

ESTIMATES COMMITTEE B

REPORT TO THE LEGISLATIVE ASSEMBLY OF QUEENSLAND

JULY 1997

ESTIMATES COMMITTEE B

Chairman:	Mr Len Stephan MLA (Member for Gympie)
Deputy Chairman:	Hon Matt Foley MLA (Member for Yeronga)
Other Members:	Mr Tom Barton MLA (Member for Waterford)
	Mr Frank Carroll MLA (Member for Mansfield)
	Mrs Liz Cunningham MLA (Member for Gladstone)
	Hon Dean Wells MLA (Member for Murrumba)
Staff:	Mr Robert McBride (Research Director)
	Ms Sandy Musch (Research Officer)
	Ms Tania Jackman (Executive Assistant)



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1. INTRODUCTION

On 4 June 1997, the Legislative Assembly referred to the committee, for examination and report, proposed expenditures contained in the Appropriation Bill 1997. Proposed expenditures in the portfolios of the Attorney-General and Minister for Justice, the Minister for Police and Corrective Services and Minister for Racing, and the Minister for Emergency Services and Minister for Sport were examined.

The committee has considered the proposed expenditure utilising the various budget papers together with the Ministerial Program Statements and written and verbal evidence from the relevant Ministers and public officials. Documents tabled during the hearing and information received from pre-hearing questions on notice and questions taken on notice at the hearing will be tabled separately in the Legislative Assembly.

The committee draws the attention of the Legislative Assembly to the following matters which arose during consideration of the budget estimates.

2. EXAMINATION OF THE PROPOSED EXPENDITURES

2.1. DEPARTMENT OF JUSTICE

2.1.1. Capital Works

Page 1-6 of the Ministerial Program Statements (MPS) forecasts the expenditure of \$46.358m on major capital works projects in 1997-98. The following breakdown of proposed expenditure on court houses was given in response to a question from the committee:

Rockhampton (construct new courthouse)	\$9.389m
Southport (extend courthouse)	\$9.455m
Cleveland (purchase land and construct new courthouse)	\$3.533m
Bundaberg (upgrade courthouse)	\$1.037m
Gympie (new court registry and courtroom)	\$1.861m
Brisbane Law Courts (upgrade air conditioning)	\$2.908m
Brisbane Law Courts (repair facade)	\$1.223m
Minor Works (on-going)	\$2.712m
Brisbane (construct new arrest courts)	\$8.840m
Brisbane (plan new courts complex)	\$2.000m
Gladstone (upgrade court facilities)	\$1.200m
Beenleigh (new district courtroom and magistrates courtroom)	\$1.300m

Planning and documentation of new projects	\$0.900m
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The 1997 Budget provided for \$47.417m worth of Capital Works (MPS page 1-11) whereas only \$24.843m of this is estimated to be actually spent in 1996-97. It is deeply disappointing that virtually half of the Department's Capital Works Budget has gone unspent.

2.1.2. Aboriginal and Torres Strait Islander Justices of the Peace

Page 1-10 of the MPS shows that the number of Justices of the Peace (Magistrates Court) trained in Aboriginal and Torres Strait Islander communities is estimated to be 37 in 1996-97 and nil in 1997-98. In a question on notice prior to the hearing the committee queried the government's commitment to providing for indigenous participation in the administration of justice.

Note 7 on page 1-10 of the MPS states that the three year program to train Justices of the Peace (Magistrate Court) in Aboriginal and Torres Strait Islander communities will be completed at the end of the 1996-97 financial year. The committee was informed that the department has arranged for refresher courses to be held in the communities of Thursday Island and Kowanyama. The courses will be undertaken as part of a pilot program to use trained justices of the peace in the local magistrate courts within these communities. An amount of \$60 000 has been set aside in the budget to conduct the program. When the training scheme began proper discussions with the Magistracy or the Police had not occurred to ensure that Justices of the Peace would actually be called to sit on the bench. This has limited the use of Justices of the Peace in Magistrates Courts in Aboriginal and Torres Strait Islander communities. The refresher courses aim to overcome these problems.

The committee notes that the provision for training of Aboriginal and Islander Justices of the Peace (Magistrates Court) has declined from 159 in the 1995-96 Budget to 30 in the 1996-97 Budget to nil in the 1997-98 Budget.

This is a concern when the need for greater participation in the administration of justice is acknowledged.

2.1.3. Alternative Dispute Resolution

At the public hearing the committee asked the Minister what progress had been made in extending Alternative Dispute Resolution (ADR) services through the court system. The Minister told the committee that ADR services had been extended to Rockhampton, Townsville, Cairns, Toowoomba and Mount Isa with plans to extend them around the state. Provision has been made in the 1997-98 budget for the extension of ADR services into Hervey Bay and Mackay. Advice from the Department of Justice after the hearing was that 16 to 20 new mediators will be employed at each of these centres.

It is noted that this occurs against a reduction in last year's Budget of 8 permanent staff and two temporary staff. It remains a matter of concern that no provision for

alternative dispute resolution services is made outside the Court system, thereby effectively alienating those people reluctant to approach the Court system for assistance in the resolution of disputes.

2.1.4. Victims of Crime

In a pre-hearing question on notice the committee asked for details on funding for support services for victims of crime provided in the 1996-97 budget, the estimated actual expenditure for 1996-97 and the allocation in the 1997-98 budget. It also asked what was meant by the proposed targeting of funds “toward effectively helping the real victims of crime” (MPS page 1-3). The committee was told that the statement refers to payments to victims for criminal compensation not support services for victims of crime. Expenditure for criminal compensation payments was \$7.2m in the 1996-97 budget and \$8.25m in the 1997-98 budget. The estimated actual expenditure for 1996-97 is \$8m to \$8.4m.

Funding for the Director of Public Prosecutions (DPP’s) Victim Support Services (VSS) was \$1.075m in the 1996-97 budget and is \$0.872m in the 1997-98 budget. Estimated actual expenditure in 1996-97 is \$1.075m.

In a further question at the hearing the committee queried what appeared to be a decrease in funding for victim support services and asked whether there is an expected decrease in demand in that area. Mr R Kidson, General Manager, Office of the Director of Public Prosecutions explained that the reduction from the figure provided in 1996-97 reflects a carryover of \$203 000 into 1996-97 from the previous year. As a consequence base funding has increased in 1997-98 from \$622 000 to \$872 000.

Notwithstanding the reference by the committee in last year’s Report (page 3) there has been a decrease in budgetary provision for victims of crime support services from 1.075m in 1996-97 to \$872 000 in 1997-98.

This is in direct breach of a Coalition pre-election promise made by Mr Beanland (Media Release tabled during committee hearing) to provide an annual additional State Government grant of \$1m to victims of crime support services.

2.1.5. Law Reform Commission

In a pre-hearing question on notice the committee asked how the Law Reform Commission would carry out its Fifth Program of references as well as undertake litigation reform work previously done by the former Litigation Reform Commission when the Law Reform Commission budget of \$778 000 was less than the 1995-96 budget allocation of \$784 000.

The committee was advised that the Law Reform Commission budget for 1995-96 comprised two components — \$261 000 for the former Litigation Reform Commission and \$523 000 for the Law Reform Commission. The comparable figure for the Law Reform Commission in 1997-98 is \$778 000, an increase of \$255 000 over the 1995-96 budget allocation. However, the committee notes that the 1997-98

budget allocation more accurately reflects the amalgamation of the Litigation Reform Commission and the Law Reform Commission rather than an increase in budget of the Law Reform Commission. The committee was also told that work previously undertaken by the Litigation Reform Commission which relates to court practice and procedures has been transferred to the Law Reform Commission. In addition the project on Uniform Rules for Supreme, District and Magistrates Courts has been transferred to the Policy and Legislation Division of the Department of Justice.

In response to a further question at the hearing the Minister advised that three major references had passed on to the Law Reform Commission: first, the function and role of justices of the peace; second, the Evidence Act, with particular emphasis on evidence of children and technology; and, third, the uniform succession laws.

