaszczuk (Premier) and Trad (Deputy Premier) comprise the second all-female elected leadership team in Australia (the first was the ALP’s Kristina Keneally and Carmel Tebbutt in New South Wales in 2009–11)
- Yvette D’ath is Queensland’s first female Attorney-General and
- Leeanne Enoch is the first Indigenous woman MP in the Queensland Parliament and Queensland’s first Indigenous minister.

Following the LNP’s defeat, the Courier Mail reported that Newman had exchanged a series of text messages with the Prime Minister about lessons learnt from the Queensland election, and suggesting that the push for a federal leadership ballot on 9 February was precipitated by federal Queensland Liberal MPs concerned by the LNP’s loss at the recent state election.

Conclusion

The 2015 Queensland state election was notable for a number of reasons:

- the election was held in the month of January for the first time in the state’s history

115. The High Court ruled that the presence of an unelected ineligible candidate is not sufficient to overturn a result, but that it must also affect the outcome. See A Green, ‘Ferny Grove preference distribution published’, Antony Green’s election blog, ABC elections, 12 February 2015, accessed 19 February 2015.
119. Letter from Peter Wellington MP to Leader of the Opposition, Annastacia Palaszczuk MP, op. cit.
121. The Bligh Government previously held the record for the highest number of women in a Queensland ministry with 6 women out of 18 (33.3 per cent) between 2010 and 2012.
122. Enoch resolved to enter politics in 2009 when commentator Andrew Bolt’s article questioning the Aboriginality of her and other prominent Australians became the basis for a court case about the right to free speech. See K Struthers, ‘A day of firsts for women in politics, and one in particular’, The Conversation, 16 February 2015, accessed 12 August 2015.
• the election result represented a dramatic reversal in the ALP’s fortunes, with 44 seats compared with its seven seats at the 2012 election (increasing to nine seats as a result of two by-elections in 2014); the 37-seat swing is the second-largest against a sitting government in Queensland since Federation, while the largest was the 44-seat swing against the ALP in 2012

• the outcome was hailed by some media commentators as a surprise victory for the ALP and a significant shift in Queensland politics, although ABC election analyst Antony Green concluded that ‘history may look back and view the 2015 election as a restoration of normal voting patterns’, and the 2012 election result as ‘temporary deviation from long-term party voting patterns’

• the Palaszczuk ministry became the first ministry in Australia where the majority of cabinet members are women and

• Newman became the third Queensland Premier since Federation to serve for one term, and the second to lose his own seat—the first was Digby Frank Denham in 1915.

Postscript
Within days of the official opening of the Queensland Parliament on 25 February 2015, the ALP’s minority government was forced to respond to revelations about the private life and past criminal convictions of one of its new MPs, Billy Gordon, an Indigenous man who won the seat of Cook in Cape York from the LNP. Premier Palaszczuk referred the matter to the Queensland Police Commissioner to investigate Gordon’s actions to determine whether he had broken the law. She expelled Gordon from the Labor caucus and asked the state party’s organisational wing to expel him from the ALP (he resigned from the party on 30 March to become an independent) and called on him to resign as a member of the Queensland Parliament, a move that would trigger a by-election in the seat of Cook. Gordon remained in Parliament (as at 12 August 2015) and, while generally supporting his former Labor colleagues in the Parliament, voted with the Opposition during a vote on the LNP’s proposal for a wait-time guarantee on elective surgery.

124. A Green, Antony Green’s election blog, op. cit.
**Appendix 1: Queensland electoral reform**

In January 2013 the then Queensland Attorney-General, Jarrod Bleijie, announced a review of several aspects of Queensland electoral law, including changes to funding, disclosure and expenditure cap laws introduced by the Bligh ALP Government in the *Electoral Reform and Accountability Amendment Act 2011*. The LNP had opposed most of the reforms on the basis that the legislation was developed ‘without adequate forethought and consultation’, and was ‘designed to benefit political parties in Queensland’.127 In part the review was intended to bring transparency to the way in which money influenced politics and to deal with matters of electoral administration. However, several matters included in Part B of the discussion paper also attracted attention.

