

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 18 OCTOBER 1972

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Mr. SPEAKER (Hon. W. H. Lonergan, Flinders) read prayers and took the chair at 11 a.m.

PAPERS

The following papers were laid on the table:—

Orders in Council under the Harbours Acts, 1955 to 1968.

Regulations under the Architects Act 1962–1971.

QUESTIONS UPON NOTICE

PUBLICATION, "JUSTICE FOR EVERYONE"

Mr. Wright, pursuant to notice, asked The Minister for Justice,—

(1) How many booklets entitled "Justice for Everyone," which were published by the Department of Justice of Queensland, have been (a) printed and (b) distributed in Queensland?

(2) What was the total cost of (a) the publication and (b) the distribution of this booklet?

(3) How many booklets were distributed in the Nundah Electorate (a) prior to and (b) after the recent State General Election?

(4) Who paid for the cost of having the booklets distributed in the Nundah Electorate?

(5) What was (a) the publication cost and (b) the distribution cost?

(6) On what basis was distribution made in other parts of the State?

(7) As parts of this booklet are already out of date, is it intended to revise and reprint this publication?

Answers:—

(1) "(a) and (b) 10,000."

(2 and 5) "(a) The cost of printing was \$6,125. (b) A record of the cost of distribution was not kept."

(3, 4 and 6) "The distribution was wide spread to people who regularly transact business with the Department of Justice and included Members of this Assembly, members of both branches of the legal profession, associations registered with the Department, leading citizens, school libraries and other libraries. With very few exceptions people resident in the Electoral District of Nundah would come within the category of those considered worthy of being sent a copy. In these circumstances it would be inevitable that a number of

people residing in Nundah would receive a copy of the booklet. Judging by the number of letters I have received they have appreciated it as a reference. These letters also indicated that the recipients were interested to know the responsibilities which their Member has in relation to his portfolio."

(7) "New additions will be made when sufficient amendments to existing legislation warrant it."

CONVICTION OF ANDREW THOMAS JONES,
TOOWOOMBA

Mr. R. Jones, pursuant to notice, asked The Minister for Justice,—

Further to his Answer to my Question without notice on October 11 concerning the conviction of Andrew Thomas Jones, which was reported in *The Courier-Mail* of September 21, is he now in a position to advise whether this person is the same Andrew Thomas Jones who was the former Liberal Member of Parliament for Adelaide? If not, will he initiate immediate enquiries and report the findings to this House?

Answer:—

"The background of the Andrew Thomas Jones referred to in the Honourable Member's Question is not known to me and superficial inquiries which I have made through official records available to me do not give me any further information."

ALTERNATIVE SUPPLIES OF PETROL

Mr. Ahern for **Dr. Crawford**, pursuant to notice, asked The Minister for Development,—

As a strike dislocates the functions of any industry and as the recent oil strikes prevented the necessary maintenance being carried out at the Ampol and Amoco refineries in Brisbane—

(1) When is it estimated by his Department that all the requirements of gasoline users in Queensland will be satisfied?

(2) What was the price of petrol imported from southern refineries to supply the needs of Queensland over the last three or four weeks while the local refineries were being repaired and during last week's strike?

(3) Why was it considered impractical to use southern or imported petroleum during the original petrol strike?

(4) What measures can be taken, either with storage of supplies or reorganisation of depots, to ensure that essential services are maintained in Queensland in the event of some form of national disaster when refineries are not able to produce their maximum capacity?

Answers:—

(1) "I would point out to the Honourable Member that at the beginning of last week the Honourable the Premier commented that all indications pointed to a return to a normal situation at the end of that week. However, the sudden strike of plant operators at a local refinery, as distinct from the maintenance workers' strike, upset this forecast. In the light of experiences over the last three months, it is not practicable to give the Honourable Member a precise answer."

(2) "That is not a matter within the jurisdiction of my portfolio."

(3) "The prolonged industrial unrest in the oil industry depleted stocks in other States as well as Queensland. Consequently it was not a simple case of transferring petrol from one location to another. Furthermore, attempts to bring petrol supplies into the State from other sources could well have resulted in further problems. This point is well illustrated by the happenings over the last week at the port of Gladstone."

(4) "I am informed that the oil industry continuously reviews the storage capacity at ocean terminals and other locations throughout the State having regard to throughput and supply patterns. The eight seaboard terminals along the Queensland coast already provide a flexible exchange of product between centres. However the Honourable Member will realise that a deliberate industrial upset negates all well prepared plans of this nature. In conclusion I would add the comment that the Leader of the Opposition, like his Federal counterpart, Mr. Whitlam, has been unusually silent during this prolonged crisis. It was left to the Honourable the Member for Lytton who in his recent speech in this House mirrored the views expressed by the Communist Party in a pamphlet issued some short time prior to that speech."

RESTRICTION ON USE OF WHITE CANES
TO BLIND PERSONS

Mr. Ahern for **Dr. Crawford**, pursuant to notice, asked The Premier,—

As Sunday, October 15, was "white-cane day", the object being to draw attention to the rehabilitation of blind citizens—

(1) Is there any legislation which prevents normal-sighted people from using a white cane?

(2) Can regulations or legislation be arranged so that only blind or partly-blind persons are permitted to use the white cane?

(3) Have any cases been reported to the police of the abuse of white-cane usage by normal-sighted citizens?

Answers:—

(1) "No."

(2) "The Queensland White Cane Committee's view is that in becoming the symbol of the blind or partially-sighted person the white cane (whether it be long or short, of metal or of wood) is serving a two-fold purpose. It affords quick recognition to a motorist or sighted pedestrian that its user is visually handicapped and, to the user, it affords protection. The degree of protection is contingent upon the awareness by the sighted public of the silent message of the white staff. It would not appear that any official restrictions are required on the use of the white cane."

(3) "If the Honourable Member has any details in this regard he might care to let me have them although it is difficult to see what remedial action would be necessary or practicable."

FINANCING OF BRISBANE CITY COUNCIL
PURCHASE OF SITE FOR ADMINISTRATION
BUILDING

Mr. Ahern for **Dr. Crawford**, pursuant to notice, asked The Treasurer,—

With regard to his Answers to Questions last week regarding the financing of major Brisbane City Council projects, especially the Lennons development site—

(1) What conditions are laid down by the Loan Council in regard to the lease-back developer-financing of the Lennons administration block?

(2) If the Loan Council rejects a varied submission on this matter, what will be the Brisbane City Council's situation?

Answers:—

(1) "The Loan Council approved a proposal by the Brisbane City Council in March, 1971. The tender documents on which tenders were called were in accordance with that approval."

(2) "As I have stated previously, any variation in the conditions would require reference back to Loan Council. Should Loan Council reject such a variation of the arrangements, all I can say is that the City Council would still own Lennons and adjoining sites."

SUPREME COURT WRIT OF EVICTION,
A.N.Z. BANK v. WHITTINGTON

Mr. Aikens, pursuant to notice, asked The Minister for Justice,—

Has his attention been drawn to the action of a subsidiary of the arrogant and wealthy A.N.Z. Bank in taking out a writ in the Supreme Court, Brisbane, in order

to secure the eviction of an unfortunate invalid pensioner named Whittington from a house rented by him from the subsidiary at 145 Charters Towers Road, Hermit Park? If so, could this action have been taken before the stipendiary magistrate at Townsville and what action can be taken against the subsidiary for so grossly abusing the processes of law by denying Whittington, who is too poor to employ counsel and too ill to personally attend the Supreme Court in Brisbane, any opportunity of defending the case?

Answer:—

"Yes. The matter is a civil one to which the Crown is not a party. Mr. Whittington may make an application for legal assistance to the North Queensland Legal Assistance Committee through a solicitor of his own choice. The value of the property, the subject matter of the action, is not taken into account in the assessment of his resources."

PURCHASE OF LENNONS HOTEL BY
BRISBANE CITY COUNCIL; DIVERSION
OF NORTH PINE RIVER DAM LOAN
ALLOCATION

Mr. Houghton, pursuant to notice, asked The Treasurer,—

With reference to his statement in the House last week regarding the financing of the purchase of Lennons Hotel by the Brisbane City Council, will he assure the House that the \$3 million provided for the construction of the North Pine River Dam by the council will not be used for any other purpose, so that this job can continue and thereby provide an adequate water supply for the residents of Redcliffe?

Answer:—

"Of the \$25 million approved debenture allocation this year, the council is required to provide \$7.8 million for work on the North Pine River Dam. The \$7.8 million includes the adjustment of the \$3 million temporarily transferred last year to enable the Council to make payment on time for the Lennons Hotel. Even if the council cannot negotiate a deal for the recoupment of this \$4.5 million outlay on Lennons this year I can assure the Honourable Member that the Government has taken action to ensure that the North Pine River Dam project will not be affected. If the council cannot recoup the \$4.5 million outlay on the Lennons site this year it will be the council's general works that will be affected. Obviously, while it has \$4.5 million tied up in the Lennons site it can't spend that amount of money on sewerage, or street work or parks or other council works."

REPLACEMENT OF SCHOOL EQUIPMENT ON
CONVERSION TO METRIC SYSTEM

Mr. Bromley, pursuant to notice, asked The Minister for Education,—

(1) As schools move into the metric conversion system in 1973, what provision is being made for the replacement of teaching aids and other items purchased by parents and citizens' associations which will then be outmoded and outdated?

(2) Will the Government or his Department be responsible for the cost of these aids, etc.?

Answers:—

(1) "Over the period 1971-75, a total of \$470,000 will be spent in Queensland State primary schools to assist in the change-over to the metric system. Metric equipment to the value of \$90,000 has already been ordered and will soon be distributed to State primary schools. Materials to be supplied include flexible tapes, measuring wheels, sets of masses, scales, measuring glasses, plastic jugs, centicubes, area grids, metre rules, and 30 cm rulers. The selection of these materials and their rates of issue have been designed to provide schools with a comprehensive range of metric materials to assist in the effective implementation of the metric system in Queensland State primary schools. In addition to the supply of these materials, officers of my Department are at present selecting teacher resource materials and pupil textbooks to the value of \$200,000. A curriculum paper, 'Introducing Metric Units Into the Primary School', is being prepared by the Research and Curriculum Branch and will be distributed to all teachers in the State. Included in this paper will be suggestions for teachers on how existing equipment can be adapted or modified to be of use during and after the conversion period. It is envisaged that, as a result of some simple modifications little or no equipment at present in schools will become 'outmoded and outdated'."

(2) "Yes."

REPETITION OF SENIOR COURSE UNDER
RADFORD EDUCATION SCHEME

Mr. Bromley, pursuant to notice, asked The Minister for Education,—

(1) Is he aware that some principals at high schools are denying justice to students by interpreting the Radford scheme as meaning that if a student who does not do so well in this final year of the Senior desires to repeat the year he must complete two more years and, in fact, are informing these students to this effect?

(2) What provision exists for those students who desire to repeat the last year only of the Senior examination under the Radford scheme?

Answers:—

(1) "I am not aware that some principals are making such a statement. If they are, they are misinterpreting advice which was given by the Board of Secondary School Studies in an information bulletin of May, 1972. The Radford scheme has no relation to the group of students who will sit for the external Senior examination this year. The present Grade 11 students are the first students to study under the new semester system."

(2) "Any student who desires to repeat the Senior examination of 1972 will be allowed to do so in November, 1973."

INCREMENTAL PAY SCHEME, INDUSTRIAL
INSTITUTION FOR THE BLIND

Mr. Bromley, pursuant to notice, asked The Treasurer,—

Under the incremental pay scheme announced by him during his budget speech, will all employees at the Queensland Industrial Institution for the Blind, blind or otherwise, be beneficiaries?

Answer:—

"The position in regard to blind workers at the Queensland Industrial Institute for the Blind is under consideration."

FEES FOR SUPERVISION OF MAIN ROADS
WORK, REDCLIFFE CITY COUNCIL

Mr. Frawley, pursuant to notice, asked The Minister for Mines,—

What amount of money was paid to the Redcliffe City Council, or its engineer, for the supervision of Main Roads Department works in that city in 1971-72 and how are these fees calculated?

Answer:—

"The basis of fees payable to local authorities for work carried out as constructing authority for the Main Roads Department is one half per cent. of the ledgered works expenditure. The basis of calculation of supervision fees payable to local authority engineers under agreement signed by the individual, the chairman of the council and the Main Roads Department is:—2½ per cent. on progressive expenditure to \$50,000; 1½ per cent. on progressive expenditure \$50,000 to \$100,000; ½ per cent. on progressive expenditure \$100,000 to \$200,000; ¼ per cent. on progressive expenditure \$200,000 to \$400,000; and ¼ per cent. on progressive expenditure \$400,000 to \$600,000. Maximum of \$3,000 payable. An amount of \$251.27 has been assessed as due to the Redcliffe City Council for 1971-72. It is long standing Departmental policy not to publicly disclose amounts paid by the Main Roads Department to individual officers of local authorities."

INSURANCE FOR WATER DAMAGE TO
ADMINISTRATION CENTRE, REDCLIFFE
CITY COUNCIL

Mr. Frawley, pursuant to notice, asked The Treasurer,—

(1) Did the Redcliffe City Council, or its builders or architects, make any claim for insurance in respect of the faulty ceiling in the new administration centre, which is attributed to rain-water damage? If not, were any approaches made in regard to the possibility of making a claim?

(2) Did a State Government Insurance Office assessor actually inspect the ceiling and, if so, what were his findings?

Answers:—

(1) "Notification of damage was received by the State Government Insurance Office from the insurance brokers for the Redcliffe City Council on March 22, 1972, but no claim has been lodged."

(2) "An independent loss assessor made an inspection of the ceiling on behalf of the office on at least two occasions. He was unable to find any evidence of storm or tempest damage other than cracked flashing, which, in his opinion, was not wholly responsible for the damage. He considered that faults in design and construction were the major contributing factors to the damage."

FEES FOR SUPERVISION OF SEWERAGE
WORKS, REDCLIFFE CITY COUNCIL

Mr. Frawley, pursuant to notice, asked The Minister for Local Government,—

What amount of money was paid to the Redcliffe City Council, or its Town Clerk, for supervision of sewerage works in that city for 1971-72 and how are these fees calculated?

Answer:—

"I am informed by the Town Clerk, Redcliffe City Council, that no fees are paid to staff of the council for the supervision of sewerage works in the city. Sewerage construction at Redcliffe is being supervised by consulting engineers engaged by the council and they are paid supervision fees in accordance with an agreement between the parties. Such supervision fees are calculated as a percentage of actual expenditure on the project."

PREMIER'S DEPARTMENT ENVELOPES
USED BY SENATOR HON. V. C. GAIR

Mr. Jensen, pursuant to notice, asked The Premier,—

(1) Has his attention been drawn to an article in the Bundaberg *News-Mail* of October 12 in which it was stated that the Honourable V. C. Gair, Federal Leader of

the D.L.P., had forwarded his latest picture and other material for use in editorials and advertising for the coming election campaign in an envelope with the typed notation, "If not delivered within 14 days return to Premier's Department, Box 1443, G.P.O., Brisbane, Q. 4001"?

(2) Is he assisting Mr. Gair with envelopes, etc. in his campaign or is Mr. Gair using such envelopes without his permission?

Answer:—

(1 and 2) "As a gesture to a former A.L.P. Premier of this State I arranged for a photograph to be taken of Senator the Honourable V. C. Gair. Any distribution of copies has been made without my knowledge."

COOLING SYSTEM FOR SCHOOL
TEACHERS' QUARTERS, CAMOOWEAL

Mr. Inch, pursuant to notice, asked The Minister for Works,—

(1) Relative to the evaporative cooling system at the Camooweal State School, have any arrangements been made to provide such a system in the single-teachers' quarters at this school and, if not, will he consider it, as the single police-officers' quarters at Camooweal have this amenity?

(2) When can it be expected that the project will be undertaken and completed if approval is given?

Answers:—

(1) "Yes."

(2) "When a contract has been arranged."

PRE-SCHOOL CENTRE, INALA

Mr. K. J. Hooper, pursuant to notice, asked The Minister for Education,—

(1) Where will the proposed Government pre-school at Inala be situated?