2.1.6. Court Delays

The committee asked what level of success had been achieved in meeting the standard for delays in having matters heard in the Magistrates Court and what measures are and have been taken to ensure that the standard is met. Mr K Martin, Director-General of the Justice Department informed the committee that the standard in relation to delays in the Magistrates Court is 8 weeks. At the end of April 1997, the report from the Chief Stipendiary Magistrate indicated that the maximum delay being experienced in Magistrates Courts in civil matters was 12.9 weeks with a minimum delay of 5 weeks. In criminal matters, the maximum delay is 12.9 weeks and the minimum delay is 4.7 weeks. New magisterial appointments during the year have been put into areas where delays were being experienced and Stipendiary Magistrates are used if gaps occur because of illness or other unforeseen reasons. According to Mr Martin, a benchmarking exercise this year showed that the Queensland courts system was the best of all Australian Court systems for delays.

2.1.7. Legal Aid

In a question on notice prior to the hearing the committee asked about the removal of specific budgetary provision for community legal services as a sub-program of legal aid services and the effect this would have on community legal services, given that their funding will now depend on the discretion of Legal Aid Queensland.

In the response to the question the committee was told that the Government has maintained the level of funding for community legal centres at \$275 000. With the implementation of the *Legal Aid Queensland Act*, purchaser/provider arrangements for the provision of legal aid will be established between the State Government and the new board of Legal Aid Queensland. The changes to reporting in this year's Budget Papers reflect these new arrangements, with the funding for community legal centres still maintained but included in the total grant to Legal Aid Queensland.

The committee expresses its concern at the removal of specific budgetary provision for community legal centres (\$275 000 in 1996-97).

The removal of this as a budget line item puts community legal services' funding at the discretion of the new Board of Legal Aid Queensland. This reflects a lack of Government commitment to community legal centres.

The committee also expresses surprise and concern at the \$1.5m unspent on legal aid (see MPS page 1-24) at a time of lack of Commonwealth-State cooperation for a "one-stop-shop" for legal aid.

2.1.8. The Anti-Discrimination Commission

In a question on notice prior to the hearing the committee sought a comparison of the \$1.952m cost of funding the Anti-Discrimination Commission Queensland with the cost of retaining the co-operative arrangement with the Commonwealth Government on human rights matters on the terms proposed by the Commonwealth Government.

The committee was told that the Commonwealth's offer was insufficient to reflect the true burden to Queensland in assuming federal jurisdiction. The five year co-operative agreement involved the Commonwealth Commission administering State discrimination laws on behalf of the state in a 50/50 cost sharing arrangement. The agreement was set to lapse on 9 December 1996. In the lead up to the final lapsing of the agreement the Commonwealth's terms for renewal were that:

- Queensland establish its own State based Commission which would administer federal legislation on behalf of the Commonwealth; and
- The Commonwealth contributes 20% of the recurrent budget of the new State Commission while the State contributes 80%.

The Commonwealth was not prepared to contribute funds for the added set up costs of establishing a new state based commission. The final offer from the Commonwealth was \$380 000 per annum, less than 20%. This means that were Queensland to enter a co-operative agreement of the type being offered by the Commonwealth Government, it would have received a pro-rata contribution from the Commonwealth for the period of 10 December 1996 to 30 June 1997 of approximately \$184 167. The additional funds of \$1.952m were the estimated cost of Queensland establishing its own state Commission. This cost would have ensued whether there was a co-operative agreement or not because both options entailed Queensland establishing its wholly State-based Commission.

The committee expresses its concern over the lack of Commonwealth cooperation resulting in the absence of a 'one-stop-shop' for Commonwealth and State 'anti-discrimination matters'. The victims of human rights abuses should not have to make threshold decisions about whether to approach Commonwealth or State commissions for the handling of their grievances.

2.1.9. Referendum

The possible conduct of a referendum is noted on pages 2-7 and 2-9 of the MPS. The committee asked the Minister whether the Government intended to conduct a referendum in 1997-98, if so, whether referendum would be on the restoration of an Upper House and what the cost of conducting a referendum would be. The Minister told the committee that a referendum on an Upper House was a matter for the Premier. The cost of a referendum would be approximately \$6m which, if needed, would be made by a special allocation from Treasury.

2.1.10. Internet Access to Queensland Legislation and Case Law

In a question on notice prior to the hearing the committee asked what steps were being taken to allow for internet access to Queensland legislation and other case law and how this would affect estimated funding from the state budget and other sources for the Supreme Court Library in 1997-98. The Minister informed the committee that the question of access to Queensland legislation and case law was being addressed through an interdepartmental committee. The Minister advised that the outcome would not be known until the committee delivers its report and all implications have been considered, including Crown Law advice in respect of copyright. The impact of any decision on the funding sources available to the Supreme Court Library will be fully considered in the response of the committee to the government.

2.1.11. Judicial Appointments

In response to a question at the hearing the committee was informed that since February 1996 there were two Magistrates, two District Court Judges and one Supreme Court judge appointed to assist with the backlogs and delays within the court system. Between 1989 and 1996, there was one Supreme Court Judge, four Court of Appeal Judges and six District Court Judges appointed. The 1997-98 budget provides for the appointment of two additional judicial officers.

2.1.12. CJC Budget

In the 1996 budget estimates Mr Frank Clair, Chair of the CJC, predicted that a reduction in the CJC's budget for 1996-97 of \$1.5m to \$20.1m would have detrimental impacts in a number of areas. The committee asked for a comparison of predicted impacts with actual impacts. The response to this question is summarised below.

PREDICTED IMPACTS	ACTUAL IMPACTS
Whistleblower support reduced to Brisbane	No visits by the Manager, Whistleblower support outside of SE Qld. Some whistleblower counselling provided to regional centres by telephone.
Misconduct reviews reduced by 60%	Reduced by 33%
Misconduct workshops reduced by 80%	Reduced by 57%

Travel in intelligence Division reduced by 66%	Reduced by 51.4%
Police Service reform agenda affected	Reduction of 9.6% made to Research and Coordination Division Budget for 1996-97.
One of three misconduct teams disbanded	One team disbanded, the remaining two integrated into the investigation team supporting Project Shield
Joint Organised Crime Task Force (JOCTF) to half strength	The four projects in the JOCTF were maintained on the strength of supplementary funding approved in January 1997

At the hearing, the committee asked a number of questions relating to the CJC's 1997-98 budget allocation of \$21 525m and its operations in the coming year. Mr Clair told the committee that he had some concerns with the budget for the CJC, particularly in relation to corruption detection, complaints investigation, research and intelligence.

2.1.13. Prosecutions

The committee notes the request of the Director of Public Prosecutions Mr Royce Miller QC for a further six or seven senior, experienced staff. A significant increase in workload is foreshadowed in the Budget Papers (see MPS 1-15) with cases in the higher courts up 900 and cases in the Magistrates Court up 400, the DPP staff lawyers are projected to rise by three positions from 99 to 102. Mr Miller agreed that he would rather a smaller number of additional staff at a higher level of qualifications.

2.1.14. Privacy Commissioner

The committee notes that there is no budget provision for the appointment of a Privacy Commissioner as stated in the media release tabled during the committee hearing.

It is noted that the issue of privacy is instead being considered by the all party Legal, Constitutional and Administrative Review Committee.

2.1.15. Auctioneers and Agents Fund

The committee is concerned that the Auctioneers and Agents Fund is being under allocated to community organisations.

The committee notes the reasons given are that applicants did not meet guidelines set down for grants. The result is a very low level of funding for consumer groups in this State.

2.2. QUEENSLAND POLICE SERVICE

2.2.1. Water Police

(a) New Headquarters

During the hearing the Minister told the committee that new headquarters for the Water Police were planned at Howard Smith Drive, Whyte Island. It is anticipated that the new accommodation will be a single level construction housing the Water Police and Diving Squad with a detached marine technical workshop to house boats during repairs and maintenance. In addition, a marina consisting of four pontoons will be constructed. The estimated completion date is 28 August 1997.