**Voluntary voting**

The *Electoral reform: discussion paper* published in January 2013 raised the issue of compulsory voting in the Queensland state election as a possible area for reform.128 The paper highlighted the tension between full political participation by the electorate and whether citizens of a democracy should be compelled to vote. The discussion paper sparked public debate including criticism from the then Prime Minister Julia Gillard who accused the Newman Government of making democracy ‘the plaything of cashed-up interest groups’.129 With the release of the *Electoral Reform: Queensland Electoral Review Outcomes* in July 2013, the Newman Government did not pursue the reform, having found little support for change.130

**Voter identification**

The *Electoral reform: discussion paper* also discussed the pros and cons of requiring voters to produce photographic identification at the polling booth. At the heart of the issue was the need to balance the benefits of ‘greater protection against voter impersonation’ and instilling ‘greater confidence in the electoral process and the integrity of the results’ against the potential for discrimination, greater administrative costs and the absence of electoral fraud in Queensland.131 The *Electoral Reform Amendment Bill 2013* was passed, making it a legal requirement for polling officials to be satisfied with voter identification when casting an ordinary vote, or else to submit a declaration vote to be later verified by ECQ.132 In response the Human Rights Law Centre said ‘tens of thousands of vulnerable people are threatened by voter ID laws. Those most at risk are elderly and young voters, people in remote rural regions, people with disabilities, Aboriginal and Torres Strait Islander people and the homeless’.133

The new rules were first used in the 2014 *Stafford by-election* with almost all voters having the appropriate proof of identification.134 However, as the state election drew near, voters began voicing their concerns via social media about whether they would be able to vote unless they had proof. According to Green, most instances of multiple voting have been shown to be the result of clerical error. Besides, if voters found themselves without the correct identification when voting in their home electorate, they simply needed to submit a declaration in addition to their ballot paper.135 However a community legal advocate giving evidence to a Queensland parliamentary inquiry after the 2015 state election stated that some Queensland voters were ‘wrongly turned away from polling booths’ when booth officials failed to allow voters to make a declaration vote on the day and produce identification later.136 According to a University of Queensland submission, over 16,000 voters turned out without ID and cast declaration votes.137

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131. Ibid., pp. 28-29.
Optional Preferential Voting

The Optional Preferential Voting (OPV) system has been used in Queensland State elections since 1992. This voting system had earlier been used in Queensland—from 1892 to 1942—and was reintroduced on the recommendation of the Electoral and Administrative Review Commission (EARC).\(^{138}\) This system provides voters with a choice of either one candidate (single primary preference), more than one candidate (partial distribution of preferences), or all candidates (full distribution of preferences) on the ballot paper. The issue of OPV has particular significance for the former state Liberal Party and The Nationals, who were disadvantaged by OPV in previous elections including the 2001 state election where they were challenged by One Nation and other right-wing parties. In the 2015 election campaign, Premier Newman urged voters to ‘just vote 1’ in order to ensure that voters focused only on the top two polling candidates. Given that the LNP was expected to lead in first preference votes, this was also a way of ensuring that second-placed candidates could not beat the leading LNP candidate on preferences. According to Newman, by voting ‘1’ voters would be avoiding the possibility of a hung parliament.\(^{139}\)

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Appendix 2: Queensland electoral statistics

Table 1: 2013 Commonwealth election results for Queensland

<table>
<thead>
<tr>
<th>Party</th>
<th>Primary Votes</th>
<th>Swing</th>
<th>Seats Won</th>
<th>Predicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor (ALP)</td>
<td>29.8%</td>
<td>-3.8%</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Coalition (LNP)</td>
<td>45.7%</td>
<td>-1.8%</td>
<td>22</td>
<td>22</td>
</tr>
<tr>
<td>Greens (GRN)</td>
<td>6.2%</td>
<td>-4.7%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Others (OTH)</td>
<td>18.3%</td>
<td>+10.3%</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>