(2) Will children in only that area be enrolled for the centre? If not, will there be any district limits set for the school or will all children living at Inala be eligible for enrolment?

Answers:—

(1) "A State pre-school centre is to be established in association with the Inala West School."

(2) "Although each case will be considered on its merits, preference will be given to children in the immediate locality."

NEW ART GALLERY, SOUTH BRISBANE

Mr. Dean, pursuant to notice, asked The Minister for Works,—

What is the reason for the apparent delays associated with the building of the new \$7 million State art gallery at South Brisbane and what is the proposed date for its completion?

Answer:—

"There is no delay. Progress is in accordance with the programme."

SHORTAGE OF BUILDING BRICKS

Mr. Dean, pursuant to notice, asked The Minister for Development,—

Has his attention been drawn to the newspaper report headed "Full Stop on Brick Building", in which the executive director of the Master Builders' Association, Mr. R. M. Jones, states that the building of brick homes in Queensland has virtually come to a stop? If so, what is his Department doing to encourage the building of more tunnel kilns in Queensland for brick-making?

Answer:—

"I have seen the newspaper article to which the Honourable Member refers. The reported statement by Mr. R. M. Jones, executive director of the Master Builders' Association that the building of brick homes in Queensland has virtually come to a stop is however somewhat misleading. A record number of brick homes was built in the State over the past year and this figure is increasing. The resultant demand for bricks has outstripped present manufacturing capacity. The State's brickworks are however working at full capacity and production increased by 20 per cent. over the last year. Two of the major brickworks in the Brisbane region are presently engaged in expansion programmes which will cost in excess of \$3 million. This is expected to increase production by an additional 40 million bricks per year by June, 1973. The Department of Commercial and Industrial Development is keeping a close watch on the situation and only recently completed a brief study in which the prospects for the further expansion of the industry were highlighted. I table this report for the Honourable Member's information."

Paper.—Whereupon Mr. Campbell laid upon the Table of the House the report referred to.

LICENCES FOR CIGARETTE-VENDING MACHINES

Mr. Sherrington for **Mr. F. P. Moore**, pursuant to notice, asked The Minister for Justice,—

(1) Are licences required before cigarette-vending machines can be installed in public places and, if so, on what conditions are the licences issued and to whom?

(2) If licences are issued, must the name of the licensee be clearly shown on the machine so that people who are fleeced by the machines' frequent malfunctions can obtain a refund of the money which is now irretrievably lost by accidental or designed malfunctions?

Answer:—

(1 and 2) "There is no provision in any of the Acts coming under the administration of the Department of Justice for the issue of licences of this nature."

AIR POLLUTION BY VEHICULAR FERRY, BULIMBA

Mr. Hughes, pursuant to notice, asked The Minister for Health,—

(1) Has his attention been drawn to complaints of pollution of the atmosphere caused by smoke emanating from the vehicular ferry operating at Bulimba?

(2) Will he have the Director of Air Pollution Control investigate this matter and take such action as is necessary to remedy breaches of the Clean Air Act?

Answers:—

(1) "No."

(2) "Yes."

SUBSIDY FOR CAPITAL WORKS, SHOW SOCIETIES

Mr. Cory, pursuant to notice, asked The Treasurer,—

(1) Following his announcement in the Budget that the subsidy allowable for approved capital works completed by show societies will be increased from 20 per cent. to 40 per cent., what increase in subsidy will be approved for the installation of septic systems which now attracts a 33½ per cent. subsidy?

(2) From when will these new rates apply?

Answers:—

(1) "As the Honourable Member will be aware, the rate of 33½ per cent. subsidy on toilet facilities is applied where such toilets are available to the general public and is not limited to showgrounds. It is therefore not proposed to vary the subsidy rate for public toilets."

(2) "The increased rate of subsidy as referred to in the Budget will apply from October 1, 1972."

RETENTION OF ISSUE WATCHES BY RETIRED RAILWAY EMPLOYEES

Mr. Bousen, pursuant to notice, asked The Minister for Transport,—

(1) Is he aware that over the years it has been the practice for train staff who are supplied with departmental watches to

retain the watches when they retire from the service?

(2) Has the practice been discontinued and, if so, for what reason?

Answer:—

(1 and 2) "There has been no alteration to the practice permitting railway staff 60 years of age and over to retain the pocket watch in their possession at the time of retirement provided the age of the watch is not less than five years. Wristlet watches are now on issue to trainmen, but these are not available for retention by an employee on retirement."

DESTRUCTION OF HONEY-PRODUCING TREES BY HORMONE SPRAYS

Mr. Bousen, pursuant to notice, asked The Minister for Lands,—

(1) Is he aware that many honey-producing trees in South-east Queensland are being destroyed by hormone sprays?

(2) As this part of the State is the main honey-producing area and as bees are needed for crop and pasture pollination, what action will be taken to prevent the destruction of honey-producing trees and to create reserves with suitable trees so that the industry may be preserved?

Answers:—

(1) "I understand that there is doubt as to any long term adverse effects of hormone sprays on honey-producing trees but the control of hormone spraying is one for consideration of my colleague, the Honourable the Minister for Primary Industries."

(2) "Most of the land in south-east Queensland is freehold or under perpetual lease or freeholding tenure and I have no jurisdiction over that type of land. However, there are many areas already reserved for various purposes and existing legislation imposes restrictions on the destruction of trees on such land. It is thought that generally there would be little or no hormone spraying on reserved land which would be harmful to trees."

INVESTIGATION OF DAM SITES, PIONEER RIVER

Mr. Casey, pursuant to notice, asked The Minister for Conservation,—

(1) Has the report on the investigation into possible dam sites on the Pioneer River at the 41 and 49-mile marks, to provide for the future water requirements of Mackay and district, been completed?

(2) Does the recent rejection by the Commonwealth Government of a financial grant for the off-stream storage proposal

known as the Kinchant Dam mean that a complete reappraisal of water-storage proposals on the Pioneer River will have to be done or will the Kinchant Dam proposal continue with the use of State Government finance?

Answers:—

(1) "No. Initial field investigations have been completed but engineering studies have still to be carried out. These are not expected to be complete until after mid 1973. Local Government Department and the City Council are investigating a storage at Dumbleton Rocks for initial supply to the city."

(2) "No re-appraisal is necessary. The State Government has approved the Eton scheme in principle for commencement when funds are available. The possibility of its being carried out from State funds will be considered when the Irrigation Commission programme is being reviewed in the next few months."

CANCELLATION OF RAIL-MOTOR SERVICES, MACKAY DISTRICT

Mr. Casey, pursuant to notice, asked The Minister for Transport,—

(1) Why were the Mackay-Carmila and the Mackay-Proserpine rail-motor services discontinued?

(2) Is the Mackay-Netherdale service also under review and, if so, what will be the basis of consideration for its retention and when will a decision be made?

Answers:—

(1) "The revenue obtained from the services was insufficient to meet the costs of operation."

(2) "The review of the Mackay-Netherdale rail motor service is not yet complete. A decision on its future will be made when the review is completed on the basis of economic return."

IMPORTATION OF TOMATO-PASTE PRODUCTS

Mr. Blake, pursuant to notice, asked The Minister for Primary Industries,—

In view of the importation into Australia last year of tomato-paste products equivalent to 500,000 half-bushel cases of tomatoes, has any feasibility survey been made by his Department regarding assistance to Queensland growers to supply the market for such products, or have any representations been made to Commonwealth authorities seeking limitation of the import of tomato-paste products?

Answer:—

"A feasibility study in connection with the tomato industry in North Queensland has been commenced by officers of my

Department in conjunction with officers of the Department of Commercial and Industrial Development. The market for tomato paste products will be investigated as part of this survey. Representations have not been made to the Federal authorities in this connection. I understand that imports of tomato paste, puree, etc., are allowed duty free entry under by-laws when local production is insufficient to meet local requirements."

READJUSTMENT OF LOCAL AUTHORITY
BOUNDARIES

Mr. Blake, pursuant to notice, asked The Premier,—

(1) Is he aware of Press reports of the postponement, by the research team headed by Professor R. C. Gates, of investigations into proposals for the relocation of Burrum and contiguous shire boundaries?

(2) Is the postponement caused by fears that Government action on the team's findings might be predetermined, as he stated in Western Queensland that under no circumstances would he consider an amalgamation of local-government units?

(3) Does his statement indicate that Government policy is opposed to readjustment of local-authority boundaries and, if not, has the research team been advised accordingly?

Answers:—

(1) "Yes."

(2) "The amalgamation of the shires concerned was not suggested or considered."

(3) "No."

PRE-SCHOOL FACILITIES, LAWNTON

Mr. Leese, pursuant to notice, asked The Minister for Education,—

(1) What is the expected date when pre-school facilities will commence at Lawnton?

(2) Will the pre-school be within the grounds of the Lawnton State Primary School? If so, will it take over part of the existing classroom facilities?

(3) How many children will be catered for at the pre-school and from what area will enrolments be drawn?

Answers:—

(1) "As soon as the buildings can be constructed, but almost certainly within the present financial year."

(2) "Yes, but the pre-school will not take over part of the existing classroom facilities."

(3) "The pre-school centre will cater for 50 children each day in two sessions of 25 each. Preference will be given to children residing in the immediate locality."

STANDARDS FOR NOISE CONTROL

Mr. Burns, pursuant to notice, asked The Premier,—

(1) Has the Standards Association of Australia prepared draft standards for noise control in industry, residential areas and motor vehicles?

(2) What action is the Noise Committee of the Co-ordinator-General's Department planning in relation to these standards and the growing noise nuisance in Queensland?

(3) Have representations been made to the Civil Aviation Department to protect Brisbane residents from aircraft noise when the new airport is completed and supersonic aircraft are directed over residential areas?

Answers:—

(1) "The Standards Association of Australia has prepared the following standards relating to industrial noise control:—DR 72084 Draft Australian Code of Practice for Hearing Conservation; DR 72085 Draft Australian Code of Practice for Hearing Protection Devices; and AS 1217-1972 Methods of Measurement of Airborne Sound Emitted by Machines. The association has also prepared the following draft standard on residential noise:—Doc. 1707 Draft Australian Standard Code of Recommended Practice for Noise Assessment in Residential Areas. No draft standard for motor vehicle noise has yet been prepared. However the Australian Transport Advisory Council has prepared Draft Australian Design Rule No. 28—Motor Vehicle Noise, which defines limits for noise from motor vehicles."

(2) "The Noise Control Committee of the Environmental Control Council has made recommendations on hearing conservation in industrial noise, which have been forwarded to the appropriate Departments for their comments. A survey of traffic noise has been planned in conjunction with the Main Roads Department and is expected to commence in December. A survey of community noise nuisance has been agreed upon and is proceeding. More detailed investigations of problem areas are also being considered."

(3) "The Co-ordinator-General's Department is working in association with the Department of Civil Aviation on a study of noise from Brisbane airport as part of the Brisbane Airport Environmental Study."

COMPLIANCE BY BUSINESS PREMISES
WITH REQUIREMENTS OF CLEAN
AIR ACT

Mr. Burns, pursuant to notice, asked The Minister for Health,—

How many scheduled premises, which did not meet the statutory requirements of "The Clean Air Act of 1963" by the deadline of May 8, 1972, have since complied and how many have still to comply?

Answer:—

"No number can be given because the statutory requirements of the *Clean Air Act* 1963–1970 are in continuous operation and contraventions may occur at any time as a result of maloperation or breakdown. Scheduled premises are kept under surveillance to ascertain whether regulation standards are being met."

SPEED-READING COURSES

Mr. Burns, pursuant to notice, asked The Minister for Education,—

(1) Has his attention been drawn to a publication by Dr. Ronald P. Carver, a senior research scientist for the American Institute for Research in Washington, giving the results of his research into reading dynamics and stating that speed reading is about five per cent. sense and ninety-five per cent. nonsense?

(2) What check has his Department made on the heavily advertised speed-reading courses featured on Queensland television?

Answers:—

(1) "My attention has been drawn to Dr. Carver's book, 'Sense & Nonsense in Speed Reading', and I feel that many of the points made by him reflect a common-sense attitude to this topic of current interest. Whether in fact speed reading is about five per cent. sense and ninety-five per cent. nonsense is, at this stage, still a debatable point. Certainly, reputable research would seem to indicate that many of the claims of speed reading institutes are questionable. Some eminent researchers in reading have stated that it is physiologically impossible to read at speeds of thousands of words per minute. Indeed, if we interpret the term 'reading' in the common understanding of 'reading most of the words on a page', it is claimed that it is physiologically impossible to read faster than 800 to 900 words per minute. I think the key to the whole question of speed reading is expressed in Dr. Carver's statement that 'speed reading courses teach you not how to read faster, but how to skim, a process designed to supplement reading . . .'"

(2) "While my Department has conducted no investigation of advertised speed reading courses, my officers have compiled an Information Statement which is readily available to members of the public, teachers, parents and students who request information on this subject, as indeed many have. I will forward to the Honourable Member, and to other interested Members if they so desire, a copy of this Information Statement which presents a number of published views expressing different opinions on speed reading."

QUESTIONS WITHOUT NOTICE

BRISBANE CITY COUNCIL SUPPORT FOR
HEALTH WEEK

Mr. HOUGHTON: I ask the Minister for Health: Is he aware that, following his criticism of the lack of co-operation by the Brisbane City Council in Health Week activities, a council spokesman claimed on Channel 2 television station that the prizes the Minister presented yesterday were provided by the Brisbane City Council?

Mr. TOOTH: My attention has been drawn to this claim by Alderman Hughes. He has obviously been misinformed. The cheques were drawn on the account of the Queensland Health Education Council. The real point at issue is the failure in recent times of the Brisbane City Council to co-operate in promoting Health Week in the same manner as it did till quite recently. The previous co-operation between the State Health Education Council and the Brisbane City Council was most useful and most fruitful, and I express my regret that the Brisbane City Council has withdrawn from these activities.

LEADER OF THE OPPOSITION

Mr. LANE: I ask the Treasurer: In view of the number of public statements made recently by the honourable member for Lytton on behalf of the Opposition, and the two recent reports that appeared in "The Courier-Mail" regarding secret dinner meetings convened by a group of A.L.P. State parliamentary members for the purpose of replacing the Leader of the Opposition with either the honourable member for Belmont or the honourable member for Lytton, will he advise the House if the Treasury has received any approach from either of the honourable members mentioned to be granted the additional allowances and privileges at present enjoyed by the Leader of the Opposition?

Sir GORDON CHALK: So far as I know, no approach has been made to the Treasury to pay to the honourable member for Lytton any increased allowances for his activities in this House. I am aware, of course, of the payments made to the Leader of the Opposition for the services that he renders in this

Parliament, but I know nothing of any extra allowance for a dinner or dinners that I understand the honourable member for Lytton is arranging. All that I can conclude is that there must be some dissension within the Labor Party, and the State certainly is not going to pay for that.

REPORT ON TRADE UNION BUILDING SOCIETY

Mr. NEWTON: I ask the Minister for Works and Housing: In view of the statement made in this House yesterday by the honourable member for Merthyr relative to the Trade Union Building Society, will he direct the Registrar of Co-operative Housing Societies to apply Rule 34C of the Building Societies Act to that society and report back to Parliament?

Mr. HODGES: I shall have the matter investigated and communicate with the honourable member in person.

FINANCING OF BRISBANE CITY COUNCIL PURCHASE OF SITE FOR ADMINISTRATION BUILDING

Mr. HINZE: I ask the Treasurer: Has his attention been drawn to a statement in "The Courier-Mail" this morning in which it is stated by Alderman Walsh, who is deputy to Alderman Clem Jones, that his statements in this House yesterday were based on false information? Will he give the House some idea of his opinion of the statements flowing from the City Hall?

Sir GORDON CHALK: I did read the statement attributed to Alderman Walsh that was made yesterday and published this morning. I think that the people of Brisbane in general are becoming used to what might be described as hysterical statements by Alderman Walsh, usually uttered, of course, after the Lord Mayor has made a statement, been proved wrong, and then faded out of the issue.

The statement attributed to Alderman Walsh yesterday was that information which I provided to the House was based on false information. Yesterday afternoon the Press invited him to substantiate the statements that he had made in the council chamber, but he said he was not prepared to do so because he had some privilege inside the chamber. What he should have said was that he had some licence inside the chamber.