(b) Vessel Replacement

The Minister informed the committee that the police service has a 15-year rolling plan of vessel replacement. In 1996-97 two high speed catamarans were purchased at a total cost of \$420 000. The acquisition of new vessels is planned for use in Cairns, Yeppoon, the Gold Coast, Townsville, Burketown and Kowanyama at a cost of approximately \$2.262m.

2.2.2. Brisbane City Watch-house

A new Brisbane City watch-house is to be built on a site in Roma Street previously owned by Australia Post. The new watch-house will contain 50 double cells and have 3 courts attached. Total expenditure on this project by the Queensland Police Service is estimated to be around \$13m. Construction is expected to be completed in August 1998. The existing watch-house in Herschel Street will be sold and the proceeds directed towards the new facility.

2.2.3. National Firearms Control

In a question on notice prior to the hearing the committee asked what arrangements had been made to provide police with appropriate resources to administer the nationally agreed firearm controls. Funding for firearms control is in two main areas, the administration of the Queensland Gun Laws Project and compensation funding. The Queensland Gun Laws Project has a budget of \$18.254m. Under the project there has been an extensive expansion of Weapons Licensing Branch resources. These include: relocation of staff to better facilities, planned expansion of permanent staff from 13 to 25, provision of temporary staff working in two shifts, and an increase in sworn staff. The QPS has also developed new information, data storage and decision support systems, a modified weapons licence decision and production system, a new firearms registration system, and a Permit to Acquire system. At the local police level, access to the amended legislation, forms packages and procedural information have been made readily available, extensive training has been conducted, and direct access to the Weapons Licensing Branch has been arranged.

2.2.4. Police Shopfronts, Police Beats and School-Based Policing

The budget allocation for Police Beat shopfronts in 1997-98 is \$4.017m. At present there are 26 Shopfronts with a further 6 to be established in 1997-98. They will be staffed by 62 Sworn Officers and 31 administration officers. In addition to the shopfronts, there is a budget allocation in 1997-98 of \$399 000 for 6 Police Beat locations. They will be staffed by 7 Sworn Officers.

School-Based Policing is being trialed in Goodna, Townsville, Mt Isa, Hervey Bay and Smithfield during the 1997 school year. The 1997-98 budget estimate for this project is \$468 000. At the end of the trial period an assessment will be made of the effectiveness of the program. If the trial proves successful, consideration will be given to providing additional resources and expanding the program, possibly from the beginning of the 1998 school year.

2.2.5. Police Numbers

The Minister told the committee that the Queensland Police Service had a funded strength of 6 563 and an estimated actual strength of 6 564. Approximately 158 extra police will have joined the police service by the end of the 1996-97 financial year. The target police strength for the end of the 1997-98 financial year is 6 815 with an increase of 252 new police officers. Civilian staff numbers will also be increased by 200.

The committee is concerned that the Ministerial Program Statement was not clear on how many additional Police it was estimated would actually be achieved by 30 June 1997.

The committee is concerned that the Ministerial Program Statement also contained a sentence in Footnote (b) to the Table on page 1-6 titled "Staffing (Full time Equivalents) as at 30 June" which stated:

When taking into account the graduation of these recruits in August in the respective years, the Service will meet the Government's recruitment commitments for both Police and civilian staff.

In response to questions the Minister indicated that this footnote was pessimistic and now redundant. He had earlier indicated that the increased number of Police would be around 158.

If the 1996-97 estimate is not met at 30 June 1997, then some of the additional police in 1997-98 will be required to meet that shortfall, and as the footnote referred to above also applies to the 1997-98 Estimate, it is still possible that the 1997-98 will only be met by taking into account police who graduate in August 1998 in the following budget period for 1998-99.

2.2.6. Police Budget

The committee queried what seemed to be an over-expenditure of the 1996-97 Police budget by \$73.94m. The program outlay table on page 1-5 of the MPS shows an initial budget allocation of \$573.839m, and an estimated actual expenditure for 1996-97 of \$647.779m. The Minister explained that, in fact, the Police budget had not been overspent. Increases in estimated actual expenditure reflect the funding allocation of \$68.254m associated with the national uniform gun control arrangements and a further \$5.929m provided to the Queensland Police Service in the mid-year budget review.

The committee notes that the above information on the amount expended within the overall Police Budget on the Guns Buy-Back Program was not included in the Ministerial Program Statement, and only became available as a result of answers to questions at the Hearing.

The Ministerial Program Statement advised that the Guns Buy-Back scheme and amended weapons licensing procedures had been established, and was funded by an allocation of \$18.254m from the Commonwealth Government, without reference to the additional \$50m.

This resulted in an apparent significant over-expenditure of the Police Budget, and the Parliament should have been provided with the complete detail in the Ministerial Program Statement, or Budget Papers.

2.2.7. Prostitution

The committee is concerned that complete statistics and detail on Police action on prostitution was not included in the Ministerial Program Statement and clarification had to be sought through the questioning process.

2.2.8. Speed Camera Revenue

The committee notes that fines and forfeiture's are budgeted to rise by \$31.1m primarily reflecting the impact of revenue accruing from the introduction of the Government's Speed Management Strategy including speed cameras.

The committee would highlight the risk that resources may be diverted from Personal Safety and Property Security programs to resource this aspect of the road safety program.

2.3. QUEENSLAND CORRECTIVE SERVICES COMMISSION

2.3.1. New Prisons at Wacol

The 1997-98 budget provides for expenditure of \$48m on a new male prison and \$15m on a new female prison on the Wacol prison reserve. The total costs of these facilities is expected to be approximately \$123.55m. The scheduled start date is dependent on the outcome of a social impact report and endorsement by the Government, however, construction should be completed within two financial years.

At the public hearing the committee asked whether the two new prisons would be substantially relocated if that was what the social impact report recommended. The Minister told the committee that efforts would be made to alleviate the effects of the constructions on the surrounding residents. The Minister has also indicated that he would be prepared to discuss alternative sites on the Wacol Prison Reserve. Three alternative options have been provided for their consideration.

2.3.2. Programs for Juveniles

In response to a pre-hearing question on notice the committee was provided with information about funding allocations for juvenile programs in detention centres.

The committee was advised that the Juvenile detention function within the QCSC is a separately funded program. Apart from full-time counsellors, case workers and psychologists dealing with individual needs of detainees, each detention centre has allocations for offender education and programs and offender leisure activities. An amount of \$295 670 was allocated for programs and leisure activities.

2.3.3. Deaths in Custody

In response to a pre-hearing question on notice, the committee was advised that the Corrective Services Commission had implemented a scheme in two maximum security centres, where an indigenous Support Worker from the community is present to reduce the risk of self harm to inmates in maximum security. Both centres chosen for the project have a significant number of indigenous prisoners and both have experienced deaths in custody. Since the scheme commenced operation in December 1996, there have been no indigenous deaths in custody at either centre.

2.3.4. Escapes and Absconds

Details of the total number of escapes, escapes from secure custody, escapes from open custody, absconds from custodial corrections and absconds from community custody were provided for the years 1988-89 to 1996-97. This information is provided in the below.

Year	Total Escapes	Escape Rate	Escapes Secure Custody	Escapes Open Custody	Absconds Custodial Corrections	Absconds Community Custody
1988-89	37	1.5	31	6	n/a	n/a
1989-90	20	0.9	16	4	n/a	n/a
1990-91	62	2.8	45	17	n/a	n/a
1991-92	55	2.6	34	21	n/a	n/a
1992-93	44	2.1	17	27	n/a	n/a
1993-94	31	1.3	16	15	21	55
1994-95	28	1.0	4	24	14	66
1995-96	38	1.2	6	32	6	38
1996-97 YTD	18	not available	1	17	5	44

2.3.5. Maconochie Lodge

The committee is concerned that Maconochie Lodge is being contracted to provide for 24 prisoners under the community Custody program for 1997-98 on the same financial basis as for 1996-97.