Table 2: Queensland state election results for Ashgrove, 2009, 2012 and 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>ALP(^a)</th>
<th>LNP</th>
<th>Greens</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Votes</td>
<td>%</td>
<td>Votes</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>13,372</td>
<td>44.45</td>
<td>13,125</td>
<td>540</td>
</tr>
<tr>
<td>2012</td>
<td>10,549</td>
<td>36.60</td>
<td>14,932</td>
<td>698</td>
</tr>
<tr>
<td>2009</td>
<td>12,629</td>
<td>45.71</td>
<td>10,293</td>
<td>1281</td>
</tr>
</tbody>
</table>

\(^a\) Kate Jones was the ALP candidate at all 3 elections, with Campbell Newman the LNP candidate for 2012 and 2015. Scott McConnel was the LNP candidate for the 2009 election.

Source: Compiled by Parliamentary Library from data in Electoral Commission Queensland (ECQ), Election information and results, accessed 12 August 2015.

Table 3: Female candidates in 2012 and 2015 Queensland state elections by party

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Female candidates</td>
<td>% women</td>
</tr>
<tr>
<td>ALP</td>
<td>31</td>
<td>34.8</td>
</tr>
<tr>
<td>LNP</td>
<td>16</td>
<td>18.0</td>
</tr>
<tr>
<td>GRN</td>
<td>32</td>
<td>36.0</td>
</tr>
<tr>
<td>PUP</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>KAP</td>
<td>9</td>
<td>11.6</td>
</tr>
<tr>
<td>Other</td>
<td>30</td>
<td>18.4</td>
</tr>
</tbody>
</table>

Source: Compiled by Parliamentary Library from data in Electoral Commission Queensland, Election information and results, accessed 12 August 2015.
### Appendix 3: Queensland ministry post-election

<table>
<thead>
<tr>
<th>Minister</th>
<th>Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annastacia Palaszczuk (a)</td>
<td>Premier, Minister for the Arts</td>
</tr>
<tr>
<td>Jackie Trad</td>
<td>Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning, Minister for Trade</td>
</tr>
<tr>
<td>Curtis Pitt (a)</td>
<td>Treasurer, Minister for Employment and Industrial Relations, Minister for Aboriginal and Torres Strait Islander Partnerships</td>
</tr>
<tr>
<td>Cameron Dick (a)</td>
<td>Minister for Health, Minister for Ambulance Services</td>
</tr>
<tr>
<td>Kate Jones (a)</td>
<td>Minister for Education, Minister for Tourism, Major Events, Small Business and the Commonwealth Games</td>
</tr>
<tr>
<td>Anthony Lynham</td>
<td>Minister for State Development and Minister for Natural Resources and Mines</td>
</tr>
<tr>
<td>Yvette D’ath</td>
<td>Attorney-General and Minister for Justice, Minister for Training and Skills</td>
</tr>
<tr>
<td>Jo-Ann Miller</td>
<td>Minister for Police, Fire and Emergency Services, Minister for Corrective Services</td>
</tr>
<tr>
<td>Bill Byrne</td>
<td>Minister for Agriculture and Fisheries, Minister for Sport and Racing</td>
</tr>
<tr>
<td>Mark Bailey</td>
<td>Minister for Main Roads, Road Safety and Ports, Minister for Energy and Water Supply</td>
</tr>
<tr>
<td>Steven Miles</td>
<td>Minister for Environment and Heritage Protection, Minister for National Parks and the Great Barrier Reef</td>
</tr>
<tr>
<td>Leeanne Enoch</td>
<td>Minister for Housing and Public Works, Minister for Science and Innovation</td>
</tr>
<tr>
<td>Shannon Fentiman</td>
<td>Minister for Communities, Women and Youth, Minister for Child Safety, Minister for Multicultural Affairs</td>
</tr>
<tr>
<td>Coralee O’Rourke</td>
<td>Minister for Disability Services, Minister for Seniors, Minister Assisting the Premier on North Queensland</td>
</tr>
</tbody>
</table>

(a) Held portfolios in the Bligh Labor Government

2015 Queensland state election: an overview

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