The fact is that I have in my possession figures that I have used in any statements on the matter that I have made to the House and that were extracted from the last budget presented to the Brisbane City Council by the Lord Mayor. That budget reveals an amount of \$9,000,000 that it is claimed the Brisbane City Council will receive in this financial year from the sale of property. It is rather interesting to note that in the previous 12 months the return received by the Brisbane City Council from the sale of property totalled less than \$1,000,000. On

this occasion, so that the budget could be balanced—that is the only reasonable assumption one can make—\$9,800,000 is shown as coming from the sale of property. I believe that the figure to which I have referred ignores the \$4,500,000 that the council has invested in the Lennons Hotel site.

I now issue this challenge to Alderman Walsh: If he claims that the figures I gave in this Chamber are wrong, let him state publicly what constitutes the \$9,800,000 that the council indicates it will receive this financial year from the sale of property.

PRE-SCHOOL CENTRES, GOLD COAST

Mr. D'ARCY: I ask the Minister for Education: As the Minister did not include the Gold Coast area—Queensland's second-largest city, with a population of over 70,000 permanent residents—in his Press release announcing the first 19 pre-school centres to be opened, will he assure the House that pre-school centres will open on the Gold Coast next year?

Sir ALAN FLETCHER: No assurance can be given at this stage with regard to any specific places. All areas in Queensland are being investigated, and we would be quite prepared to give an assurance that a square deal will be given to all areas.

Mr. Hinze: Put it on the South Coast.

Sir ALAN FLETCHER: It will go where it is best designed to go, considering all our criteria.

Opposition Members: Hear, hear!

LEADER OF THE OPPOSITION

Mr. HINZE: I ask the Premier: Is it a fact that the Leader of the Opposition is presently in New Zealand judging at a dog show? Does he receive any fees for this, and, if so, does it constitute a breach of the legislation governing the holding of offices of profit under the Crown? In the interests of our proven party-political system, will the Premier ascertain whether Queensland presently has a Leader of the Opposition, and, if not, why not?

Mr. SHERRINGTON: I rise to a point of order.

Mr. SPEAKER: Order! As the honourable member for Salisbury well knows, it is not permissible to debate a question.

Mr. SHERRINGTON: I realise that, Mr. Speaker, but this question shows just how wide is the yellow streak running up the back of the honourable member for South Coast. He has raised this very important question while the Leader of the Opposition is absent.

Mr. SPEAKER: Order!

Mr. Hinze interjected.

Mr. Sherrington: You have a big yellow streak right up your back.

Mr. SPEAKER: Order! I will deal with both honourable members if they persist in speaking after I have called the House to order.

Mr. BJELKE-PETERSEN: In reply to the honourable member's question, I am aware of the fact that the Leader of the Opposition is in New Zealand. He wrote to me informing me of his visit and advising me that, during his absence, the Deputy Leader of the Opposition would be acting in his stead. Without question, the honourable member for Townsville West is the Acting Leader of the Opposition.

In reply to the final part of the question, I have just informed the House who is the Acting Leader of the Opposition. Any other decision that may be made remains the prerogative of the A.L.P.

FORM OF QUESTIONS

Mr. SPEAKER: Order! For the information of honourable members I now rule that any future questions along the lines of the one just submitted by the honourable member for South Coast will be disallowed.

MATTERS OF PUBLIC INTEREST

ESTABLISHMENT OF WOOD-CHIP INDUSTRY, NORTH QUEENSLAND

Mr. B. WOOD: (Barron River) (11.58 a.m.): I express the anxiety of people in Far North Queensland at the possible destruction of great areas of forest to support a wood-chip industry. It is very likely that if this industry is developed it will be done without proper reference not only to the people of North Queensland but also to those throughout the State. It will be done without reference to anyone who has a right to know what is going on. It is always possible—although I should think it unlikely—that people in the North will agree with the proposals that may eventuate. More than likely, they will strongly disapprove of them. But at this stage they are denied knowledge of any of the particulars concerning this proposal. Those who wish to express a view on the matter are being forced to do so without a proper knowledge of the background and all the surrounding circumstances.

A wood-chip industry, judged by its effect on forests, is completely destructive. It is significant that the firm carrying out the feasibility survey has changed its name from the more appropriate title "Australian Wood Mines Pty. Ltd." to "Australian Wood Resources Pty. Ltd." "Wood Mines" is a particularly accurate description of this type of project.

It is clear that timber will be taken from large areas of both private land and Crown land. The latter term is somewhat of a

misnomer. It applies to land that is in the hands of the Crown, which has a duty to look after it. In fact, it is the people's land, and the people have a right to voice an opinion on what should be done with it.

Many people in the Far North, and I, want to be assured that the Government will accept its responsibility in looking after this land. Both the Minister and his predecessor have given indications that the views of the people will be taken into consideration. On 13 October 1971, in response to a question, the former Minister said that any views conveyed to him would be taken into consideration. This statement has since been repeated by the present Minister. The people want to express their views, but how can they express views and offer solid opposition—or perhaps some sort of approval—if they do not know precisely what is to happen? Many people in the Far North desire to make submissions, but they are being precluded from doing so through lack of knowledge. Obviously, they must be given much more information.

Mr. Campbell: Why?

Mr. B. WOOD: Their attitude is different from the Minister's. They like to make submissions on sound ground. They like to know what they are talking about.

In a recent question, I asked where this industry would be established. The only answer I was given was that it would be located within 75 miles of Cairns. I realise that a wood-chip industry takes in a tremendously large area, but surely the Government can be more precise than that. My request that a public inquiry be held so that this matter can be fully debated has been refused. The people have a right to be given these details, and the Government has a duty to release them.

I am pretty sure that this industry will not help us at all, and I shall refer to certain aspects of it. In a question that I asked, I made some comments about roads and sought certain details. The answer was that no reference had been made by the company to anything to do with roads. I do not imagine that this company will use railway transport. More than likely it will use large trucks carrying loads of up to 20 tons on the roads in the area adjacent to Cairns, which are already in very poor condition.

The Minister for Main Roads has acknowledged that the condition of the roads between Cairns and Mareeba is not suitable to handle the present flow of traffic that is using them. It seems now that heavy vehicles will completely smash these roads, particularly in the wet season. If the experience of a similar company in Tasmania is any criterion, on an average one truck will use the road to Kuranda or the Gillies Highway every three or five minutes on its way to Mossman and again every three or five minutes on the return trip. This will create an absolutely impossible situation on those roads which, as I said, are already in poor condition. In

fact I regret that, because of the poor condition of these roads, there was a fatal accident last night involving a friend of mine. Yet the company has made no reference to roads.

I have also asked for details concerning harbour facilities. I have been told that discussions are under way with the Cairns Harbour Board. Ships containing something like 30,000 tons of cargo will use the port. If, as a result of the establishment of this industry, the harbour will be developed, this is to be desired. But I want to know who will pay for it.

I also want some details about the ownership of the company. At the moment, it is an Australian company with capital of \$3. I believe that, in the end, there will be Japanese ownership of the company and that Japanese interests will develop the industry.

I also want to know something about pollution. The Minister has told me that no chemicals are likely to be used. I do not accept that statement. In order to have a greater variety of timber available, chemicals will be used. If this project is to be an economic proposition, all available species must be used, and, with the use of chemicals, this can be done.

Debarking has also to be carried out. In Tasmania, an enormous valley is being filled with bark. It is not being burnt; it is being used to fill a valley. What is to happen here? There are not too many valleys around the harbour area in Cairns. Will the bark be burnt, or will it be allowed to float out to sea? Just what will happen to it?

Mr. Rae: You will know in good time.

Mr. B. WOOD: I want to know ahead of time. I should like to know when "good time" will be.

Mr. Rae: When we decide.

Mr. B. WOOD: Will we be told the final result?

Mr. Rae: Probably so.

Mr. B. WOOD: The situation is completely unsatisfactory. We want to examine the proposals and to make a considered reply.

Mr. Rae: You can do it at the appropriate time.

Mr. B. WOOD: I think your "appropriate time" will be when you introduce legislation.

Mr. SPEAKER: Order! The honourable member will address his remarks to the Chair.

Mr. B. WOOD: I also want to know something more about erosion. No mention has been made of it. It must be remembered that the Minister is talking about an area

of country in which 12 inches of rain can fall in one night. He should know the effect that that would have on an area that has been totally cleared of trees, or even partially cleared.

Mr. Sullivan: Who is suggesting that it will be totally cleared of trees?

Mr. B. WOOD: In an answer that the Minister for Primary Industries gave on this subject last year, he said that clear felling was not envisaged, but I want to know exactly what is to take place. I want to know the final details. These companies are finding it hard to make a profit without clear felling. I might point out that in Tasmania the company engaged in one project has been very considerate and has agreed not to clear within 50 feet of roads! This means that the site will not be too bad in appearance.

I want to know what is to be paid in royalties, and I also want to know what is to happen in the matter of reforestation. It disturbed me to find, from an answer to a question asked by the honourable member for Salisbury yesterday, that no consideration has been given to ecological matters. In Tasmania, an area of 835,000 acres has been set aside for this type of development, and two-thirds of it will be cut over. This means an area 180 miles by 25 miles in extent, and for that, at the very best, about \$25 an acre can be obtained for the timber cut from it. After processing, the company in Tasmania has been obtaining \$27 for 2,400 lb. dry weight. There is therefore not much reward for those who are selling the timber.

I cannot see very great benefits coming to the State from this project. Admittedly there will be some improvement in the employment position. This is, however, a highly mechanised industry, and consequently will not employ many people. It will earn foreign exchange, or Japanese money, for Australia, but the Federal authorities are already embarrassed by the trade imbalance between Australia and Japan. It will bring profits to the company concerned, but it will not bring any great monetary return to those who will be giving up their land. Probably any profits earned will go to the Japanese company that I suspect will be associated with it. Certainly the project will receive heavy financial assistance from Japan.

If we are talking about development, let us take a balanced view of it. Let us get our priorities right. Let us see that we get development, not destruction. At this stage, we want to be able to give a proper, considered answer. We want to know many of the details surrounding this proposal.

(Time expired.)

PROHIBITION OF PERFORMANCES BY DRUG-TAKING ENTERTAINERS

Mr. MILLER (Ithaca) (12.9 p.m.): The report of drug-taking that appeared on the front page of the "Telegraph" of yesterday, 17 October, must cause concern to every thinking parent of teenage children in Brisbane and its surrounding areas. I refer to the conviction of Mr. Joe Cocker and his troupe in the Adelaide Court for the taking of drugs. I am concerned, too, about the announcement in the report that the troupe will be performing in Brisbane on 24 and 25 October. As parents of teenagers, we must be alarmed, because this problem knows no bounds. It is not restricted to any sector of the community; it affects young people from every walk of life.

As a Government, it is our duty to protect the community. We have condemned drug-taking and made it an offence, and I ask the Premier today, as a precedent, to refuse permission for Mr. Joe Cocker and his troupe to enter Queensland. I fail to see why we should make it an offence for young Queenslanders to take drugs and at the same time allow pop singers, or entertainers of any sort, into this State when we know full well that they are drug-takers and could well affect young people here.

Dr. Crawford: They are to be deported by Friday midday.

Mr. MILLER: They are being deported by the Federal Government?

Dr. Crawford: Yes, by Friday midday.

Mr. MILLER: I was not aware of that, but Queensland could be faced with a similar situation in the future and the Federal Government may not intervene. I want the Premier of Queensland to make a firm statement that we will not allow into Queensland entertainers who are drug-takers. Police meet criminals at the airport and at the interstate railway station and send them back to the States from which they have come. In my opinion, drug-takers or drug-pushers are no different from other criminals.

Mr. Porter: They are more undesirable.

Mr. MILLER: In many ways they are more undesirable, because they can cause not only ruination of lives but also loss of life.

Mr. Jensen: Why doesn't the Federal Government cancel their passports?

Mr. MILLER: Apparently that has already been done, but it was not known to me when I began speaking.

Entertainers are placed on pedestals by young people in the community. In their eyes, pop singers are idols, and anything that pop singers do is all right. Parents

are thought to be "squares" if they disagree. Therefore, we should not encourage persons of that type to come to Queensland.

Mr. Chinchin: In many instances a fine means nothing to them.

Mr. MILLER: A fine of \$250 means nothing to a person who is making thousands of dollars a night. It has absolutely no effect.

Mr. Porter: If they are placed on pedestals, perhaps we ought to flush them down pedestals.

Mr. MILLER: A very good point. We must remove any person or any thing that will have a detrimental effect on our young people.

Although some intellectuals at the university believe that drug-taking in certain areas should be legalised, I have here a copy of a report presented to the President of the United States of America in March 1972, which is the latest on the subject. It is headed "Marihuana: a signal of misunderstanding", and it is the first report of the National Commission on Marihuana and Drug Abuse. I cite these two paragraphs from it that I think are very pertinent to Queensland and to other Australian States—

"Society should not approve or encourage the recreational use of any drug, in public or private. Any semblance of encouragement enhances the possibility of abuse and removes, from a psychological standpoint, an effective support of individual restraint.

"The institutions of society definitely add their influences to the variety of social pressures which persuade individuals to use any kind of drugs. Rational social policy should seek to minimise such social pressures, whether they come from peers, from the media, from social custom, or from the user's sense of inadequacy. Official approval would inevitably encourage some people to use the drug who would not otherwise do so, and would also increase the incidence of heavy or otherwise irresponsible use and its complications. On this basis we reject policy option number one, approval of use."

That report from a very important body openly says that everybody in the community has a job to do in this regard. The news media, too, have a similar obligation. They should not put pop singers on a pedestal, but should highlight the effects of drugs on users.

Mr. Hughes: Many Federal A.L.P. politicians have openly supported the use of marijuana.

Mr. MILLER: That is true, and, unfortunately, others within the A.L.P. support it. I am very pleased to see that there are some in this Chamber, particularly the honourable member for South Brisbane who has just

now made the point, who are opposed to it. The news media have a role to play, as have people in the community, but the Government, too, must take a stand on this matter. If we expect the news media and members of the community to take a stand against drug abuse, we must as a Government initiate moves to stop drug-takers coming into the country.

We must help the parents of teenagers to combat the dangers facing young people. In case any honourable member does not realise that the danger is growing, I draw attention to this article in the "Telegraph" of 12 October—

"The Police Prosecutor (Sgt. D. Milne) said during one hearing that authorities were concerned over 50 drug charges made in the Tweed area since August."

Surely that is a matter for concern.

Ministers of religion are asking the Government to do something about the drug situation. We are being asked for financial help. We have to get to the nucleus of the problem. We have to stop the drugs coming in, and we have to stop drug-users coming in. Drug-users are creating such habits in our young people.

An Honourable Member interjected.

Mr. MILLER: I quite agree with the point taken about alcohol. Unfortunately, as a drug it is more subject to abuse than any other in the community today.

Mr. Porter: Is it your point that an international entertainer who has a conviction should not be allowed into this State?

Mr. MILLER: That is quite correct. Once an entertainer has been convicted of drug abuse in any country of the world, he should not be allowed into Queensland.

As I said earlier, I am very happy that the Federal Government has made this move and made it quickly. I rose to speak solely because I feared that the State Government might not act quickly enough. I want the Premier of this State to act quickly in such situations.

RELIGIOUS SECT LEADER, DR. P. R. NIELSEN;
SENATOR J. KEEFFE

Mr. AIKENS (Townsville South) (12.18 p.m.): First of all, I congratulate the weekly newspaper, "Sunday Sun", on an article it published last Sunday about a religious charlatan and fraud named Dr. P. R. Nielsen who has one of his headquarters in Townsville. He heads a religious cult or sect, and he is one of Townsville's tourist attractions on Sundays. I have never seen anyone like him. The vestments he wears are so gaudy and flamboyant that, by comparison, our two orthodox bishops in Townsville look as if they are wearing a patchwork quilt made of rags picked up from a dump.