Maconochie Lodge's statistics indicate that only an average of 16 prisoners have been accommodated for the period of January 1995 to January 1997.

The committee is of the view that Maconochie Lodge should be paid for the number of prisoners actually accommodated on the basis of \$14 884 per prisoner.

2.3.6. Privatisation of Juvenile Detention Centres

The committee is concerned about the possible privatisation of the Juvenile Detention Centres as detailed on page 2-2 of the Ministerial Program Statements and the Minister's and his officer's answers at the Estimates hearing.

The Parliament was not advised of this when Legislation was enacted in 1996 to transfer the Juvenile Detention Centres to Corrective Services from the Department of Family Services.

The Minister had advised the committee that following market testing, it is likely that the three private prison companies in Australia; Corrections Corporation of Australia, Australasian Correctional Management, and Group 4, as well as Queensland Corrections will tender.

This possibility has not been made public before, and the committee is of the view that public consultation and debate, as well as consideration by the Parliament should occur before this matter is considered further by the Queensland Corrective Services Commission.

2.3.7. Corrective Services - Capital Works Budget

The committee notes that the 1996-97 Corrective Services Capital Works Budget was under expended by \$43.6m and carried over to form part of the 1997-98 Corrective Services Capital Works Budget.

The committee also notes that the major area of unexpended capital is the \$28m not expended in the Juvenile Centre Enhancement Program for which \$28m was budgeted in 1996-97.

4. O RACING

Training Centre at Deagon. The training centre's facilities are used across the three codes of racing. An international course has been developed and the facilities are expand this program by marketing the course to Korea and other Asian countries. The training centre has structured a program for regional apprentices to have block persons in the harness racing industry.

2. DEPARTMENT OF EMERGENCY SERVICES OFFICE OF PORT AND R

In his opening statement the Minister advised that the department's 1997-98 budget from all sources, excluding the Queensland Fire and Rescue Authority, was

The Queensland Fire and Rescue Authority has been established as a Statutory Authority, giving it greater authority in the workplace. Its budget for 1997-98 is

Fire and Rescue Authority was increased by more than 10%. With the 8% increase in this year's budget the QFRA has been provided with an additional \$30m in two

The committee notes an absence of guidelines for the use of the Department's Bell helicopter. It recommends that protocols for all emergency service aircraft use be

2.5. Joint Emergency Services Facility

\$13.4m over two years will be provided for the construction of a joint emergency and ambulance staff with a single regional office.

2. 2. Audit Trail — QFRA and QAS

and operational proposals actually achieve their objectives in both the QFRA and the QAS. It was advised that the QFRA has instituted a comprehensive project

implementation of recommendations from the Queensland Fire Service Review (the Staib Report). The project teams implementing the recommendations have been

addition, the new QFRA strategic plan reflects changes recommended by the review and the new directions are being incorporated into regional operational plans.

These documents are required under the Public Finance Standards and are regularly audited.

The committee was informed that the new board and the new management structure is not yet in place for the QAS, and the *Ambulance Service Act 1997* has not been proclaimed. When it is proclaimed the new authority will be subject to the highest level of accountability required by the *Financial Administration and Audit Act 1977*.

2.5.3. QFRA Capital Works

Page 2-12 of the MPS lists major QFRA capital works projects. The proposed dates by which these facilities will become operational are:

- Kedron Park Joint Emergency Services Facility — August 1998;
- Helensvale Fire Station and Robina Fire Station — May 1998;
- Edmonton Fire Station — June 1998; and
- Head Office Hot Fire Training Facility (stage 1) — May 1998.

The committee notes that these facilities will require an added 51 firefighters not itemised in the budget.

2.5.4. QFRA - Response Times

In an answer to a pre-hearing question on notice, the committee was provided with monthly figures for March 1996 to April 1997 (inclusive) on QFRA fire response times. These figures suggested that response times had increased slightly over the period. At the hearing the committee asked whether more resources were needed to increase operational firefighters. In response, Mr M Hall, Acting Chief Commissioner of the QFRA explained that the response figures given to the committee showed a reasonable fluctuation over the period which was the result of factors such as seasonal variations and statistical deviations from the norm. Mr Hall also stated that there were no firefighters being transferred from operational to non-operational positions and no firefighters being transferred away from the response part of the organisation.

The committee is concerned at the difficulty experienced identifying the exact number of personnel employed by the Department as at 30 June 1997.

The Committee notes an apparent decline of 129 in operational firefighter numbers recorded on page 2-12 of the Ministerial Program Statement, and further notes the Minister's assurance that despite these figures there was in fact an increase in firefighter numbers.

The Minister's staff explained that the system for Human Resource Management required by Treasury leads to this lack of clarity and ultimately inaccurate staff reporting model.

This committee is strongly of the view that the purpose of budget preparation and a clear understanding of activity past and projected including real positions available in the Departments.

be of value in counting \$'s but is neither appropriate nor contributory to the accountability process. ()

2. 5. State Emergency Services

1996-97. The majority of the increased funding will be spent supporting SES volunteers, including \$388 000 which will be used to provide equipment and training

2.5. Rural Fires Division of the QFRA

The 1997-98 budget for the Rural Fires Division was discussed at the public hearing to the Division each year for the next three years. The money will be spent on 64 fire appliances, other fire fighting equipment, personal safety equipment and board of the QFRA on the basis of demonstrated need.

2. 7. Queensland Ambulance Services

improvements for the QAS. These include \$1.3m for new ambulance vehicles, a new ambulance service on Mornington Island, 20 additional staff, and a \$2.8m

Cooktown, Dalby, Macleay Island, North Rockhampton, Redland Bay and West Toowoomba.

5.8.

The committee expresses its concern that Fire and Ambulance Service outlays 1997-98 appear to have absorbed funds underspent in 1996-97 rather than used

2.5. National Standard Sports Facilities Program

At the public hearing the committee was informed that the two year National existing facilities to an international standard. It is expected that these facilities will attract teams from overseas to train in Queensland prior to the Sydney 2000

looked at, both in terms of meeting the regions needs and from an Olympic point of view.

2.5.10. Surf Lifesaving Association of Queensland

Funding for the Surf Lifesaving Association in the 1997-98 budget is \$2.486m. This figure includes a grant of \$250 000 for workers' compensation which the Surf Lifesaving Association will manage from 1 July 1997. Up to \$50 000 will also be available for the development of youth programs aimed at training SES cadets from remote areas.

2.5.11. Sports and Recreation Programs

\$11.6m will be provided over three years for the Youth Development Strategy. \$3.2m will be provided in 1997-98 and \$2.8m is allocated for the following two years. \$3.3m will be spent on an upgrade of facilities at the Currimundi Recreation Camp. Sports and recreation programs for young persons will be developed to encourage young people to develop life and vocational skills.

3. PROCEDURAL MATTER

Late provision of answers to questions on notice

The committee expresses concerns that the Minister for Police and Corrective Services and Minister for Racing did not provide the answers to Questions on Notice prior to the Hearings in line with the requirements of the "Estimates Committees - Sessional Orders" as determined by the Parliament.

The Sessional Orders clearly state:

25(3) The Minister or Mr Speaker shall provide answers to the questions referred to in (1) above, at least twenty-four hours prior to the Hearing.

The Hearings of Budget Estimates Committee B began at 9.00am on Wednesday 11 June 1997.

The Minister for Police and Corrective Services and Minister for Racing provided answers to questions on notice from the committee on Police and Corrective Services as follows:

- Corrective Services
11:30am - Tuesday 10 June 1997
- Police
1:30pm - Tuesday 10 June 1997

With the hearings beginning at 9.00am the following day this failure to comply with the Sessional Orders of the Parliament was disruptive to the work of the members of the committee in their preparation of questions to be asked of the Minister at the Hearings of Estimates Committee B.

4. RECOMMENDATION

The committee recommends that the proposed expenditure, in accordance with the estimates referred to the committee, be agreed to by the Legislative Assembly without amendment.

