

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 1 AUGUST 1974

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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, and ordered to be printed:—

Reports—

- Public Accountants Registration Board of Queensland, for the year 1973.
- Board of Trustees of the Queensland Museum, for the year 1973.
- Library Board of Queensland, for the year 1973.

The following papers were laid on the table:—

Proclamations under the Sugar Acquisition Act of 1915.

Orders in Council under—

- Greenvale Agreement Act 1970–1971.
 - The City of Brisbane Market Acts, 1960 to 1967.
 - The Fauna Conservation Act of 1952.
 - Fisheries Act 1957–1972.
 - Fish Supply Management Act 1972.
 - Hen Quotas Act 1973.
 - Meat Industry Act 1965–1973.
 - The Milk Supply Acts, 1952 to 1961.
 - Plague Grasshoppers Extermination Act 1937–1971.
 - Poultry Industry Act 1946–1973.
 - Primary Producers' Organisation and Marketing Act 1926–1973.
 - Regulation of Sugar Cane Prices Act 1962–1972.
 - Sugar Experiment Stations Act 1900–1973.
 - Veterinary Surgeons Act 1936–1973.
 - Co-operative Housing Societies Act 1958–1973.
 - State Housing Act 1945–1973.
 - The Stock Routes and Rural Lands Protection Acts, 1944 to 1967.
 - The State Electricity Commission Acts, 1937 to 1965.
 - The Southern Electric Authority of Queensland Acts, 1952 to 1964.
 - The Northern Electric Authority of Queensland Acts, 1963 to 1964.
- Notices of Intention to make Orders in Council under the Primary Producers' Organisation and Marketing Act 1926–1973.
- Regulations under—
- Agricultural Standards Act 1952–1972.
 - The Fruit Marketing Organisation Acts, 1923 to 1964.
 - Hen Quotas Act 1973.
 - Meat Industry Act 1965–1973.

- Poultry Industry Act 1946–1973.
- Primary Producers' Organisation and Marketing Act 1926–1973.
- Stock Act 1915–1973.
- Wheat Delivery Quotas Act 1970–1974.
- Wheat Pool Act 1920–1972.
- Co-operative Housing Societies Act 1958–1973.
- The Northern Electric Authority of Queensland Acts, 1963 to 1964.
- The Regional Electric Authorities Acts, 1945 to 1964.

MINISTERIAL STATEMENT

PETROLEUM PRODUCTS PRICE SUBSIDY SCHEME

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.6 a.m.): The Prime Minister, Mr. Whitlam, is quoted in Press and radio reports today as having told the Federal Labor caucus last night that he had pledged to the Premiers at the Premiers' Conference on 7 June that he would end the Petroleum Products Price Subsidy Scheme. He is reported to have told the caucus that any decision to retain the subsidy would repudiate his undertaking to the Premiers and undermine his credibility as a leader.

This morning I have received a number of telephone calls and inquiries from all over the State, including several from country newspapers, chambers of commerce, and so on, as far west as Mt. Isa, criticising me as one of the Premiers seeking such a pledge.

I wish to inform the House of the true facts so that there will be no errors or misunderstandings. The Prime Minister and the Federal Labor Government made this decision. Mr. Whitlam announced it without prior warning or consultation at the Premiers' Conference.

Mr. Tucker: He told me you asked for it.

Mr. BJELKE-PETERSEN: The Leader of the Opposition again displays his lack of credibility by making a false statement, as he has done on a number of previous occasions.

I immediately protested in the strongest terms. I pointed out that Queensland would be the State most affected. To ensure a true record, this is the Prime Minister's announcement and my reply, taken from the official record of the Premiers' Conference.

The Prime Minister said—

"This scheme at present operates to keep the wholesale prices of petroleum products in areas outside the capital cities to within 5c per gallon of capital city prices. The scheme would cost about \$28 million in 1974-75. The Coombs Task Force suggested that the subsidy be abolished, and we would certainly have been adopting that suggestion in the coming

Budget. We shall in fact now adopt it without further delay with effect from 1 August 1974."