I admit that this man's followers are quite decent citizens. I do not want to embarrass the honourable member for Townsville, but I think he will agree that this man's followers, although gullible and credulous, are decent citizens and we are very happy to have them. I have examined their complaints rather extensively. The only complaints they make to me is that money that was obtained from them to build a church has not been used for that purpose. I went to quite a lot of authorities on the matter and was told that unless it could be proved that he got the money from his followers by fraud and deception, nothing could be done. I will be very happy if the Government will look at the matter through the Crown Law Office, or any other instrumentality, to see if anything can be done to make this man build a church with the money, totalling \$45,000, that he has taken from his followers for that purpose.

I would not care if the police ran Nielsen out of town on a pole. As I said, he is a charlatan and a fraud. The "Sunday Sun" article was based on a speech made in the Senate by perhaps a greater charlatan and fraud—not in the religious sense, but in the political sense—a man named Senator James Keeffe. I shall tell the House what happened to me in Townsville, whose people are living in fear.

There is an atmosphere of foreboding and terror because of this man, Senator James Keeffe.

On the night of last Saturday week I left the juvenile eisteddfod and walked across the street to the David Jones stand to pick up a taxi I had ordered. There were about 12 other people there, ranging from middle age to old age. No sooner did I arrive than two young Aboriginal women, both obviously drunk, walked across from a hotel. One was wearing a dress, and the other was clad in a reddish sort of jumper and long white slacks. They stood in front of these people, and the language they used was indescribably foul. Not only did they direct this foul language at these men and women but they also spat at them as profusely as they possibly could. Naturally, the people all drifted away. One old couple ran into the middle of the street to get away from them.

I stood there because I had ordered a taxi and I wanted to be there when it arrived. Those two young women then stood in front of me and started to let me have gulps of their spittle, and also some examples of their particularly foul language.

I will not tell the House what they said, but they kept on chanting something that strikes fear into the hearts of the decent people of Townsville. When I say "decent" people, I mean decent black people as well as whites; we have in Townsville many decent black people as well as decent white people. Thank goodness the school children have left the gallery. I would not have told

the House this had they still been there; instead, I would have used a euphemism. Their cry is, "Senator Keeffe fix all you racist bastards!" This chant goes on and on.

I stood there while they spat at me and abused me with their foul language. I took no notice of them. I was as imperturbable as the Sphinx because I knew what would have happened had I taken notice of them. Then they got onto the footpath behind me and started to wale into my back with their closed fists and kick the backs of my legs. I still took no notice of them, until finally the one in the red jumper caught me by the left-hand shoulder, pulled me round and said, "Hit me! Go on, hit me!" Very quietly I said to her, "What would happen if I did hit you?" She said, "We have been told what to do if that happens. Senator Keeffe told us what to do. I would sing out loud and say, 'You tried to put your hand up my clothes.'" That, of course, would have been physically impossible, even if I had been so inclined, because she was wearing long white slacks.

I simply turned round again and allowed myself to be subjected to more spittle on the back of my coat and more foul language. When I did not take any further notice of them, they walked across the road in the direction of Victoria Bridge still screaming out this cry that is commonly heard, day and night, in Townsville—"Senator Keeffe fix you racist bastards."

On the following Monday morning I went to the police and questioned them about this happening. They told me what I already knew—that the police were doing everything they possibly could with the vehicles and men at their disposal to keep what is known in Townsville as the "Keeffe brigade" in check.

I warn the Government that unless something is done, blood will shortly flow in the streets of Townsville, and most of it will be innocent blood. I am happy to see the Premier in the Chamber listening to me. Something has to break. This man, Senator Keeffe, who complains about Nielsen being a charlatan and a fraud—as indeed he is—has been seen in the streets of Townsville stretching his hand out to the only Aborigines he is concerned about—the no-hopers and the drunks—in an attitude of benediction and saying, "Come to me, my people. I will look after you. If anybody attacks you, come to me, my people, or to any other member of the A.L.P."

I issue a challenge to Mr. Whitlam, the Federal leader of the A.L.P., and to Mr. Fabian Sweeney, the A.L.P. candidate for Herbert at the next Federal election. On every occasion that they address a political meeting in Townsville, I challenge them to have Keeffe on the platform with them. On every occasion that they go on television, let them have Keeffe with them so that the people of Townsville, who are waiting for

such an opportunity, can let Mr. Whitlam and Mr. Sweeney know just what they think of the political company they keep.

We hear the A.L.P. talking about the misuse of the Premier's aeroplane. Keeffe charters Bush Pilots Ltd. and other aeroplanes, and flies to Palm Island at the taxpayers' expense. He does not stay there very long, of course. He stirs up all the trouble he can, flies back to Townsville, and immediately calls for a royal commission. No decent Aborigine on Palm Island would touch him with a 40-ft. pole. The people of Townsville want a royal commission into the activities and actions of Senator Keeffe—this dangerous, vicious and poisonous trouble-maker.

Let me illustrate this man's hypocrisy. He is always talking about the Aborigines being "my people". He is not interested in the decent Aborigines or the white people. He says, "Come to me, my people." Anyone who walks along the bottom end of Sturt Street in Townsville does not need to be told where Senator Keeffe's palatial office, which is supplied to him by the taxpayers, is; a person only has to use his olfactory nerves to smell it.

Senator Keeffe shifted from the suburb of Aitkenvale, which was not "tony" enough for him, and purchased a house in the "posh" suburb of Pallarenda. Next door to his home lay a vacant allotment, and, immediately after he had bought his home, the Minister for Works and Housing, in the belief that Senator Keeffe was "fair dinkum", arranged for the purchase of the vacant allotment so that a home for decent Aborigines could be erected on it. As soon as that happened, Senator Keeffe took out a writ against the Minister. That shows how "dinkum" Senator Keeffe is.

Mr. Lane: He's a fraud.

Mr. AIKENS: Of course he is a fraud, and a charlatan. Senator Keeffe took out a writ against the Minister because he proposed to erect a home for Aborigines next door to his residence.

This matter is of some concern to everybody in Townsville. All day our police officers, who otherwise could be directed to investigate other criminal activities in the city, are trying to keep what is known locally as the "Keeffe brigade" under reasonable control. The members of this group are incited, encouraged, educated and coached by Keeffe, to such an extent that no decent person is game to walk the streets of Townsville at night. Any woman who walks down the street, even with her husband, soon realises that it is a mistake to do so, because the members of this "Keeffe brigade" lie in wait for them. The decent Aborigines in Townsville—those who live normal lives, and who work and rear their children and also engage in sport and communal activities—are causing no trouble whatever. Those of whom the citizens of

Townsville are afraid are not the deluded followers of Nielsen, who are also decent citizens, but members of the "Keeffe brigade", who are being incited to violence and bloodshed.

Recently Senator Keeffe gathered a group of no-hoper Aborigines around him and said, "I will show you what to do with the laws of this country." Then he publicly burnt an Act of Parliament in one of the streets of Townsville. When Press photographers arrived later and said they had missed his performance and asked him if he would repeat it, he said, "Yes. Get me another Act, and I will burn it, too." He then did so—to the cheers and yells of the mob that he had gathered around him.

(Time expired.)

REGIONAL DEVELOPMENT AND URBAN DECENTRALISATION

Mr. CORY (Warwick) (12.28 p.m.): I rise to warn both the State and Federal Governments, as well as the taxpayers of this nation, of what I consider could be a waste of money on current proposals to implement decentralisation in Australia. It is unwise to waste money on theories and neglect making sound the basis upon which many industries and activities in decentralised areas presently operate.

A great deal of publicity has been given to regional development and decentralisation. For example, on 20 September 1972 "The Courier-Mail" carried a headline, "New Body to plan our Cities". On the very next day there was an article under the headline, "Help promised by Government to decentralise". Later, on 27 September, there appeared the headline, "Price Freeze on 'Mushroom' City Sites urged". The theoretical approaches to this very serious problem appear to be many and varied. One small paragraph in the article that appeared in "The Courier-Mail" of 27 September reads—

"It said one answer was the creation of 'large, rich and exciting system-cities' near existing capitals."

Theoretically, the proposal appears to have a great deal of merit. It seems that much good could be achieved, but I am fearful of its practical application in that it seems to be supported only by theorists.

It is pleasing that the Federal Government is now looking very closely at the problem. I congratulate it on making the first public move and providing the necessary financial assistance. However, I hope that the academic theories likely to be advanced do not control policy and expenditure and cloud the realistic, practical human issues involved. Whether it relates to decentralisation or not, a proposal that involves the spending of a large sum of money in any area will be successful only if it takes into account practical, human and social problems. We are keen on having money spent

in decentralised areas, but we want it to be spent in a practical way so that it will not destroy investments that have already been made there.

I appreciate that, within the limit of its financial resources, the State has done much to encourage decentralisation, and I welcome the co-operation of the Federal Government. Whether this new proposal will be worth while or not will depend on how the money is spent. Two matters must be decided. The first relates to the way in which the policies are administered and the second to the consideration that is to be given to existing industries in the implementation of those policies. I am concerned mainly about the assistance and consideration that should be given to existing industries when we are thinking about spending large sums of money to encourage decentralisation. I am opposed to any scheme that may, in creating a new industry, destroy an existing one, and that is a very real risk.

The suggestion that we should channel money into new centres is somewhat frightening. We should all be quite honest and realise that we are spending the taxpayers' money and that it would cost far less to achieve the same result by putting the money into existing, well-established industries in sound centres. Existing industries are just as important as new industries and are equally entitled to the help that seems to be envisaged.

I repeat that it would be far easier and less costly, from the point of view of governments and the taxpayers, to make it possible for an existing industry to remain in an area. There is a real danger that, without help, many industries may find it impossible to remain in certain areas. By establishing a new industry and destroying an old one, we are achieving nothing; the net result is the same because the status quo is maintained. It would merely be an expensive exercise in replacing an old industry with a new one. I appeal to Governments to give first consideration to existing industries, particularly those which are interested in expanding and have the potential to do so.

Another problem in creating new industries and centres at the expense of old industries and old centres is the major social disturbance that will result. Such action should be furthest from the Government's thoughts. I believe that this factor alone would tend to make any such scheme completely unpractical and certainly very unpopular. It would cost less, with no resultant social disturbance, to give this assistance to existing industries in decentralised areas before considering assistance to establish new industries, and the same advantage would be achieved. It would be wrong to put old industries out of business by creating new industries, which is implied in these articles in "The Courier-Mail".

My purpose in rising today is to put into perspective the areas where assistance should be given. To talk of decentralisation and the expenditure of large sums of money when State and Federal laws and taxes conflict with the principle of decentralisation is to put the cart before the horse. We should amend our laws and put existing industries on a sound footing before embarking on what I believe is the wrong course. Unless our State and Federal laws aim at protecting our present investment, we will not gain any advantage, and much heart-break and social disturbance will result. Money would certainly not be wasted in supporting existing industries.

I have not the time today to refer in detail to the relevant laws, but they embrace road permit fees and general taxation. Those imposts make it difficult for decentralised industries to function profitably. While they remain we will gain no advantage from expenditure under the proposal. I issue the warning that in spending this money we must look to the best possible advantage and results.

A decentralised industry that has been operating in my area for many years has a considerable investment and is considering a large expansion programme involving millions of dollars. No decision has yet been made on where this expansion will take place. I believe that the success or failure of industries in my area depends on the consideration that is given to assisting established industries to remain there.

(Time expired.)

NON-SMOKING COMPARTMENTS ON PASSENGER TRAINS

Mr. DAVIS (Brisbane) (12.39 p.m.): I speak on behalf of perhaps the minority of people who are non-smokers and have to use sections of public transport which are polluted by smokers. These people include asthmatics, others with bronchial conditions, and others again who, like me, have given away the evil habit of smoking, which I did 2½ years ago.

Recently, the Government embarked on an extensive anti-smoking campaign. Television advertisements depicted a small girl near a trash can with a cigarette in her mouth. The caption read, "Don't smoke so she won't start." How "fair dinkum" is the Government in this campaign and how far along the road to fruition have various Government departments progressed?

On 6 September this year I asked the Minister for Transport—

"Has the previous provision of smoking and non-smoking carriages been altered so that non-smoking carriages are no longer provided?"

His reply was—

"When the smoking habit was confined to the adult male, provision was made on the trains for 'non-smoking' and 'smokers'

compartments. However, as the smoking habit extended over the years to adult females and to persons, male and female below the adult age, the segregation of smokers was not practicable and would be impossible to police. Smoking and non-smoking compartments are not now provided on trains."

About a week or so after I asked the question, the Minister for Health, in association with the other State and Federal Health Ministers, launched an anti-smoking campaign.

All members were, I understand, provided, at the end of February, with "Railways of Australia Network", which is a publication of the Commissioners of the Commonwealth and State Railway systems of Australia. On page 3 of this edition of that publication there appears a very interesting article under the heading, "No smoking please." It reads—

"Pleas from non-smoking train travellers have resulted in extra non-smoking accommodation on suburban trains in Melbourne and Sydney, and a campaign by the Western Australian Government Railways to re-educate passengers to confine their smoking to designated carriages."

It is therefore seen that, whilst the distinction between smoking and non-smoking compartments has been removed in Queensland, in the more enlightened States of Victoria and New South Wales, which are more populous and where the policing of this regulation would therefore be more difficult than in Queensland, additional non-smoking accommodation has been provided on trains. The article continues—

"In Sydney, non-smoking suburban train travellers will have their accommodation increased to 50 per cent.

"This follows a three-month experiment with half smoking and half non-smoking accommodation on the new all-double-deck trains."

Trains of this type are operating on the suburban electric-railway system in Sydney.

Similar steps have been taken in Victoria. In that State, trailing carriages are exclusively for non-smokers. In Western Australia, there is one non-smoking compartment for each smoking compartment. I think that is a fair thing.

Since I asked the question of 6 September to which I referred, which was given some publicity, I have been inundated with letters from people who have complimented me on the stand that I took. Some were very interesting indeed. For instance—

"It was with interest I read the article in the 'Courier-Mail' Wednesday 6 September where you questioned the Transport Minister Mr. Hooper about smoking on trains."

This person said that he thought the Minister's reply was "very weak". He went on to say—

"At the present time, the Railways have notices stating that radios and transistors are forbidden on trains. If he can have that policed, then I fail to see why policing non-smoking carriages would present so much difficulty. For one thing the non-smokers would do the policing themselves."

If it is not impossible to police such regulations in Western Australia, Victoria and New South Wales, surely it is not impossible to do so in Queensland. If a person was smoking in a non-smoking compartment, the non-smokers would police the regulation themselves by saying to him, "This is a non-smoking compartment. Please leave."

The person who wrote that letter to me even wrote to the Victorian Railways. He received a written reply from Mr. C. S. Morris, Secretary for Railways, in which he was told exactly what appeared in "Railways of Australia Network". In part it reads—

"On country trains the ratio of smoking and no smoking accommodation varies depending on the type of carriages provided, but generally 25 per cent of each carriage is set aside solely as a no smoking area."

In Brisbane City Council buses, as in the trams that preceded them, passenger space is divided on the same basis—the front half for non-smokers, and the other for smokers.

I have taken only two letters from the 152 that I received. The next was written by a lady working in my electorate who commutes each day between Yandina and Brisbane, which is a fairly lengthy journey. She says—

"Granted a person has a right to smoke."

I would, of course, agree with that. I am not arguing on the pros and cons of smoking from a medical point of view. As I said earlier, I was a smoker; I do not smoke now. She went on—

"Why not grant a person an equal right to have an atmosphere free of smoke? After all, it is not the person who requests a smoke-free atmosphere who is acting, he is the person who is requesting the status quo."

That is correct. I agree with her completely.

Further on in the letter she said—

"This might seem pedantic, especially if you yourself are a smoker, but consider the plight of people who are sensitive to smoke,—"

All non-smokers know how annoying and uncomfortable it is to be close to a person who is smoking or in a smoke-filled room.

"—especially asthmatics (and should you have had any personal experience of an asthmatic in your family, you will well understand the problem I am bringing to

your attention). To hinder a person who is a cripple would be considered a criminal offence, quite justly so. Why not to deliberately hinder the ability of an already incapacitated person to breathe be also considered a criminal offence."

The words she used are quite true.