5. ACKNOWLEDGMENTS

The committee thanks the Ministers and departmental staff for their cooperation during the course of the estimates process. The committee acknowledges the support and assistance of the staff from Hansard.

The committee appreciates the support and assistance provided by the staff from the Committee Office, Mr Rob McBride, Research Director, Ms Sandy Musch, Research Officer and Ms Tania Jackman, Executive Assistant.

Mr Len Stephan MLA
Chairperson

6. ATTACHMENT A - ATTENDANCE RECORD

PURPOSE	DATE	MR L STEPHAN (CHAIRMAN)	HON M FOLEY (D/CHAIRMAN)	MR T BARTON	MR F CARROLL	MRS L CUNNINGHAM	HON D WELLS
Meeting	4 June 97	✓	✓	✓	✓	✓	✓
Meeting	5 June 97	✓	✓	✓	✓	✓	✗
Meeting	11 June 97	✓	✓	✓	✓	✓	✗
Public Hearing	11 June 97	✓	✓	✓	✓	✓	✓
Meeting	18 June 97	✓	✓	✓	✓	✓	✓
Meeting	19 June 97	✓	✓	✓	✓	✓	✓

DISSENTING REPORT

1. DEPARTMENT OF JUSTICE

1.1. HALF OF CAPITAL WORKS BUDGET UNSPENT

The Opposition notes with great concern the loss of job opportunities in 1996-97 arising out of the Government's failure to spend over \$20 million in Capital Works.

Although last year's Budget (1996-97) provided for \$47.417 million worth of Capital Works (MPS pp 1-11), only \$24.843 million of this is estimated to be actually spent in 1996-97. The failure to spend virtually half of the Department's Capital Works budget has deprived Queensland job seekers of much needed job opportunities.

1.2. ABORIGINAL AND TORRES STRAIT ISLANDER JUSTICES OF THE PEACE

In the 1996 report to the Parliament of Estimates Committee B (p.4) the Committee expressed concern that the cut in funding for training for Justices of Peace (Magistrates Court) in Aboriginal and Torres Strait Islander communities might result in less opportunity for indigenous participation in the administration of justice.

Notwithstanding this expression of concern, the Government has now withdrawn totally its provision for training new Aboriginal and Islander Justices of the Peace (Magistrates Court) and has provided only for some refresher training. Provision for training of Aboriginal and Islander Justices of the Peace (Magistrates Court) declined from 159 in the 1995-96 Budget to 30 in the 1996-97 Budget to nil in the 1997-98 Budget.

This reflects a serious lack of commitment by the Government at a time when greater resources should be provided for indigenous participation in the administration in the administration of justice.

1.3. ALTERNATIVE DISPUTE RESOLUTION

The opportunity for Queenslanders to resolve disputes outside the Court system has been lessened by the Government's 1996 decision to scrap the alternative dispute resolution service as an independent program and merge it into the court system. In so doing, the Government made a reduction in the 1996-97 Budget of eight permanent staff and two temporary staff.

Although the Government has now promised to provide further mediation staff, it is very disappointing that no provision for alternative dispute resolution services is made outside the court system, thereby effectively alienating those people reluctant to approach the court system for assistance in the resolution of disputes.

1.4. BROKEN PROMISE ON VICTIMS OF CRIME SUPPORT SERVICES

There has been a decrease in budgetary provision for victims of crime support services from \$1.075 million in 1996-97 to \$872 000 in 1997-98.

This is in direct breach of a Coalition pre-election promise made by Mr Beanland (Media Release tabled during Committee hearing) to provide an annual additional State Government grant of \$1 million to victims of crime support services. The budgetary provision reflects not only a broken promise, but also an appalling lack of priority for victims of crime support services.

1.5. LAW REFORM COMMISSION

The Opposition expresses its concern over the lack of adequate resourcing for the Law Reform Commission, which is receiving \$778 000 in 1997-98, \$6000 less than the 1995-96 Budget under the Labor Government. That Budget provided for \$261 000 for the former Litigation Reform Commission and \$523 000 for the Law Reform Commission, a total of \$784 000. It should be noted also that the Litigation Reform Commission, being composed of Supreme Court Judges, received considerable input from senior judicial officers at no extra budget cost. The lack of adequate resourcing for the Law Reform Commission indicates that the Coalition Government places a low priority on law reform.

The Government's decision to transfer the project on uniform rules for the Supreme, District and Magistrates Courts to the Policy and Legislative Division of the Department of Justice raises issues concerning the doctrine of the separation of powers.

Rules of Court are traditionally developed by the courts themselves, then approved by the Governor-in-Council. The decision to remove responsibility for preparing new rules of court from the judiciary to the executive is a curious one. It is noted that there has been considerable delay in the development of proposed new Rules of Court, but this could have been addressed through providing appropriate resources to the Litigation Reform Commission rather than transferring the function to a policy unit within the Executive.

1.6. LEGAL AID

The Opposition expresses its concern at the removal of specific budgetary provision for community legal centres (\$275 000 in 1996-97).

The removal of this as a budget line item puts community legal services' funding at the discretion of the new Board of Legal Aid Queensland. This reflects a lack of Government commitment to community legal centres.

The Opposition also expresses concern at the \$1.5 million unspent on legal aid (see MPS p.1-24).

The denial of this money to battlers seeking legal aid is all the more distressing coming at a time of lack of Commonwealth-State cooperation for a "one-stop-shop" for legal aid.

1.7. ANTI-DISCRIMINATION COMMISSION

The Queensland and Commonwealth Coalition governments have failed to reach agreement on the administration of anti-discrimination legislation. This is in stark contrast to the cooperation established under Federal and State Labor governments to provide for a "one-stop-shop" to handle human rights matters.

The Opposition expresses its concern over the lack of Commonwealth-State cooperation resulting in the absence of a 'one-stop-shop' for Commonwealth and State 'anti-discrimination matters'. The victims of human rights abuses should not have to make threshold decisions about whether to approach Commonwealth or State commissions for the handling of their grievances.

1.8. REFERENDUM FOR AN UPPER HOUSE?

Budgetary provision has been made for the possible conduct of a referendum. Coalition policy is to have a referendum on the restoration of an Upper House; however, despite repeated questioning, Minister Beanland refused to say whether it was the intention of the Government to hold a referendum on the restoration of an Upper House during 1997-98.

The Opposition expresses its concern at the failure of the Minister responsible for the budget of the Electoral Commission to answer legitimate questions as to the Government's intention on holding a referendum for the restoration of an Upper House.

1.9. INTERNET ACCESS TO QUEENSLAND LEGISLATION AND CASE LAW

The Opposition expresses its concern that Queenslanders are unable to access legislation and case law free of charge in the way that residents in other States are able to, via the Australian Legal Information Institute on the Internet.

1.10. CRIMINAL JUSTICE COMMISSION BUDGET

The Coalition Government slashed the CJC's budget by \$1.5 million in 1996-97. The Opposition notes that this has resulted in a reduction of Whistle Blower support, a reduction of misconduct reviews, a reduction of misconduct workshops, a reduction of travel in the Intelligence division, a reduction in resources to progress the Police Service Reform Agenda and the disbanding of a misconduct team.

Following public concern over the Government's budgetary attacks on the CJC, the Government relented and provided supplementary funding in January 1997 which enabled the four projects in the Joint Organised Crime Task Force to be maintained.

The CJC Chair, Mr Frank Clair told the Committee that he had some concerns with the 1997-98 budget for the CJC, particularly in relation to corruption detection, complaints investigation, research and intelligence.

1.11. PROSECUTIONS

The Opposition notes the request of the Director of Public Prosecutions Mr Royce Miller QC for a further six or seven senior, experienced staff. A significant increase in workload is foreshadowed in the Budget Papers (see MPS 1-15) with cases in the Higher Courts up 900 and cases in the Magistrates Court up 400, yet the DPP staff lawyers are projected to rise only by three positions from 99 to 102.

1.12. CONNOLLY COMMISSION

The Opposition expresses grave concern at the spiralling cost of the Connolly Commission for which no budgetary provision was made in the 1996-97 Budget.