The Government should become a little more enlightened, see the error of its ways, and take heed of the article to which I referred earlier in the journal issued by authority of the Commissioners of the Commonwealth and State Railway Systems of Australia. It has discontinued a practice that was followed in this State for many years.

Mr. Jensen: When did they cut it out?

Mr. DAVIS: No date was stated by the Minister, but there are no non-smoking compartments in the silver trains now in use on the suburban railway system. I have checked on that.

If the Government intends to support the anti-smoking campaign and encourage people to break the smoking habit, I think it is fair to take the matter further. The first thing it should do is restore to suburban and country railway systems separate compartments for non-smokers and smokers or carriages half of which may be used by smokers and the other half by non-smokers. In that way, everyone will be satisfied and, in addition, the Government will prove that it is not merely talking about what it will do. People who do not like smoke in their compartment will benefit; others who are trying to give up smoking will be encouraged in their efforts.

LEADER OF THE OPPOSITION

Mr. W. D. HEWITT (Chatsworth) (12.48 p.m.): In a debate on matters of public interest, surely nothing could be of greater public interest and more topical than the headlines of the day. So it is that I wish to discuss in this House today headlines from newspapers of today's date, firstly, "The Courier-Mail"—"Labor Leader Faces Challenge"—and, secondly, the "Telegraph"—"Oust Houston moves quashed by statement".

Now, Mr. Speaker, at first blush one would almost imagine that one cancels out the other—that it is a "non move"—and that there is nothing further for discussion. But, in the field of political activity, nothing is as simple or as clear cut as that, and so it is that these statements, probed a little, give quite a different story.

Turning first to the rebuttals, it is significant that these flow from men who lead the organisational side of the Labor Party, namely, Mr. Lourigan and Mr. Egerton. Mr. Lourigan, of course, has a vested interest in quelling brawls at all costs when a Federal election is only weeks away. Similarly, his colleague Mr. Egerton, who is on the executive of the Australian Council of Trade Unions, would at this time do anything possible to overcome a problem such as this.

The only other rebuttal—and the only rebuttal from a parliamentarian—comes from the man who, at the same time, is Federal president of the A.L.P., and who, therefore, also has to pull out all stops to ensure that there is a facade of unity in the A.L.P. at this time.

Reverting to the report in today's "Courier-Mail", one significant thing comes forward, and it rebuts the denial by Mr. Egerton and Mr. Lourigan. The article says—

"Mr. Burns has denied speculation that the dinners of invited Labor Parliamentarians are venues for discussion of replacing Mr. Houston."

Here comes the crunch—

"But other Labor Parliamentarians, including one who was at last month's dinner and who will be at tonight's dinner have said the aim was to replace Mr. Houston."

The rebuttal from the organisational wing notwithstanding, there is at this moment a cloud over the leadership of the Australian Labor Party in this place. My simple proposition this morning is this: there is a clear obligation upon the parliamentary wing of the Labor Party to clear up this issue. The man who leads the alternative Government in this State, and who fills the prestigious office of Leader of the Opposition, must not be allowed to labour under this cloud. The matter must be clarified forthwith. There is a clear obligation upon the parliamentary members of the Labor Party to this Parliament and, more importantly, to the people of Queensland. No significant rebuttal has yet been forthcoming, and an acceptable rebuttal can now come only from the full caucus of the parliamentary wing, and from no other source.

It is passing strange that only 4½ months ago the man who is now under such severe challenge was projected as being the man of the times. We were given a ditty, "Do it Jack Houston's way." In one of the most expensive and comprehensive television campaigns we have yet seen in this State, he was projected as being the man for tomorrow, the man who could lead this State to great horizons, and the man of destiny. What has happened in those 4½ short months?

First of all, I pose the question to the Labor Party: are we now to believe that that highly colourful campaign of only 4½ months ago was a sham, a farce, a glorious facade, and totally untrue? If this challenge is real—and I believe it is—that campaign of 4½ months ago was based on totally false and misleading premises.

In the post-election post mortem, the Leader of the Opposition was in fact highly commended on the part he played in the campaign. It was said that he campaigned

well, that he led the team well, and that he deserved to continue to lead the team. As I say, that was only 4½ short months ago. But a number of highly significant things have happened since then. First of all, every blue-ribbon Labor seat created by the redistribution was allocated to and subsequently won by a dedicated Left-winger. Secondly, it was decided that the shadow Cabinet would stay in office for only 12 months. In other words, the opportunity would be given for Left-wingers to phase into Parliament, and then their right of challenge would be preserved. Thirdly, the responsible men from the Right Wing who lead the Labor Party in terms of intellect and capacity were relegated to the back benches. Fourthly, there was the move that made the Trades Hall quite jubilant: the honourable member for Port Curtis was censured by the parliamentary wing.

What has happened in those 4½ months is that the Left Wing has gained complete and absolute control and is now flexing its muscles. The Right Wing, of course, has been totally decimated, totally humiliated and reduced to such insignificant proportions that it now carries no weight in this place at all.

We relate what is happening in Queensland to what is happening in the Federal sphere, and my friend and colleague the honourable member for Merthyr, when he spoke yesterday, touched upon the political aspirations of the leader of the A.C.T.U. This gentleman now aspires to enter Federal Parliament—not as a humble back-bencher, not even as a Whip; he is aspiring immediately to the leadership.

Mr. Sherrington: What utter rot!

Mr. W. D. HEWITT: Well, it is significant that the person who is the motivating force behind what is happening here at present is the Federal president of the A.L.P., who is also member for Lytton in this Parliament. So that, if he should aspire to, and gain, the A.L.P. leadership in this State House, a remarkable, strange and frightening influence would be imposed upon the people of Queensland, as there would be total Left-wing domination in both the Federal House and the State House.

Any person with two wits to rub together is conscious of the machinations that are taking place in this House—the riding instructions, the coming together, and now the flushing out into the open of the things that are happening.

I return to the proposition that the Leader of the Opposition must have his leadership clarified, and that it should only be done by the caucus of the Parliamentary Labor Party. A statement has been made and a rebuttal has been forthcoming only from the organisational leaders. No rebuttal has yet been forthcoming from the full parliamentary team, and I say again that this

Parliament and the people of Queensland are entitled to know who is, and who is not, leading the Labor Party in this State.

In recent times there has been flaunted in this Chamber a little badge bearing the slogan, "It's time." It's time, I concede quite readily. It's time for Labor to resolve its leadership crisis; it's time for Labor to resolve its factional fights; it's time for Labor to throw off the yoke of Left-wing control; it's time for Queenslanders to realise that the Labor Party in this State is hopelessly split; it's time to realise that Labor in this State is more under the influence of Left-wing control than any other body in any other State; and finally and most importantly, it's time for Queenslanders to realise that it is in their best interests to return a Liberal-Country Party Federal Government.

[Sitting suspended from 12.59 to 2.15 p.m.]

JUDGES' PENSIONS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (2.15 p.m.): I move—

"That a Bill be introduced to amend the Judges' Pensions Acts, 1957 to 1967 in a certain particular."

The Judges' Pensions Act of 1957, which was assented to on 17 December 1957, provided that when a judge retired from office he became entitled to an annual pension at the rate of 20 per cent of his salary and at the additional rate of 4 per cent of his salary for each completed year of his service as a judge in excess of five years, but so that the rate of his pension did not exceed 40 per cent of his salary.

It was further provided that upon the death of a retired judge who was entitled to a pension, his widow became entitled to a pension at the rate of one-half of the rate of pension to which the judge was entitled immediately prior to his death.

At that time the Act was applicable only to the Chief Justice or a puisne judge of the Supreme Court of Queensland. The salary of the Chief Justice then was \$9,924 per annum, and that of a puisne judge \$9,124 per annum. Incidentally, those salaries are now respectively \$23,600 and \$22,200 per annum.

In 1967 the Act was amended to extend its provisions to judges of the District Court, to increase the rate of pension payable to a judge so as not to exceed 50 per cent of his salary, and to enable provision for pensions to be paid in respect of children of a deceased judge.

From time to time representations have been made by, or on behalf of, retired judges and the widows of deceased or retired judges for a review of the rate of pension payable. From a comparison of the rates of salaries that I have previously mentioned, it will be apparent to honourable members that a pension payable in respect of a retirement in the 1950's would in no way be comparable with that payable in respect of a retirement at the present time.

The subject of increased pension rates was considered in connection with the Public Service Superannuation Act, wherein provision has been made for the rate of benefit payable to an annuitant, or the rate of pension payable to the widow or children of a contributor or annuitant, to be increased each year by 3 per cent of the original benefit. This provision came into operation on and from 30 December 1969. A similar provision has been made in the Parliamentary Contributory Superannuation Act, which came into operation on 2 April 1970.

The Bill provides for an annual increase of 3 per cent per annum in the amount of pension payable to each of a retired judge, the widow of either a judge or a retired judge, and the children of a deceased judge. It is proposed that the increased rate of pension be calculated from 30 December 1969 where a pension is payable at that date. Where a pension becomes payable after that date, it will be calculated from the date it becomes payable. In both cases the increased rate will be paid only from the date the Bill comes into operation.

I commend the motion.

Mr. WRIGHT (Rockhampton) (2.20 p.m.): This matter is, I believe, procedural. We have seen many changes in superannuation and pension schemes in the past whereby the 3 per cent increase per annum has been implemented. It is applicable not only to the parliamentary pensions scheme, but also to the police and Public Service superannuation schemes. I can see nothing wrong with the principle, but I question whether it should be retrospective, which was the point that I think the Minister was making. I believe that we must endorse the principle. I have no further comments to make at this stage.

Mr. HANLON (Barooka) (2.21 p.m.): I do not wish to add very much to what has been said by the Opposition's shadow Minister for Justice. I think the Opposition has accepted that an amendment to the Judges' Pensions Act in the terms that the Minister has outlined would be relevant. However, in view of the Minister's comments, I wish to outline a couple of thoughts on associated matters that came to my mind. When dealing with these things, I believe that some comparative analogies may be drawn at this stage.

As the Minister has said, a provision similar to this—which we endorse—has been inserted in the Public Service Superannuation Act and the Parliamentary Contributory Superannuation Act. From memory, I should not care to estimate the benefit, based on the starting point, to widows of members of Parliament. We must be very careful when we introduce some form of retrospectivity in an effort to keep up to date for the benefit of people who may be suffering a disadvantage. Irrespective of the point to which we return, there always seems to be a preceding point at which some case deserves more sympathetic consideration. An anomaly has existed for some years in the case of widows of members of Parliament because of the sudden escalation of salaries and pension benefits. In this concept, I emphasise the relevance of the starting point of the disadvantage. The starting point for some of the continuing widows and dependants of members of Parliament who were contributors to the Parliamentary Superannuation Fund has been even more disadvantageous than has been the case with members of the judiciary. It is acknowledged that there is a disadvantage because of the inflationary factors that have been paramount in the economy for a number of years. That is one matter that could be looked into.

I think I should place on record that the Budget we have recently been debating contains an item relating to a pension payable to the widow of one of our late Governors—Sir John Lavarack—which still stands at the amount of \$1,000, at which it was fixed a number of years ago. I do not know if there is any provision to allow for the escalating of that pension, or whether there is any thought that the Government might consider an *ex gratia* payment to bring it up to date. I know it might be appropriate for a Government member to say, "But your party has in its platform the abolition of the Governorship."

Mr. Aikens: Do you think it should be abolished?

Mr. HANLON: I do not intend to enter into a debate on that subject, but I point out that while the position exists in the State we should extend to it the respect and entitlements that apply, and should apply, to it. I emphasise that, to my knowledge, the pension that has been payable to the widow of one of our former Governors has never been varied, and that the amount still appears in the Estimates at the rate fixed some years ago. I know this matter is not under the control of the Minister for Justice, but when we are recognising some inequities that exist, we should look across the board and perhaps recognise others at the same time. I commend this suggestion to the Government for its consideration.

The late Sir John Lavarack was the first native-born Queenslandler to be appointed—and by a Labor Government—as Governor

of this State. In those days the trend towards appointing native-born Australians to such positions was not as apparent as it is today, and I instance the appointments of the present Governor, Sir Colin Hannah, and his predecessor, Sir Alan Mansfield. I shall not labour that point. However, as consideration is being given to this matter, perhaps the Government will consider adopting the principle contained in this Bill in other directions.

In reply to the recent interjection by the honourable member for Townsville South, let me point out that the policy of the party to which I belong is that the position of Governor, as we know it, should not continue to exist. However, it is not our policy that the constitutional powers exercised by the Governor should be disregarded. I believe that those powers could perhaps be exercised by the Chief Justice.

The ACTING CHAIRMAN: Order! The honourable member for Baroona will please come back to the subject of judges' pensions.

Mr. Aikens: What is the policy of the faction to which you belong?

Mr. HANLON: I will not be distracted by further interjections from the honourable member for Townsville South. However, I point out that the Australian Labor Party, both in Government and in Opposition, adopts the attitude that existing contracts should be honoured. I refute any suggestion that, if the Labor Party became the Government, it would immediately abolish the office of Governor. The present term of that office should be recognised.

I repeat that, while the principle contained in this Bill is being recognised, some consideration should be given to the pension of the widow of the late Sir John Lavarack.

The Minister mentioned the subject of retrospectivity. I might be stretching your tolerance a little too far, Mr. Hewitt, by referring to compensation payable to victims of criminal violence.

The ACTING CHAIRMAN: Order! The honourable member would be stretching my tolerance too far.

Mr. HANLON: I wanted to raise this matter because it has recently received some prominence in the Press, and because a particular incident played a large part in the initiation of certain legislation in this Parliament. At that time the principle of retrospectivity, which is regarded as a bad principle, was ruled out. Again I suggest that, in the light of what is being done now, the Government might have second thoughts in that regard. I realise, Mr. Hewitt, that I am drifting away from the matter before the Committee, but I believe

that all of these matters have some application because they are based on the question of justice to the people concerned.

I agree with the honourable member for Rockhampton that the Minister is making a valid approach to this matter. Acknowledging the danger of continually extending such principles, I point out that there are some reasonable cases for consideration within the same ambit and I hope that, arising from the attitude adopted by the Minister in this regard, the Government will have a look at them.

Mr. AIKENS (Townsville South) (2.29 p.m.): We have listened to a remarkable political act of casuistry from the honourable member for Barooka. He is a man for whom I have the highest regard. He told us the policy of the A.L.P. on the continuance of the office of Governor, but he did not reply to my interjection regarding the policy of his faction of the A.L.P. I would be happy to hear that.

Mr. HANLON: I rise to a point of order. I obviously would not reply to such an inane interjection, because I do not belong to any particular faction. I belong to the A.L.P.

The ACTING CHAIRMAN: Order! There is no valid point of order. An honourable member is under no obligation to reply to any interjection.

Mr. AIKENS: Let me proceed with the business before the Committee—and I hope I am not again interrupted. As far as this Bill is concerned, I will have none of it. I have gone as far as I am prepared to go with regard to this "beautiful" legalised racket and rort known as judges' pensions.

In discussing judges' pensions, it is, I contend, quite germane to deal with some of the work that judges do, or do not do. I am not going to belabour the point. I know what a stickler you are for protocol, Mr. Hewitt, and there are times when you are to be commended for it. However, let me tell the Committee, and those who so forget themselves as to read "Hansard", that judges occupy a remarkable position in our community. Each is the complete master of his court. He works when he likes, how he likes, and according to rules set down not by Parliament but by his brother judges, the Bar Association, and his legal confreres.

I wish to use as an example a man of whom I can now speak because he is no longer a justice of the Supreme Court and therefore no longer has the protection of Standing Orders which provide that, in order to discuss judges, a substantive motion must be moved. I do not intend to belabour this point, either.

I propose to deal with Mr. Justice Mack, now Sir William Mack. I shall not delve into any of his shocking decisions, or any of his shocking actions as a judge.

Mr. Hanson: He was Chief Justice.

Mr. AIKENS: Of course he was.

The ACTING CHAIRMAN: Order! I am listening carefully for some relationship between the honourable member's remarks and the Bill before the Chamber. I advise the honourable member that my tolerance will not be stretched very far.

Mr. AIKENS: I do not intend to stretch your tolerance, Mr. Hewitt. I know it is probably not the most elastic tolerance that we have had from any occupant of the chair. I contend with all sincerity that when we are discussing a Bill under which Mr. Justice Mack will have his pension increased, I am entitled to deal very briefly with his entitlement to that pension.

In the closing years of Mr. Justice Mack's judicial career he was sick—or he said he was sick—for, I think, 18 months. During all that time, of course, he was paid his full salary. When he should have retired, and everyone felt that he should have retired, he was "tipped off" that there was to be a substantial increase in judges' salaries. He therefore hung on, ostensibly sick, on his full judicial salary, for another seven months before he retired and was thus, under the provisions of the very legislation that we are discussing now, able to obtain a higher pension.

I do not know whether there are any members here now who remember the incident to which I am about to refer, but I wish to thank "The Courier-Mail" for the part that it played in it. Everybody in the legal game knew that Mr. Justice Mack, even when he was senior Puisne Judge, refused to sit on Fridays. He was also a committeeman of the Queensland Turf Club, and he used to take Fridays off to attend meetings of that committee. He would adjourn his court on Thursday, and the unfortunate litigants had to wait till the following Monday, after the Q.T.C. meeting and the race meeting on Saturday, to have their cases resumed.

This matter could not be brought up in this Chamber. I feel sure that if you had been Chairman of Committees at that time, Mr. Hewitt, you would have prevented it. I would then have had to move a substantive motion, which I could not do because I did not have the requisite number of supporters. However, I did bring it up in several ways at which I have become adept, such as by interjections and other means, and "The Courier-Mail", to its credit, published the fact that Mr. Justice Mack was dodging work on Fridays to attend Q.T.C. meetings. As a result of that publicity, he sometimes condescended to sit on Fridays.

I know that there are some good judges on the bench. There are some who are mediocre, and some, if I may use the Gladstonian vernacular, who are rumpers—no-hopers. Judges are appointed not always on the basis of ability, but, as Mr. Calwell

said in his autobiography published only the other day, on religious and political grounds. I know some judges who were appointed purely and simply on political grounds, and who became good judges. Some who were appointed purely and simply on a sectarian basis also became good judges; some who were appointed on that basis did not become good judges. However, all judges come under the provisions of the Act that it is now proposed to amend.

Some judges who have sat on the Supreme Court bench and on the District Court bench during my term in this Parliament have been notorious tosspots; some of them have even been tosspots on the bench, and the attention of the public has been drawn to that fact. However, we did nothing about it because, as I said yesterday—I do not intend to go back over it again—we lacked the courage to bring them before the Bar of the House and dismiss them.

There is one other point that I wish to clear up. When all is said and done, judges and justices are recruited from the ranks of barristers. I wish to put the Minister for Justice right in a statement that he made recently, because it is the sort of statement that is fed to members of Parliament who do not know what Ministers are talking about and do not bother to find out.

When another Bill was before us and the honourable member for Rockhampton, the honourable member for Lytton and I spoke about the briefing of barristers and the money it costs to brief them, the Minister for Justice rose in his place and said, "A barrister is worthy of his hire." I should like to tell the Minister that the client does not hire his barrister. He might pay a fee to a solicitor, and the solicitor might or might not pass it on to the barrister. He might pay the fee on brief; he might pay the daily fee, which is called a refresher. However, the barrister is under no obligation to take any instructions from his client; he is under no obligation to do anything that his client wants him to do. If he wishes, he can go into court, with the full connivance of the judge on the bench, and sell his client down the drain. There is nothing that the judge will do about it; there is nothing that the courts will do about it; but, of course, this Parliament can do something about it.

The ACTING CHAIRMAN: Order! The honourable member will agree that I have been tolerant in allowing him to make that point. I ask him to return to the motion before the Committee.

Mr. AIKENS: I agree with you, Mr. Hewitt. As a matter of fact, I could see the glint in your eyes behind your glasses and knew I was about to be called to order. I shall return to a discussion on the duties of a judge.

At one time, it was the duty of a judge to see that all the evidence that could be presented to the jury or to himself was brought forward, so that the decision or the judgment would be given on all the evidence that was available. Today, judges are not really judges at all. They are more like benign umpires between one side and another.

As I said in an earlier debate, in a case brought under the Common Law Practice Act there is no written law. The barrister for one side—counsel, as he is called—will produce a pile of documents and books to show that in a case somewhat similar to the one before the court Mr. Justice Buzzfuzz ruled in a certain direction in the High Court of England in the year 1845. The barrister for the other side will say to the judge, "That is quite wrong, Your Honour. My learned colleague is leading you astray. I wish to quote now from a judgment given by Mr. Justice Stinkbeetle in the Supreme Court of South Australia in 1872." That sort of thing goes on until the judge, if he is dozing, wakes himself up and says, "I really think that Mr. Justice Stinkbeetle's judgment is better than the judgment of Mr. Justice Buzzfuzz, and I give judgment accordingly."

Never at any time in the last 25 years has any judge dealing with a case under the Common Law Practice Act said, "I do not care for any of the rulings or judgments that have been brought forward. I shall apply my own mind and my own legal knowledge to the case before me and give my own judgment." That is what he is there for. But if he did that, goodness knows what would happen to him.

The situation is similar in criminal cases. Again, a judge in a criminal case is required to bring out all the evidence that is available. But the stage has now been reached when judges have allowed themselves to be so intimidated by counsel and the Bar Association that the traditional right of a judge to cross-examine a witness and bring out evidence that the opposing counsel has not brought out is absolutely unknown.

I hope you never have to appear before a court, Mr. Hewitt. I shall not embarrass you by suggesting that you will. A man of your sterling personality and rigid code of ethics will never come before a court.

The ACTING CHAIRMAN: Order! That certainly has nothing to do with the motion before the Committee.

Mr. AIKENS: No, Mr. Hewitt. It is just a pious wish of mine, born out of my friendship for you.

In the Criminal Court the Crown Prosecutor will ask only the questions that he thinks should be asked to get the answers that he hopes will be given. Counsel for the defence will ask only questions that he thinks should be asked and that will elicit the answers he hopes will be given.

Quite a lot of other evidence should be given, but because neither the Crown Prosecutor nor counsel for the defence will ask relevant questions, that evidence is never given because the judges cannot and will not exercise their traditional right to cross-examine witnesses themselves.

The ACTING CHAIRMAN: Order! What the honourable member is saying is quite irrelevant to the matter under discussion. I ask him to return to the subject of judges' pensions.

Mr. AIKENS: I will have to accept your ruling, Mr. Hewitt. I have almost finished, otherwise I would make a test case of it. However, if I cannot tell the Committee what a judge is supposed to do to earn his right and eligibility to a pension, I do not know anything about the Standing Orders. I have been here with many Speakers and many Chairmen of Committees, and it has always been a fundamental rule that when dealing with the emolument that any person is to get, an honourable member can deal with the work that that person is supposed to do in order to get it. Anyway, I am finished with that. There will be plenty of time. The other day I read the history of Napoleon.

The ACTING CHAIRMAN: Which also has nothing to do with judges' pensions.

Mr. AIKENS: It is analogous to this case. Napoleon was asked why he was victorious on so many occasions, to which he replied, "Because I have always fought the enemy on my own time and on grounds of my own choosing." You might care to remember that, Mr. Hewitt.

What about the edifices in which the judges are required to work? I wonder if the Minister for Justice in his recent peregrinations to Townsville had a look at the new court building there. Of course, he was wined and dined by the legal fraternity, including the judiciary. I do not know that he saw any of the common or little people who come to me when I am there. I wonder whether he had a look at the snobbery up there—we call it "Snob House"—the Hall of Justice that is being erected in Townsville for the judiciary. I wonder if he saw there the shocking snobbery that is inherent in that place.

Judges who sit there will have a covered portion for their cars. About 4 or 5 yards from this covered portion there is to be a special lift for the judges. It is a very ornate lift; it makes the lift in Parliament House look like one of the old goods lifts that were operating in commercial houses many years ago. Judges walk a few yards from their cars or limousines—a judge would not travel in an ordinary car—which have been parked in a covered area, to enter a special lift and be whisked up to their palatial and opulent quarters. Of

course, in the building there will be robing rooms, barristers' rooms and solicitors' rooms which beggar description as far as affluence and opulence are concerned.

The District Court judges are not very much worse off, but what about the magistrates? When they go to the Hall of Justice, they will have to park their cars out in the sun among cars that are parked there by the Police Department, some of which are suspected of having been stolen and some of which have been smashed up in accidents. Having parked his car in this phantasmagoria of automobile destruction, the magistrate has to walk about a quarter of a mile around to the front of the building and then laboriously climb the steps to his office. I should say that the old broom cupboard that the honourable member for Mackay and I are soon to vacate would be a palace compared to the magistrate's office in the new Townsville court complex.

The ACTING CHAIRMAN: Order! I must draw the honourable member's attention to Standing Order 141, which deals with irrelevancy. I ask the honourable member, for the last time, to come back to the Bill before the Committee.

Mr. AIKENS: I think I have said enough, Mr. Hewitt, to tell you what "Snob House" in Townsville is like. The present Minister is not responsible for it; it is something he inherited from "Old Smoothie". Do you know why it is like that, Mr. Hewitt? It is because the judges who are covered by the Bill now before the Committee refused to sit under the same roof as the magistrates unless they were given all conditions that they wanted incorporated in the new building.

I shall now finish up on this matter. I do not intend to deal with the judges' laws, Mr. Hewitt, because I do not want to unduly exacerbate you. I shall not deal with the shocking judges' law that being asleep at the wheel excuses a person from any criminal prosecution or civil action.

The ACTING CHAIRMAN: Order!

Mr. AIKENS: But I shall state my attitude to this Bill. I believe that the people who benefit most from a particular measure or purpose should be compelled to subscribe to it. I represent the little people of Townsville South—and, I think I can say, the little people of North Queensland—and I shall be the Governor of the new State when it is established.

Because I do not believe that the little people of Townsville South, or North Queensland, would have any inclination to support this Bill—like me, they think that the judges have not earned it—I suggest that, if the judges want an increase in their pension entitlements, let them get it from the people for whom, over the years,

they have expressed such tender concern and solicitude. Let them get their increase from the criminals and the crooks.

Hon. W. E. KNOX (Nundah—Minister for Justice) (2.46 p.m.), in reply: I thank members of the Opposition for their reception of this measure. In answering the question posed by the honourable member for Rockhampton, I make it quite clear that the retrospectivity is in relation to the calculation, not to the recipient of the retrospective payment. That will become clear from the formula contained in the Bill.

The honourable member for Baroona raised a matter that is of concern to all honourable members. It relates to the widows of members of this Assembly. Although it is not covered by this Bill, I am sure that it is such things that sometimes are overlooked. Indeed, in the case of judges' widows I am sure that honourable members who may be acquainted with some of the background of this matter will know that, under the former system of pensions that existed some years ago, cases of hardship have occurred amongst widows of judges. There is no way we can correct these apparent anomalies, because they were legislated for at that time.

Mr. Aikens: It is still a non-contributory scheme. The judges pay nothing into it.

Mr. KNOX: Yes, it is a non-contributory scheme, based on the tradition that the judiciary should be independent. I have not quite understood the nature of this tradition as it relates to remuneration.

Mr. Aikens: The tradition is that it makes them incorruptible.

Mr. KNOX: I do not believe that is the only measuring stick of incorruptibility. The first and prime concern is whether the person himself is incorruptible, regardless of the remuneration available to him.

Mr. Aikens: No amount of money will make a person incorruptible.

Mr. KNOX: That is so. Indeed, we have been tremendously fortunate in this State over the years, regardless of the salaries paid to judges, in that we have had judges who are respected for their integrity.

Mr. Aikens: And we have had some who are not.

Mr. KNOX: I know of none. The honourable member has the unpleasant habit, sometimes sprinkled with a little humour which tends to soften his hard line towards judges, of trying to break down the reputation that judges in this State have for being beyond reproach when acting in their judicial capacity. It is a pity that he makes these remarks, very often, as we know from long experience, with tongue in cheek. Like the soap-box orators in the Sydney Domain,

he likes to try to set up "Aunt Sallies". Indeed anyone who reads his speeches on this subject over the years will find that what he has said today is no different from what he said 25 years ago. At least he is consistent, if not boring. Over the years he has engaged in tedious repetition. He has this reputation, and, as experienced members have found, we take very little notice of what he says.

Mr. Aikens: The people take notice of me.

Mr. KNOX: The people may be interested in the entertainment provided by the honourable member, but I am sure they find very little of value in his comments on the judiciary. He attempts to attack judges and the work they do. Many people will travel thousands of miles to see a good entertainer, but that does not mean that they necessarily believe there is veracity in his acts. The honourable member is like a magician. We enjoy a magician's act, but we do not believe for one moment that the things we apparently see happen actually occur in the way we are meant to see them. In the old days in the theatre in Townsville, or wherever else the honourable member has performed, he enjoyed a reputation for his performances in sleight of hand if not in sleight of tongue.

As to picking up quotations and misquoting them, recently I did say that the labourer was worthy of his hire. We were discussing, of course, the matter of retaining solicitors and barristers in arbitration cases. I think it is true to say that, with the exception of the honourable member for Townsville South, all honourable members have tremendous regard and respect for persons who acquire expertise and technical skill as a result of their own endeavours, in most cases with very little to back them other than their own efforts, talent and ability. Solicitors provide a very valuable service. If their services are measured by the hour and compared with those rendered by a man who fixes washing machines or something of that nature, it will be seen that, relatively speaking, the services provided by barristers and solicitors are inexpensive.

Mr. Aikens: People have to pay 500 "quid" for an undefended divorce simply because you won't allow solicitors to appear in the Supreme Court.

Mr. KNOX: I do not disallow solicitors from appearing in the Supreme Court. There is a long-standing arrangement between the two branches of the legal profession in this State. I might say that I hope it will be changed, and I have asked the two branches to have dialogue on this matter with a view to creating one unit within the profession instead of perpetuating what I regard as an anachronistic tradition. In other States the legal profession contains one such unit. I trust that in the course of time Queensland will have the same set-up. If that comes

about, it will not be as a result of the efforts of the honourable member for Townsville South, whose endeavours, on most occasions, are designed to create disunity rather than unity in the legal profession.

Mr. AIKENS: I rise to a point of order. I have never attempted to create disunity between the branches of the legal profession. I have tried—and I have been successful in my efforts—to create disunity between the ordinary people and the legal profession as a whole, which fattens and battens on the people.

The ACTING CHAIRMAN: Order! There is no valid point of order.

Mr. KNOX: As to the new court-house at Townsville, the honourable member's imagination really ran away with him. A couple of weeks ago I visited the site and found that the building is just above ground level. There are certainly no sumptuous lifts or ornate offices in the building. The honourable member would be lucky if he could climb through the scaffolding.

Mr. Aikens: Those things are in the plan.

Mr. KNOX: In view of the honourable member's representations, I have decided to have a bicycle rack installed to assist him when he visits the building from time to time to glean the little bit of bush law that he seems to be able to present to Parliament.

Mr. Sherrington: As a result of my representations, not his.

Mr. KNOX: The honourable member for Salisbury did make certain representations on behalf of the honourable member for Townsville South.

It is indeed regrettable that the honourable member for Townsville South should see fit to attack a former judge by innuendo and to suggest that he was not ill when, in fact, he was very ill. The fact of the matter is that at that time Sir William Mack was very ill indeed. Incidentally, he suffered a stroke when he was acting as Governor of the State. His illness was verified by documents from medical advisers who were in a position to advise the then Attorney-General. Those who know Sir William Mack realise that he was ill for some time. I think that the honourable member's remarks were out of place and in bad taste.

Mr. Aikens: You and I would disagree on that point.

Mr. KNOX: There are many people who would agree with me. That is where the matter stands.

The Bill is quite a simple one, and I am sure honourable members would like to have it printed.

Question—That the motion (Mr. Knox) be agreed to—put; and the Committee divided.

Resolved in the negative under Standing Order No. 148.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Knox, read a first time.

DISTRICT COURTS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (3 p.m.): I move—

“That a Bill be introduced to amend the District Courts Act 1967–1969 in certain particulars and for purposes incidental thereto.”