The Budget Papers reveal (MPS page 1-17) that \$6.255 million is to be expended on the Commission in 1996-97 and a further \$3.126 million are to be expended in 1997-98.

It should also be noted that the costs of the Inquiry legal representation office which have arisen as a result of the Connolly Commission, are estimated to be \$1.328 million in 1996-97 and a further \$220 000 in 1997-98.

In addition to these costs are those incurred by the Criminal Justice Commission in responding to the Connolly Inquiry.

The Opposition expresses its grave concern over the failure of the Government to impose budgetary restraint on the Connolly Commission, originally said by Minister Beanland to last for only three months.

The Opposition notes the spectacular contrast between the budgetary extravagance of the Connolly Commission and the budgetary restraint adopted in the Carter Inquiry. At the Connolly Commission, the Presiding Commissioners receive fees of \$3 000 per day, Senior Counsel \$3 600 per day, with other Counsel receiving between \$2 400 and \$3 000 per day. By contrast retired Supreme Court Judge Bill Carter QC presides at the Carter Inquiry for \$600 per day, with Senior Counsel, Mr John Gerrard QC receiving a fee of \$1500 per day and the other Counsel, Mr Ralph Devlin, receiving \$1 200 per day.

Meanwhile, Counsel briefed to appear as Crown Prosecutors to prosecute such serious offences as rape, robbery, child sex offences and burglary receive a fee of \$462 for the first day of the trial and \$308 for each subsequent day of the trial in the District Court. This highlights the budgetary extravagance of the Connolly Commission.

1.13. PRIVACY COMMISSIONER

The Opposition notes that there is no budget provision for the appointment of a Privacy Commissioner in direct breach of a pre-election Coalition promise given by Mr Beanland and set out in the Media Release tabled during Committee hearing.

The Opposition notes that the issue of privacy is instead being considered by the All Party Legal, Constitution and Administrative Review Committee.

1.14. AUCTIONEERS AND AGENTS FUND

The Opposition is concerned that the Auctioneers and Agents Fund is being under used for the purpose for which it was intended, that the fund is not being spent because of the government's failure to distribute it to community organisations.

Money was distributed to the REIQ, an industry group which should not have access to this fund. Given the Government's very poor record at distributing funds to financial Counselling Services in this State, the Government should pay greater attention to ensuring worthwhile community organisations submit successful applications to the Fund.

Similarly, the Government has used the excuse that applicants did not meet guidelines set down for grants to explain their failure to distribute funds from the Consumer Credit Fund. The result is a very low level of funding for consumer groups in this State.

The Office of Consumer Affairs states in its budget documents that there were few infringement notices issued and few prosecutions in this financial year, compared to the previous year. They draw the conclusion that this indicates greater compliance with the relevant legislation by traders. What they fail to mention in the budget document was that 38 fewer investigations were undertaken in comparison to the preceding year so it is incorrect to draw the conclusion that there was greater compliance.

Given that every set of scales at every supermarket, butcher shop and fruit shop as well as every petrol pump and item of pre-packaged food sold in Queensland can be subject to investigation, how can the Minister conclude that the lower number of infringement notices indicates greater compliance with the relevant legislation by traders, unless a great many more than the obviously statistical irrelevant number of premises were subjected to investigation?

2. POLICE AND CORRECTIVE SERVICES

Procedural Matter - Late provision of answers to questions on notice by the Minister for Police and Corrective Services and Minister for Racing as required under the "Estimates Committee - Sessional Orders" as determined by Parliament.

Further to the decision of the majority of the members of Estimates Committee B, recorded in the main report which reads as follows:

PROCEDURAL MATTER

Late Provision Of Answers To Questions On Notice

The Committee expresses concerns that the Minister for Police and Corrective Services and Minister for Racing did not provide the answers to Questions on Notice prior to the Hearings in line with the requirements of the "Estimates Committees - Sessional Orders" as determined by the Parliament.

The Sessional Orders clearly state:

25 (3) The Minister or Mr Speaker shall provide answers to the questions referred to in (1) above, at least twenty-four hours prior to the Hearing.

The Hearings of Budget Estimates Committee B began at 9:00am on Wednesday 11 June 1997.

The Minister for Police and Corrective Services and Minister for Racing provided answers to questions on notice from the Committee on Police and Corrective Services as follows:

- *Corrective Services*
11:30 am - Tuesday 10 June 1997.

- *Police*
1:30pm - Tuesday 10 June 1997.

With the hearings beginning at 9:00am the following day this failure to comply with the Sessional Orders of the Parliament was disruptive to the work of the members of the committee in their preparation of questions to be asked of the Minister at the Hearings of Estimates Committee B.

This failure of the Minister to comply with the Sessional Order of the Parliament was severely disruptive to the Opposition Members of Estimates Committee B in preparing questions for the Hearings of Estimates Committee B the following day.

The questions on notice to the Minister were much less detailed than those provided in 1996. They met both the requirement and the spirit of the requirements of the new Sessional Orders, and had been unanimously approved by the members of Estimates Committee B.

The Opposition members of the Committee believe that the new Sessional Orders were already unnecessarily restrictive and it is of strong concern to the Opposition members that this Minister was not prepared to meet even the minimalist requirement to provide information on time.

This failure was consistent with this Minister's failure provide complete information on a range of important issues in his Ministerial Program Statement which only became available after detailed questions at the Hearing.

2.1. POLICE NUMBERS

Further to Section 2.2.5 of the main report which in part reads:

The committee is concerned that the Ministerial Program Statement was not clear on how many additional Police it was estimated would actually be achieved by 30 June 1997.

The committee is concerned that the Ministerial Program Statement also contained a sentence in Footnote (b) to the Table on page 1-6 titled "Staffing (Full time Equivalents) as at 30 June" which stated:

When taking into account the graduation of these recruits in August in the respective years, the Service will meet the Government's recruitment commitments for both Police and civilian staff.

In response to questions the Minister indicated that this footnote was pessimistic and now redundant. He had earlier indicated that the increased number of Police would be around 158.

If the 1996-97 estimate is not met at 30 June 1997, then some of the additional police in 1997-98 will be required to meet that shortfall, and as the footnote referred to above also applies to the 1997-98 Estimate, it is still possible that the 1997-98 will only be met by taking into account police who graduate in August 1998 in the following budget period for 1998-99.

This makes it virtually impossible for the Opposition members to accept that the target numbers of additional police in 1996-97 will be met, or that it is possible for the Minister's estimate of an additional 252 additional Police in 1997-98 will be met.

The Minister's answers to questions on this issue at the Hearing are in conflict with the information provided in his Ministerial Program Statement. Additional Police provided in August 1998 cannot validly be considered to be part of achievements in the 1997-98 Budget year.

2.2. POLICE BUDGET

Further to Section 2.2.6 Police Budget of the main report which reads as follows:

The committee notes that the above information on the amount expended within the overall Police Budget on the Guns Buy-Back Program was not included in the Ministerial Program Statement, and only became available as a result of answers to questions at the Hearing.

The Ministerial Program Statement advised that the Gun Buy-Back scheme and amended weapons licensing procedures had been established, and was funded by an allocation of \$18.254 million from the Commonwealth Government, without reference to the additional \$50 million.

This resulted in an apparent significant over-expenditure of the Police Budget, and the Parliament should have been provided with the complete detail in the Ministerial Program Statement, or Budget Papers.

The Opposition members of the Committee are concerned at this failure by the Minister to ensure that his Ministerial Program Statement was clear on an issue as basic and as important as the overall expenditure of the Police Budget.

2.3. PROSTITUTION

Further to Section 2.2.7 of the main report which reads as follows:

The committee is concerned that complete statistics and detail on Police action on prostitution was not included in the Ministerial Program Statement and clarification had to be sought through the questioning process.