The District Courts Act empowers the Governor in Council, by Commission in Her Majesty's name, to appoint a barrister or solicitor of the Supreme Court of Queensland of not less than five years' standing to be a judge of District Courts. In the consolidating Act of 1967, the number of judges was limited to 10 and provision was made for the appointment of an acting judge of District Courts.

Owing to the increase in the volume of work dealt with by the District Courts throughout the State, it was found necessary, in 1969, to increase the maximum number of District Court judges from 10 to 13.

The City of Brisbane Town Planning Act makes provision for a judge of District Courts in addition to the maximum number prescribed by the District Courts Act to be appointed to constitute the Local Government Court.

At present, there are 13 District Court judges and one acting judge. The continued increase in the work of the District Courts has again led to the situation where the present number of judges is unable to cope with the work. The backlog of cases is ever-increasing and in Brisbane at present between 80 and 90 cases stand adjourned until the next sittings of the court. In District Courts outside Brisbane a number of cases have also had to be adjourned.

Complaints have frequently been received regarding delays in hearing civil actions, and it is apparent that the present unsatisfactory position can only be alleviated by the appointment of additional judges of District Courts.

The practice adopted in 1969 of amending the Act to make provision for additional judges is not entirely satisfactory. Having to wait for an amendment to the Act can interfere with the administration of justice,

whereas an appointment made when it is urgently needed would immediately alleviate the situation and prevent backlogs of cases, both criminal and civil, arising as at present.

It is considered therefore that the courts will operate more efficiently if the present limit on the number of judges that may be appointed is removed. The Bill removes this limitation and as well makes consequential amendments to the District Courts Act in relation to the appointment of an acting judge and to the City of Brisbane Town Planning Act in relation to the appointment of an additional District Court judge to constitute the Local Government Court by removing the reference in each Act to the maximum number of judges who may be appointed.

I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (3.4 p.m.): The reason for the proposal before us at the moment is the need to increase the number of District Court judges. Honourable members who take an interest in the problems that arise in District Courts in their areas will agree that an increase is certainly warranted. The Minister pointed out that there is a backlog of 80 to 90 cases in Brisbane. I know that the backlog of cases in Rockhampton a few months ago was 150. I believe that the figure in Toowoomba is similar and that backlogs exist in other areas.

The Minister said that the position will be alleviated only by appointing more judges, and, while I admit that it will be alleviated by the appointment of some judges, I think it is time we looked at other aspects of the problem to see if there is an alternative way of overcoming the backlog. Section 16 of the District Courts Act provides—

“The Governor in Council may appoint (by commission in Her Majesty's name) a person qualified to be appointed a District Court Judge to be an Acting Judge—

(a) during the absence on leave, granted by the Governor in Council of a Judge; or

(b) if a Judge be absent from any other cause or is incompetent or unable to take part in any decision or in any trial, action or proceeding or to sit at any sittings of a Court; or

(c) if for any reason whatsoever the conduct of the business of a Court or the Courts in the opinion of the Governor in Council requires such an appointment.”

Section 16 (c) is the important provision to which I make particular reference. There is in England what is commonly called the Recorder system, under which senior members of the bar may be commissioned to act as judges. I believe that this system has worked extremely well in that country,

and it has a number of things to commend it. We accept that there is a backlog of cases in Queensland, and something has to be done about it.

I have been told by members of the legal profession that senior members of the bar are, for many reasons, unlikely to accept appointment to the District Court bench. One is the salary. Senior barristers can earn as much at the bar as they could on the bench. Although I do not know the exact figure, I understand that judges are paid approximately \$23,000 a year.

Mr. Knox: That is the Chief Justice.

Mr. WRIGHT: About \$22,000 for puisne judges. That is a reasonable amount, but I am told that senior members of the bar earn far more than that.

I believe that if some use could be made of such senior counsel on the bench, there would probably be an improvement in the standard of the District Court. In saying that, I am not casting aspersions on the District Court. It is necessary that the standard of the court be maintained, and surely the best way to do that is to have a system under which persons of experience are appointed to the bench. And what better way of gaining experience is there than acting in a part-time capacity in the judicial field? A system could be devised in Queensland similar to the one in England under which senior members of the bar could conduct circuits. This would give potential judges considerable experience and, in addition, it would relieve the pressure on the District Court. It would also mean that the ability of those who do not want to become judges could be used on the bench. In the result, the standard of the District Court would be maintained, and possibly raised.

It is important that the necessary incentive be given to legal men to accept appointment to the bench, and this means that they must be paid salaries commensurate with incomes obtainable at the bar. I am not advocating large increases for judges; I am contending that if counsel are to be commissioned under a Recorder system, they will have to be paid reasonable compensation.

An obvious area for the use of such a system is Central Queensland. Representations for improved legal arrangements have been made to the Minister by the legal profession in Central Queensland, and I have been told that in the past promises were made that a District Court judge would be appointed there in a full-time capacity. I notice that the Minister for Conservation, Marine and Aboriginal Affairs, who is the honourable member for Auburn, has just entered the Chamber. I understand that he, together with other members including the honourable member for Rockhampton North, has also raised this matter. Something must be done about the great backlog of cases in Central Queensland.

Let us consider the situation apart from Brisbane only. I am not decrying what Brisbane gets. It is, however, necessary to look further afield, and Central Queensland requires some attention. I tried to discover the extent of the backlog there, and I was told that it is well over 100 cases. A full-time District Court judge is needed there. However, if a judge cannot be appointed full time, let a senior member of the bar be commissioned to act in that capacity to deal with civil matters in Central Queensland.

With your indulgence, Mr. Hewitt, I have another matter to raise. I have had representations made to me concerning the working conditions of the District Court. Apparently Supreme Court judges now work in the District Court building, and District Court judges work in the old Magistrates Court complex. That is a rather ridiculous situation, but it is apparently the position. Conditions generally are unsatisfactory. I have been told that the courtrooms in which criminal trials are held are often very cramped; that the jury is too close to counsel and client; that, in fact, the public and the jury can often overhear deliberations between counsel and client. Although it may not be necessary to provide the carpets and other things that people sometimes speak about, facilities that will assist the judicial system to operate effectively are certainly needed, and I believe that something must be done to improve the District Courts. No doubt other honourable members will comment on that. We must ensure that procedures are provided to enable the courts to deal with cases expeditiously.

While I am speaking about courts, let me refer again to the need for some review of the facilities at the Supreme Court at Rockhampton, which are now very poor. I have asked the Minister about air conditioning the existing building, which certainly is unsatisfactory. In fact, a new Supreme Court building is needed in Rockhampton, and I hope that in due course, when the Minister becomes more familiar with his portfolio, he might see his way clear to do something about providing one.

My principal request to him now is to appoint a full-time District Court judge in Central Queensland. If it is not possible to do that, I ask him to consider—and this can be done under the Act—commissioning senior members of the bar to assist in overcoming the backlog that now exists.

Mr. HUGHES (Kurilpa) (3.12 p.m.): The Government is making a very progressive move in proposing that the Minister should be allowed to untie himself from a statutory restriction relating to the number of judges who are required to cope with the legal business of the State.

I agree with the honourable member for Rockhampton—and the Minister has acknowledged this—that there is a backlog of cases,

and I believe that it is seriously impairing the chances of those who are entitled to justice and fair treatment. A number of cases were brought to my attention in the early and middle parts of this year, and I made representations to the Minister on behalf of those whose parents or relatives spoke to me. In some instances the person charged has been incarcerated and kept in durance vile. Admittedly, he has been in the remand section, but to him that is merely another part of the prison. A number of people have been kept in the remand section for lengthy periods because neither judges nor courts have been available to enable the charges against them to be heard. In Brisbane, particularly in the early part of this year, that situation was resulting in injustice.

The introduction of the Bill that the Committee is now considering is a forward step. The amendment proposed will allow the Minister to appoint judges without being restricted by statute as to the number. There is certainly more crime today than there was five or 10 years ago. Research that I carried out when the last report of the Commissioner of Police was presented to Parliament made obvious to me the large number of cases in which young people were appearing before the courts time and time again, incurring plural convictions, which was imposing a tremendous strain on the resources of the Police Department and, more particularly, the courts. When there is a larger population, a more affluent society generally, and more crime, the hearing of cases should be expedited.

There are other problems associated with the hearing of cases, too, and I hope that the Minister will consider the rooms in which cases are heard. In Brisbane, in a number of instances both civil and criminal cases are heard in courtrooms situated in various places. A person may be charged and remanded in one place and, if he is fortunate enough to be able to arrange for bail, allowed to leave the court. When the case comes on again it may be heard many streets away—half a mile from the court in which he was remanded. There are courts in Herschel Street, there is one at the corner of Turbot Street and George Street, and there are those in the District Courts complex.

Imagine how confusing this would be to litigants and defendants! It is not so confusing to members of the legal profession, but it can be detrimental even to them because of the waste of time. A defendant on bail may not be present at a court when his case is called. Someone might have to be sent to the court where the trial commenced to find the defendant. That sort of thing has happened. If an accused person did not turn up, a warrant could be issued for his arrest, which would cause him all sorts of additional problems even though he was merely the innocent victim of a system created and

perpetrated by the Government, under which adequate courtroom accommodation is not provided in a central location.

Mr. Wright: Some of them are some distance away from the city proper.

Mr. HUGHES: That is so. I appreciate the interjection because it supports what I am saying about the confusion it can create and has created in the minds of many.

Because we have not had in the past sufficient District Court judges to cope with the work, delays have occurred. A person coming up for trial may not have sufficient money to pay for his defence and wishes to obtain the services of the Public Defender. He cannot make that request at that early stage. Perhaps he cannot be released on bail because he cannot arrange for anyone to bail him out. That means that he is kept at Boggo Road Gaol and possibly incarcerated with convicted prisoners. Remember that he is innocent until he is proven guilty. A first offender could find himself in that situation. He is thus thrown into a situation that could be degrading to him, and his association with convicted persons could lead him into a crime which he otherwise might not consider committing.

That person would be held in the remand section until the case came on. Then, at that time, he could ask for the services of the Public Defender. Out of sheer consideration for an accused person, the judge might make a certain suggestion to the defendant about the Public Defender. Whilst action is being taken to secure the services of the Public Defender, the case has to be again adjourned. The Public Defender comes into the picture only at the request of the defendant, and the granting of his services is a matter that must be considered by the Department of Justice.

Other legislation should be amended in that respect. This is all very time consuming. It throws a strain on the courts and the police. Then the Public Defender visits the accused in the remand section. I know of a case where a defendant was held in the remand section for three months. What if such a person were found not guilty? I have referred certain cases to the Minister or his department.

I know of a person on remand who, because of the company he was thrown into, committed an indictable offence in the prison. That was a case involving homosexuality and sodomy.

All persons are regarded as innocent until proven guilty, but because of the company in which that person found himself when on remand for a considerable period of time, he was later charged with an indictable offence. The other defendants on the original charge got off scot-free. There was a public hearing and they were not convicted—no doubt they were entitled to acquittal—whereas the person I am referring to was

convicted on his plea of "guilty". He did not have the services of the Public Defender and he put up no defence. Those circumstances arose because of a backlog of cases and insufficient judges. Having been convicted of an indictable offence while in prison, he then had to come before the court again as this offence was committed while awaiting a hearing on the original charge.

The present state of affairs is shocking, but the Minister's hands have been tied by statute. The Minister is worthy of commendation for coming before the Committee today and asking us to untie his hands and allow him to use a degree of discretion where it is required. I am sure he will do this responsibly and appoint judges to cope with criminal and civil cases which are coming before the courts in ever-increasing numbers. I believe that it is a good move in the cause of justice. And what price can we place on justice? We should not do any penny-pinching in providing facilities to cope with the demand and need.

Finally, I think it is fair to say that I support the view that there should not be the present difference between solicitors and barristers. We should get towards the position that exists in Victoria, and the Minister has given some indication that we may well do so. I am not suggesting that solicitors will charge into the courts and take over entirely the job being done by barristers. I am not suggesting that solicitors are always as mindful of points of law as barristers or have the experience necessary for some cases, but in many instances they could do the job. Of course, most solicitors find it easier and more lucrative to stick to conveyancing, handling the affairs of their clients, and interviewing and taking statements from people and then eventually passing all the material to the barrister, who confines himself solely to research into case history, precedent and so on. But I think that in many cases, particularly in the country, solicitors could perform a worth-while service in court if we were to introduce in Queensland the system that applies in Victoria.

On the question of appointing acting judges, I know the Minister has certain authorities in this regard, but I hope to see the day when he has a selected number of barristers who will make themselves available for appointment as acting judges. I am sure many barristers in this city would do this.

Mr. Wright: They could act for a period of time, say, on a circuit.

Mr. HUGHES: That is so. They could be called upon to act in a certain judicial capacity to cater for a sudden rush of work in the courts, either in the city or in some country centre. If this were done they would not only be conducting as expeditiously as possible trials of persons charged with criminal offences, but would also be hearing

civil cases, and in this way they would gain tremendous experience that would fit them for a permanent appointment when the Minister saw fit to recommend it.

I commend the Minister for the very purposeful and objective manner in which he is carrying out his research. I am sure it will help to provide a fair and just approach to the problems existing in our courts today.

Mr. BURNS (Lyton) (3.25 p.m.): I rise to support the remarks made by our shadow Minister for Justice as well as those of the honourable member for Kurilpa, because, in effect, the two points raised by the latter member were referred to previously by our shadow Minister.

I certainly agree that there is a need to appoint additional District Court judges. Delays of as long as 18 months can occur in the hearing of District Court cases, and in many instances the ordinary citizen is the person affected. The District Court has power to hear cases of negligence arising out of motor vehicle accidents where the damages sought do not exceed \$10,000; negligence arising out of industrial accidents where the sum involved is not in excess of \$6,000; certain partnership cases, which may not affect the ordinary person; and criminal charges, such as those involving assault, stealing, attempted rape and dangerous driving, for which the maximum penalty does not exceed 14 years' imprisonment.

Honourable members can imagine the result of a long delay in hearing a case arising out of an accident, in which witnesses are required after a lapse of, say, 18 months to recall what happened. I can remember being called in the Coroner's Court to give evidence in an inquest arising out of the death of a young fellow who was killed when he ran into an electric-light pole outside my home at 4 o'clock one morning. In the witness-box I could not even remember the exact time of the accident or which police station I had contacted. The ordinary citizen is not like a police officer, who is trained to write down the facts of the case. I was asked the distance between the electric-light post and the gutter, and I estimated it to be 4 feet. On returning to my home I found that the distance was only 18 inches. That illustrates how, after a long delay, a witness is unable to recall exactly what happened.

As well as involving financial hardship to parties involved in cases, long delays can also hinder the handing-out of justice. In a recent case in Brisbane a witness who was to be called by the Crown became very ill. Owing to the large number of cases waiting to be heard, the defence counsel succeeded in having the trial adjourned continually, with the result that eventually the Crown witness died and the accused person was released. There was no doubt in the

minds of the accused's legal representatives that he was guilty; however, because of what I might call the co-operation of the court, he was allowed to go scot-free.

I think a practice may be growing up in the courts of setting down cases to suit not the parties' convenience, but that of judges and barristers. I do not intend to go as far as the honourable member for Townsville South, who claimed that judges wanted to go to the Q.T.C.; nevertheless it is known that some judges sit for only two or three days each week. It may be that the possibility of hearing court cases at night will have to be examined so that the working people will not lose wages when attending court in day-time.

This brings me to the decentralisation of District Courts and Magistrates Courts. A new Magistrates Courts building is being erected at Holland Park, and I am told that it is designed to enable speedier justice to be handed out to the ordinary person. However, at the same time the South-east Freeway is being constructed to allow a motorist to travel from the city to Holland Park in approximately three minutes. It could happen that a motorist who lives at Ashgrove is involved in an accident with another who lives at Sandgate, and the matter is investigated by a police officer from the city who happens to live at Wynnum.

Those three persons may be required to attend the court at Holland Park. Of course, the barristers in the case will charge for the travelling time involved; the magistrate and his staff will be required to travel from the city; and the witnesses will also be required to attend. Tape recorders will have to be carted backwards and forwards to the new court on the few occasions that it will be used. It seems to me that a tremendous waste of money is involved and that it may have been better to centralise our whole court system. Before construction was commenced on the South-east Freeway it seemed a good idea to provide a Magistrates Court at Holland Park; however, now I am wondering whether it would not be better to have the person who lives at Holland Park travel to the city than to expect all the persons involved in the case to drive out there. It is a matter of their costs as against his.

I now turn to the last suggestion, which I think is very important, that is, the English recorder system, under which our top barristers could be appointed. If a top barrister in Brisbane were appointed as a recorder, he could not act as a barrister in any area where he would be the recorder, or acting judge. If he operated in Brisbane as a barrister he could be sent from time to time to the District Court at Toowoomba or Maryborough, to catch up with the backlog of cases there. That system operates very well in Britain. In fact, under the

redistribution proposals in England, the continuing Commission of Redistribution, instead of using a judge, sends a barrister, as a recorder, to an area. After 100 people have lodged applications, he holds a public hearing. Any interested person may lodge an objection to boundaries, and there and then, in the area, he makes his finding and says, for instance, "It is my decision that the boundaries will remain."

Recorders are paid set fees, and the top men in the land are used. I am not reflecting on any of the appointees to the District Court Bench. I believe they have done a good job and that they are excellent men in the right place. However, I believe that there are some top barristers today who are sitting back saying to themselves, "I would rather be a Supreme Court judge; I will wait for such an appointment." Would it not be fair to use them as recorders and allow them to act as barristers in the area in which they are living? If it happened to be Shanahan, who is a top barrister in Townsville, and, I understand, a very good man, he could act in that area as a barrister in his own right and go out as a District Court judge to Rockhampton, Toowoomba, Maryborough or elsewhere. That would not affect his practice in the area in which he lives because he would not be acting as a judge there. Such a system would help to overcome the delays which are terribly frustrating for the average citizen, and are probably the most unfair part of our judicial system.

Mr. HANLON (Baroona) (3.32 p.m.): I support the general agreement voiced by the honourable members for Rockhampton, Kurilpa and Lytton relative to the increase in the strength of District Court judges envisaged in the legislation. I do not think I need expand on the desirability of this proposal because justification of the measure has been well canvassed by the Minister and other speakers.

I wish to refer to the allocation of members of the judiciary. The honourable member for Rockhampton would be more acutely aware than I of an article that I read some time ago in the Rockhampton "Morning Bulletin" about the lag in hearing court cases in that district. It was suggested that, under the original concept, it was envisaged that a District Court judge would be appointed at Rockhampton as well as Townsville.

The honourable member for Rockhampton may confirm my understanding of the report that appeared a month or so ago in the Rockhampton Press. It appeared to me that it was felt that a District Court judge should be appointed to overcome the problem at Rockhampton. However, it is not much good to correct one deficiency and create another. While a District Court judge may be appointed to Rockhampton, there is a current suggestion that the Supreme Court

judgeship that Rockhampton has long enjoyed may be transferred to Brisbane to implement centralisation of Supreme Court activities. That will not improve the position in Rockhampton. I do not suggest that this will necessarily be the case, but it is undesirable that the Government should say, "We will give Rockhampton (or any other place) a District Court judge and rob it of someone else." If a rearrangement is to be made, care should be taken to ensure that an area does not gain in District Court strength and lose in the Supreme Court.

The honourable member for Lytton said that some barristers would hesitate to accept appointments to the District Court bench because it was originally held that District Court judges could not hope to aspire to the Supreme Court bench. A few years ago I told the former Minister for Justice, Dr. Delamothe, that it was unfortunate that this situation had been allowed to arise. At that time, no District Court judge had been appointed as a Supreme Court judge, and it seems that there was a feeling among District Court judges that they could not hope for such distinction.

It was felt that it would not be desirable to have some form of grandstanding—I am sure that District Court judges would not engage in this—in an effort to gain promotion. The Minister seemed to advance the professional attitude that if District Court judges believed they could be appointed as Supreme Court judges, they might attempt to prove that they would be efficient as Supreme Court judges, and that they would compete with members of the bar in demonstrating that they were qualified for appointment to the higher court. The Minister seemed to think they should content themselves with being District Court judges and exercise their capacities accordingly. During the initial debate, the former Minister justified the non-appointment of District Court judges as Supreme Court judges on that basis.

In recent years, one District Court judge has been elevated, and considering the strength of the bar from which new appointments to the Supreme Court bench could be drawn, it could be many years before another such appointment is made. On the other hand, even considering the strength of the bar at a particular time, a District Court judge could demonstrate that he is worthy of appointment to the Supreme Court.

I am pleased that we have partially got away from the situation outlined by the honourable member for Lytton where barristers could say, "I do not want to be appointed as a District Court judge because I would be going up a blind alley and could not go any further." Following the elevation of one District Court judge, that argument has lost some of its force. However, members of the profession still feel that they

are starting 24 yards behind scratch and that they would have to be excellent as District Court judges to have any likelihood of being promoted to the Supreme Court bench.

I hope that this does not apply in future and that, if the Supreme Court is centralised in Brisbane, it will not result in the creation of a second-class concept of District Courts instead of the creation of courts that will work well in their own jurisdiction.

I acknowledge that this Government reintroduced District Courts which the Labor Government had disbanded. I think that the re-creation of these courts has proved worth while. However, it would be unfortunate if, in distributing the increased District Court strength according to a sort of game of dominoes or chess, it was decided that the Supreme Court strength could be centralised in Brisbane, because it is desirable that Supreme Court judges continue to do circuit work. Litigants should be able to have their matters heard in their own districts. Considerable difficulties have been created by companies that, in snide fashion, have moved to Canberra, and thus escaped State jurisdiction. People in dispute with such companies feel that they are at a disadvantage in having their cases heard in Canberra. I think that the situation that I am illustrating applies intrastate as well as interstate.

I do not intend to presume what the Minister's decision will be on the allocation of the strength of the District Courts. All I hope is that there will be some recognition of the needs of Central Queensland, and that it will not in the process be handicapped by the withdrawal of the benefits now made available to the area by the Supreme Court.

Hon. W. E. KNOX (Nundah—Minister for Justice) (3.41 p.m.), in reply: I thank all honourable members for their contributions. It has been a useful and valuable debate. I should now like to reply to a number of matters that have been raised.

The backlog of cases, which was mentioned by the honourable member for Rockhampton and others, is quite serious. I should point out, however, that the figures are a little deceptive in that a great many of the cases are civil actions, and that when they are about to be heard very often they are settled at the door of the court. I think honourable members would be aware that that is so. Nevertheless, there are many cases in which the services of a judge are required, and today a backlog is a permanent feature of the courts. A few years ago it was thought that this might be just a temporary situation.

Mr. Wright: Do you think that some cases are settled because of the delay?

Mr. KNOX: No, I do not think so. My inquiries do not lead me to that conclusion. It may well be that the fact that there is

a delay holds up settlement in the sense that people, knowing that they will have to wait, have not thought seriously about the matter. There are, however, quite a number of cases that people are most anxious to have settled by a judge. It is in such instances that the backlog causes, in some cases, serious distress, and in others, embarrassment and inconvenience. These factors lead to some misunderstanding of the number of cases awaiting hearing. I should like to point out that this is not a situation peculiar to Queensland. In other States where there are County Courts, or courts of similar jurisdiction to our District Courts, the situation is similar.

I think a backlog is inevitable under the District Courts system, because it enables people to resort to litigation as a way to settle disputes. If there was no District Court, they would not be inclined to embark upon litigation in the Supreme Court. District Courts were recreated in 1959 after a period of some 30 years without a jurisdiction of its type, and people are now prepared to make use of it. Prior to its re-establishment, they would have veered away from a Supreme Court action. It may therefore be said that District Courts encourage litigation. That may be so in theory, but in fact many people needed determination of disputes in a judicial manner. Because they had not previously been able to get them so determined, all sorts of consequences were occurring that were causing embarrassment. In fact, because of the absence of a District Court, they were not using the processes of the law available to them. The existence of a District Court now encourages them to use the judiciary as arbiters in many civil matters.

Appointment of recorders is peculiar to the United Kingdom. The system has been under review, and it is under further review at present. Generally speaking, confusion is caused in the United Kingdom because of the inconsistency that tends to arise in decisions given by recorders. I think that honourable members will quickly see why that is so. When a temporary judge, if I may use that term, makes decisions in an area in which he has not had long experience, and, indeed, is not likely to have long experience, many appeals are lodged. In fact, information that I have received from people who have studied the position in the United Kingdom—several reports reviewing the recorder system are now available—shows that there is a strong feeling there that a reorganisation of the system might be necessary.

Let us forget about the word "recorder" as a name. If senior barristers in this State were appointed to positions somewhat similar to those of recorders, there would be problems. One would arise from the smallness of the population, and I think the honourable member for Lytton mentioned that. Even if a barrister who resided in one area was operating in another area,

almost inevitably he would find himself making a judicial decision on a matter in which he had already played some part.

Another difficulty in a system of that type is that many leading barristers who would be ideally suited for appointment have practices of such a high status that they really cannot afford to be away from them for any length of time, not because of the money involved but because of the expertise they gain by association with the every-day problems of their practice. That difficulty becomes evident when a barrister is appointed to act as arbitrator in an arbitration, and honourable members have discussed this question on another occasion. When barristers are tied up in an arbitration for a long period, they find when they return that their practices are in a very serious state because they have not been applying themselves to the every-day business of practising the law and advocacy before courts.

That poses quite serious problems for the legal profession and, because of that, I do not think that the suggestion made in this debate would work in our environment. What does work, and work well—and I have the power to make appointments—is the system of appointing acting judges. In appointing judges in the manner in which I have, I think that some of the slack can be taken up, as the acting judge, who is away from his practice so long, has the prospect of having his appointment confirmed if the situation becomes permanent.

The only reservation I have had in appointing acting judges has been that the Act does not provide for the appointment of additional judges, and I have not been able to say to either of the two acting judges that I can promise them confirmation of their appointment before the Act is amended.

Mr. Wright: Because of their practices, don't you have as much difficulty in getting barristers to accept appointment as District Court judges as you do in getting them to accept acting appointments? My point is this: aren't you going to have the same difficulty in meeting your needs for District Court judges?

Mr. KNOX: No, because the District Court judges come from the middle bar. Just as members of Parliament take one another's measure, members of the legal profession, working, as they do, in inter-related litigation and advocacy, have—I use the expression loosely—a “pecking” order based on their ability and experience. It is not necessarily something that is not overcome with the passage of time. The most junior barrister could well expect to become the most senior advocate in his profession in the course of time, with experience and application.

Of course, barristers have a right to decline appointment to the District Court bench. Normally it could be expected that a barrister

would accept an appointment to the District Court bench if he knew that his taking of silk or appointment as a Supreme Court judge was somewhat distant. There might be personal reasons why a barrister would accept an appointment to the District Court bench even though in the course of time he might be regarded, because of his practice, as being suitable for appointment to the Supreme Court bench. Personal considerations might outweigh his other ambitions.

I think the use of senior members of the bar under the system that has been suggested would be impracticable in our environment. That is why I feel that we should stay with the system of appointing acting judges from time to time. After all, we have a growing population and the work of the courts is increasing as a result of the multiplicity of consequences flowing from that population growth which require judicial decisions.

The honourable member for Kurilpa was good enough to go through some of the matters that concern the District Courts, and the difficulties through increased work. I am quite confident that by the turn of the century we could well exceed 30 judges on the District Court bench.

Mr. Wright: Are we getting one in Rockhampton?

Mr. KNOX: I am sure there will be one in Rockhampton by then. If we remain in office until the turn of the century, the honourable member can be assured of having more than one in Rockhampton.

Mr. Wright: What about next year?

Mr. KNOX: In the case of any area of the State that is growing rapidly—I am thinking of Central Queensland more than Rockhampton—it is obvious that in the course of time District Court judges should be appointed to service the area. That would include Rockhampton.

Let me allay some fears that the honourable member for Baroona expressed about the Supreme Court appointment. That, of course, is done by Act of Parliament. There is provision for a Central District Supreme Court appointment in the Act. That provision has been there for about 60 years. The mere fact that Mr. Justice D. M. Campbell is returning to Brisbane at the end of his leave is not to be interpreted as an abolition of the office of Central District Supreme Court judge.

Mr. Hanlon interjected.

Mr. KNOX: Mr. Justice D. M. Campbell has been there for some seven years, which is quite a lengthy appointment in that area. His services can be used in Brisbane, and there is no reason why—

Mr. Hanson: Mr. Justice Sheehy was there for about 20 years.

Mr. KNOX: Yes.

Mr. Hanlon: Mr. Justice D. M. Campbell will be replaced?

Mr. KNOX: Yes.

I remind honourable members that we introduced legislation in 1959 which gave solicitors the right of audience in the District Court. That has not led to a tremendous increase in the number of solicitors appearing in the District Court. As one honourable member pointed out, why would a solicitor appear in the District Court when he has so many other things to do? He would more than likely give that responsibility to a barrister, which, of course, he does. The fact that solicitors have not been appearing to a great extent in the District Court is an indication that the Supreme Court would not be flooded by solicitors if they had the right of audience there.

I point out, however, that I think it is highly desirable in the interests of the profession and the law generally in this State to have both branches of the profession as one unit. I hope this will come about in the near future, but I cannot say it will. Because of the attitudes of certain people, it is difficult to prophesy. However, I think those attitudes could be overcome, and that the public and the law generally would benefit from a unified profession.

I think I should deal quickly with some matters raised by the honourable member for Lytton, who said there should be an examination of the programme. The calendar prepared for the courts has to be prepared well in advance. It is true that it reveals a certain amount of rigidity and that it does tend to formalise the appearances of judges in the various centres that they visit on circuit. This is desirable, just as it is desirable for honourable members to know when Parliament is to meet. It is desirable just as it is for an employee to know when he can take his recreation leave, and so on.

We have to take into account the enormous amount of work that is done in chambers and that involves the issuing of judgments. A judge cannot do this on the spot. He has to consult various references, which often takes some time. Judges must be as thorough as possible in these matters, and this time must be taken into account when looking at the calendar.

I know that the honourable member for Lytton was not basing his judgment on the rigidity of the calendar, but it might lead some people to believe that this is the only way judges do or that the calendar could be altered fairly quickly. It cannot be. In fact, judges rely upon the calendar following the course in which it is published so that they can set aside a reasonable time for examination of the matters they have heard. In the same way, members of

Parliament expect reasonable time to attend to their electorates and to prepare themselves for debates in this Chamber. The fact that Parliament does not sit every day of the year does not mean that members are not applying themselves to their duties, as we know they do, in the preparation of addresses on matters of public concern as well as attending to their electorates.

As I say, judges rely on the calendar, and so does the profession generally, to know when matters in which they are interested will be heard. That is one of the reasons why I had to appoint acting judges earlier than I had expected. The calendar for next year is now being prepared, and certain things have to be known in order that it will be of use both to the judges and to the profession generally.

The honourable member for Lytton raised the very important point of decentralisation. Merely decentralising the courts does not necessarily mean cheaper litigation. As the honourable member pointed out, this has been recognised in the matter of having to transport advocates enormous distances. I am thinking particularly of some of the country areas. For instance, advocates are transported, say, from Brisbane to Mt. Isa, and in the main the litigants have to bear most of the cost. Advocates are sometimes taken from Brisbane to Toowoomba, whereas only one or two people would need to travel in the other direction if the matter were heard in Brisbane.

However, it is a matter of policy that courts be established in these provincial cities and Magistrates Courts in the suburbs of Brisbane. It has been a move supported from both sides of this Chamber, as honourable members know that there could be a tendency for litigation costs to increase. But there are other advantages, accounting-wise. There are established at these courts offices to which people can go to register documents and attend to other matters that have to be dealt with at Magistrates Court offices.

The provision of courts in these areas greatly reduces the cost of hearing cases. As far as members of the public are concerned, there is a two-way deal. I do not think that simply because, in some instances, litigation might be more expensive than otherwise, we should abandon our principle of decentralisation of courts.

I am pleased that the motion has received the support of the Committee.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Knox, read a first time.

The House adjourned at 4.2 p.m.