The Opposition members of the Committee are concerned the statistics provided in the Table on page 1-24 titled "Key Outputs/Outcomes - Public Order and Safety (continued)" clearly indicates that the number of operations conducted, charges laid, and offenders arrested has not met the 1996-97 Budget Estimates, and had fallen below the 1995-96 actuals. This failure to enforce the current Prostitution Laws could lead to an unfair public perception that the current Laws are not working.

The full information on action taken by the Police Service in 1996-97 on such a controversial issue should have been provided to the Parliament in the Ministerial Program Statement. The full detail only became available as a result of answers to questions at the Hearing, and detail provided in answer to questions on notice at the Hearing.

The Opposition members of the Committee are concerned about the Minister's failure to provide detail of when the Ministerial Committee reviewing current prostitution laws will report, as any significant change to prostitution laws has potential budget impact if introduced during the 1997-98 financial year.

The Opposition members are concerned that the Budget Estimates for 1997-98 for the Special Operations Task Force (Prostitution) indicate that law enforcement activity and performance is expected to be lower in 1997-98 than the 1996-97 Estimates.

2.4. POLICE NUMBERS - CENTRAL REGION

The Opposition members of the Committee are concerned that the Minister has failed to provide detail on additional police numbers to Mackay, as promised at the Estimates Hearing.

The answer to Question on Notice No.2 indicates that police numbers in Central Region only rose by 5 in 1996-97, and will rise by 37 in 1997-98.

The Minister promised the detail would be provided on planned increases at Mackay. The question was placed on notice at the hearing but the answer provided to the Committee provides no specific detail of allocations to the individual police districts in the region, particularly Mackay as was promised.

2.5. POLICE REGIONAL BUDGETS

The Opposition members of the Committee are concerned that Regional Police Budgets have only been increased by between 1.9% and 8.1% with the following regions being increased by the following percentages;

- Northern + 4.7%,
- Central + 2.8%,
- Southern + 1.9%.

The weighted average increase across all regions being only + 6.1% compared to an increase in the overall Police Budget of 10.5% which is an indication that service delivery at operational police level may be diminished, particularly in Northern, Central and Southern Regions.

2.6. POLICE CAPITAL WORKS

The Opposition members of the Committee are concerned that \$4.769 million was expended during 1996-97 that was not provided for in the 1996-97 Budget Papers while \$5.2 million was not expended on major police facilities which are much needed in the communities involved.

The much needed facilities on which Capital Works funds was not fully expended include;

- Rockhampton Watch-house,
- Emerald Police Station and Watch-house
- Ferny Grove Police Station,
- Horn Island Police Station.

While accepting that the projects that funding was expended on that was not budgeted for, will enhance policing in those areas, the Opposition members of the committee are concerned that the above listed projects will not be available to those communities and serving police as soon as they were originally programmed for.

2.7. SPEED CAMERA REVENUE

Further to this Section of the main report which reads as follows:

The committee notes that fines and forfeiture's are budgeted to rise by \$31.1m primarily reflecting the impact of revenue accruing from the introduction of the Government's Speed Management Strategy including speed cameras.

The committee would highlight the risk that resources may be diverted from Personal Safety and Property Security programs to resource this aspect of the road safety program.

The Opposition Members of the Committee believe that it is absolutely essential that the public expectation that police resources to personal safety and property security be significantly increased as a priority be met.

The Minister's Program Statement indicates that police numbers will fall in these programs while they are being significantly increased in the Road Safety Program.

This feature of the Program Statement appears to indicate that police resources are being diverted away from personal safety and property security programs to increase the Police Services capacity to meet Treasury's increase in fines and forfeiture's for 1997-98 of \$31.1 million.

2.8. NEW PRISONS AT WACOL

Further to Section 2.3.1 of the main report:

The Opposition members of the Committee believe that it is essential that final locations of the new male and women's prisons (SEQ 1 and SEQ W) at Wacol should be placed in locations that minimise the impact on the adjacent communities, and that these communities' concerns should be resolved in the consultation taking place before construction begins.

2.9. MACONOCHIE LODGE

Further to Section 2.3.5 of the main report which reads as follows:

The Committee is concerned that Maconochie Lodge is being contracted to provide for 24 prisoners under the Community Custody program for 1997-98 on the same financial basis as for 1996-97.

Maconochie Lodge's statistics indicate that only an average of 16 prisoners have been accommodated for the period of January 1995 to January 1997.

The Committee is of the view that Maconochie Lodge should be paid for the number of prisoners actually accommodated on the basis of \$14 884 per prisoner.

The Opposition members of the Committee are concerned that Maconochie Lodge has demonstrated since January 1995 that it is unable to meet its obligations under its contract with its average performance being 16 per month while it has been paid on this basis for 24 inmates.

This represents an expenditure of public funds of over \$200 000 since January 1995 for which the contracted services were not provided.

Great concern needs to be expressed that this Minister is prepared to continue to contract Maconochie Lodge on the basis of 24 prisoners when they have conclusively demonstrated that they are unable to meet their contracted obligations for which they have been paid, and have retained public funds.

2.10. PRIVATISATION OF JUVENILE DETENTION CENTRES

Further to Section 2.3.6 of the main report which reads as follows:

The committee is concerned about the possible privatisation of the Juvenile Detention Centres, as detailed on page 2-2 of the Ministerial Program Statements, and the Minister's and his officers answers at the Estimates hearing.

The Parliament was not advised of this when Legislation was enacted in 1996 to transfer the Juvenile Detention Centres to Corrective services from the Department of Family Services.

The Minister had advised the Committee that following market testing, it is likely that the three private prison companies in Australia; Corrections Corporation of Australia, Australasian Correctional Management, and Group 4, as well as Queensland Corrections will tender.

This possibility has not been made public before, and the Committee is of the view that public consultation and debate, as well as consideration by the Parliament should occur before this matter is considered further by the Queensland Corrective Services Commission.

The Opposition members of the Committee are gravely concerned about the Government's intention to put the operation of Juvenile Detention Centres out to tender by private prison companies.

The Opposition members believe that it is not in the interests of rehabilitating young offenders for an adult prisons culture to be introduced to juvenile detention.

The Opposition members of the Committee are concerned that there is more risk of this occurring if the Juvenile Detention Centres are managed by a private prison operator, as government will be a further step away from direct involvement or influence.

2.11. NEW JUVENILE DETENTION CENTRE IN SOUTH EAST QUEENSLAND

The Opposition members of the Committee are concerned that the 1997-98 Corrective Services Capital Works Budget does not make firm provisions for the construction of a new Juvenile Detention Centre in South East Queensland.

This is of particular concern as \$28 million was budgeted for this in the 1996-97 Budget which was totally unexpended and carried over to the 1997-98 Prisons Capital Works Budget.

The answers by the Minister and his departmental officers at the Hearing make it clear that no firm decision exists on this issue and that no final plan exists on a range of options for accommodating and rehabilitating juvenile offenders.

This is despite the Government passing draconian legislation on juvenile justice in 1996.

The Opposition members are concerned that these delays and lack of firm plans are related to the Government's intention to tender Juvenile Detention Centres to private prison operators.

This leaves open the possibility that private prison operators may tender for Juvenile Detention Centres on the basis of build, own, operate.

If this is an option being considered by the Government, this should not be proceeded with prior to open public consultation and debate, as well as consideration by the Parliament.

2.12. CORRECTIVE SERVICES - CAPITAL WORKS BUDGET

Further to Section 2.3.7 of the main report the opposition members of the Committee are concerned that the 1996-97 Corrective Services Capital Works Budget was under expended by \$43.6 million and carried over to form part of the 1997-98 Corrective Services Capital Works Budget.

The Opposition members of the Committee are not convinced that consultation with the community adjacent to the Wacol Prison Reserve via their organisation C.R.A.M.P. on the actual sites for SEQ 1 and SEQ W were a major reason for this under expenditure of Capital Works funds as consultation with C.R.A.M.P. only began in April 1997, despite planning having begun, and Cabinet Approval being given in March 1996, and as the under expenditure on those projects is only \$12 million.

The Opposition members of the Committee are concerned that the major area of unexpended capital is the \$28 million not expended in the Juvenile Centre Enhancement Program for which \$28 million was budgeted in 1996-97.

The delays in construction of Lotus Glen Correctional Centre appear to the Opposition members of the Committee to be a result of poor planning.

The Opposition members of the Committee are concerned that as a result of;

- foreshadowed possible delays in the construction of SEQ 1 and SEQ W due to failure to consult with the neighbouring community at an early date, and,
- As no final firm commitment to the construction of a new Juvenile Detention Centre in South East Queensland is in existence,

that a substantial proportion of the \$118.178 million 1997-98 Corrective Services Capital Works Budget may be unexpended and carried over to 1998-99.

As Capital Works is a major factor in the Government's Job Creation Strategy these possible further delays are an example of why the Government's stated policy is a farce.

3. EMERGENCY SERVICES AND SPORT

3.1. LACK OF GUIDELINES FOR THE USE OF GOVERNMENT AIRCRAFT

It emerged from examination of the Minister for Emergency Services that there were processes for the use of the Bell 412 helicopter, but no guidelines. The processes described to the committee were that if the Minister feels like using it for joy flights, he tells the Director General, who rings the aviation unit, who checks to see if it is on the ground. There are no guidelines indicating the categories of uses to which the Bell helicopter can be put. Apparently there are guidelines for the use of the Squirrel helicopter, but by virtue of the fact that the Bell helicopter is rarely, if ever, used for purposes unrelated to its lifesaving function, no guidelines have been set out.

This means that there is open slather on the Bell helicopter, and the Minister can authorise its use for any purpose, however frivolous, even, for example to send Sumo wrestlers on a joy flight. It is the view of the dissentient members of the committee that if the government wished to stage a PR exercise involving flying sumo wrestlers across Brisbane, that it should be managed by the department of Tourism, and consideration be given to the hiring of a commercial helicopter for that purpose.

It is the view of the dissentient members of the committee, that there should be guidelines put in place for the use of all emergency services aircraft, and that these guidelines should relate to the delivery of government services to the people of Queensland. These guidelines could include the transportation of Ministers for purposes related to the delivery of government services - e.g. to enable the Minister for Emergency Services to visit or overview a disaster area, or to enable a Minister to attend a number of events on the one day. However emergency services aircraft should not be used for what are essentially public relations exercises. Emergency services aircraft are not playthings, and their use should not be dependent on the Minister's whim. Clear guidelines should be laid down and published for the use of all emergency services aircraft.

3.2. FIRE STAFFING LEVELS

It was agreed by government representatives that the Ministerial Program Statement indicated that there had been a decline in the number of full time equivalent operational firefighters of 129. However, it was stated by the Minister and his advisors that in fact these figures represented an increase of 63. The argument was that the 1996-97 figures represented a snapshot taken on a particular day and therefore were not comparable with the projected figures 1997-98. The Minister was unable to answer questions as to whether the decline in numbers indicated in the Ministerial Program Statement was a result of a reclassification of people, as

business services, who were previously classified as operational firefighters, or whether this was a real decline in the number of people available to put out fires. The Staib Review into the Fire Service recommended that the Fire Service should become more business orientated. It was suggested to the Minister that the reclassification of people previously described as operational firefighters as business services might just be a magic trick for implementing the Staib Review, but the Minister was not clear on that point.

The committee was left to wonder whether there had been a decline in the number of firefighters or an increase, and was left to the conclusion that the Minister felt that firefighters were in principle incapable of being enumerated. The dissentient members of the committee wonder how the effectiveness of emergency services programmes can ever be determined if the department is unable to devise a scheme for counting the firefighters.

3.3. DECLINE IN AMBULANCE BUDGET

The Minister was unable to answer the question as to whether a dollar budget increase from \$157.5 million to \$158 million for Ambulance was less than the increase in inflation, but the dissentient members of the committee formed the conclusion that it was. While noting an increase in real terms in the Emergency Services budget, the dissentient members of the committee formed the view that this increase was concentrated in areas other than in service delivery. To actually decrease the ambulance budget in real terms, at the same time as requiring expansion of the service by building new ambulance stations and servicing a growing population is to stretch the resources of the ambulance service very thin. Cutting the budget in an area where the services to be delivered is the actual saving of lives, makes a mockery of the Treasurer's claim that this is a budget which is big on service delivery.

3.4. BLOW OUT IN RESPONSE TIMES

The response times of both fire and ambulance have increased since the present government took office. The increase in fire response time has been less than the increase in ambulance response time, but nevertheless has often had the averages above the 7 minute mark. Seven minutes is the firefighters rule of thumb for the time that it takes for a house to burn down. Ambulance response times have increased over the period for every dispatch code and for greater Brisbane, the whole of Queensland, and Queensland outside of greater Brisbane - that is they have increased whichever way you look at it.

Of course there have been fluctuations in the response time. In the absence overseas of the new Fire Commissioner, the Assistant Fire Commissioner ably pointed out that there are always seasonal fluctuations. Nevertheless the month by month figures do show a slow but perceptible increase over the period of National/Liberal government. These increases indicate a dangerous situation.

Obviously an additional half a minute in fire response time can make the difference between great misfortune and total loss for the victims of a house fire, and an increase of between one and two minutes in ambulance response times can make the difference between life and death. In the view of the dissentient members of the committee, these response time blow outs give a tragic poignancy to the real terms cut in ambulance service funding and the disputed, but budget papers reported, decline in the numbers of operational firefighters.

3.5. SAFETY OF SES VOLUNTEERS

The committee heard evidence that the SES had formed the view that SES volunteers, particularly those that were involved in road accident rescue, were being put in danger by virtue of the fact that vehicles that they used for this purpose were not equipped with flashing red lights. Representations had been made by the Minister, and by the SES, (and by the Shadow Minister) to the Minister for Police to allow SES vehicles used for the purposes of road accident rescue to be equipped with flashing red lights. This request was declined by the Police Commissioner who has statutory responsibility for such decisions, on the grounds that those who drive vehicles now equipped with flashing red lights had special driver training courses to enable them to do so safely.

The question was raised at the committee whether it would be possible for SES volunteers who are likely to be involved in driving such vehicles to be given the same training. The answer was yes, of course, such driving courses could easily be arranged, but the SES did not have any cars with flashing red light in which they could receive the training. So we have a bizarre situation. It is agreed that the lives of certain SES volunteers are potentially in danger, and that this could be fixed if they had vehicles with flashing red lights for the relevant activations. However, they can't get the red lights because they haven't had the training, and they can't have the training because they haven't got the red lights. This is clearly a matter for interdepartmental resolution, and the dissentient members of the committee recommend that the Minister should take appropriate steps to resolve this problem.

4. PROCEDURAL MATTERS

It should be noted that the level of public accountability normally afforded to the people of Queensland via the televising of the Parliament was not extended to this hearing.

The Opposition moved that the hearing should receive the same television scrutiny that applied to the Parliament, but this was defeated by Government Members, supported by the Member for Gladstone.

Government Ministers were thus able to avoid being under televised scrutiny when being asked questions at the Estimate Committee Hearing, even though televising of Question Time in Parliament is commonplace.

This issue, should, therefore, be revised by a future review of the procedures of these Estimates.

Opposition Members express concern at certain examples of lack of respect shown by Government Ministers towards the Parliamentary Budget Estimates process. Minister Beanland was evasive in response to questioning about proposed expenditure on a referendum, and on the question of whether the resources of the Justice Department's Policy and Legislation Division would be used on a review of prostitution laws.

Minister Cooper was late in delivering his answers to Questions on Notice by the Committee, as outlined earlier in this Dissenting Report.

Minister Veivers showed an arrogant disrespect for the processes of accountability to Parliament in brazenly stating, (Hansard p.142):

"Excuse me, I have not got to do anything because I am the Minister and I can answer the question any way I like".

The Parliament and the people of Queensland are entitled to a higher standard than this.

MATT FOLEY MLA

TOM BARTON MLA

DEAN WELLS MLA

20 June 1997