In the subsequent speech I made on that day, I said—

"This brings me to your reference to the petroleum products prices subsidy scheme. I am actually amazed that a Government of this nation can be so unmindful of the people of Australia who live away from the metropolitan areas that it is going to remove the subsidy, which keeps wholesale prices of petroleum products in areas outside the capital cities to within 5c per gallon of capital city prices. This to me is unbelievable. Firstly, when you became the Government you reduced the subsidy from the 3c per gallon which the previous Government (a Liberal-Country Party Government) had introduced in order to get decentralisation and to provide some degree of assistance for those who are prepared to go into the outback.

"I will never accept this lying down. The question, I think, should be most carefully considered. The saving is a mere \$28 million. You must remember that some towns in Queensland are over 1,500 miles from the State capital. You can imagine the freight rates not only on the product itself but also the cost that will be added to transport charges for taking items to those places."

I was referring to the increased cost of petrol for road transport, which would result in a further increase in the price of products.

I continued—

"These costs will add in turn very steeply to food charges and to the many different items faced by people living in these areas. I am sure that you have not sat down and seriously considered what is being done in that regard."

PETITION

PRESERVATION OF THE "BELLEVUE" BUILDING AND "THE MANSIONS"

Mr. MILLER (Ithaca) presented a petition from 1,722 residents of Queensland praying that the Parliament of Queensland will reconsider the decision to demolish the buildings known as the "Bellevue" and "The Mansions" in George Street, Brisbane, and will do all in its power to have the buildings preserved.

Petition read and received.

QUESTIONS UPON NOTICE

REFUND OF SECURITY DEPOSIT MONEYS TO THIESS BROS. PTY. LTD.

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

For what reason was a decision made to refund to Thiess Bros. Pty. Ltd. over one quarter of a million dollars as a major portion of the security deposit which was forfeited to the Railway Department due

to the company's failure to rail the minimum quantity of coal for the half year ended March 31?

Answer:—

"Because the Company's production for the half year to March 31, 1974, had been effected by abnormal circumstances due to the flood rains of December-January-February, Cabinet considered it was reasonable to grant the Company an *ex gratia* refund on a *pro rata* tonnage basis."

NOISE FROM ROAD TRAFFIC, BRISBANE

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

(1) In view of the increasing noise nuisance from vehicular traffic in the metropolitan area, have any studies been carried out by his Department to determine what are acceptable noise levels to the community, if and where these are being exceeded in the Greater Brisbane area, and what action can be taken either by the enforcement of existing legislation or the implementation of new legislation to alleviate the problem?

(2) What is an acceptable level of noise from vehicular traffic travelling on Brisbane roads during (a) normal business hours, (b) peak hours and (c) at night?

(3) Is the section of the Traffic Act which refers to excessive noise from motor vehicles adequate to deal with the problem that exists?

(4) Will he give an assurance that in any investigation that is carried out tests for noise level will be made in Ann Street, Fortitude Valley and at Kingsford Smith Drive, Hamilton?

Answers:—

(1 to 3) "I would refer the Honourable Member to the Environmental Control Publication No. 7 of April, 1974, particularly pages 4 and 7, which outlines the work that is being carried out in relation to noise levels with particular reference to traffic noises. The general question of noise, however, is one which is presently under consideration by the Noise Committee of the Environmental Control Council which is not under my administrative control. The Honourable Member will note from the publication I have referred to that the practicability of adopting policing measures for traffic noises in Australia is currently being examined by an Expert Sub-Committee of the Australian Transport Advisory Council. So far as new vehicles are concerned, the Traffic Regulations have been recently amended to ensure that new motor vehicles comply with maximum sound levels as set out in the Traffic Regulations which are also indicated in the publication I have referred to."

(4) "Yes, as the Honourable Member has made continued strong representations on this matter."

FINANCING OF PRE-SCHOOLS AND CHILD CARE CENTRES

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

In view of the recent announcement by the Federal Treasurer, Mr. Crean, of a postponement of the \$130 million programme for pre-schools and child care centres, will the State Government be proceeding with the programme of pre-school construction using its own financial resources?

Answer:—

"Yes, the program for 1974-75 will be continued despite the decision of the Commonwealth Government to discontinue its original program. However, I understand the Commonwealth will continue its contribution towards commitments which it agreed to enter into in 1973-74. Further, I understand the Commonwealth Government will make the sum of \$5 million available for day care centres throughout Australia in the current year and the State is hopeful of taking part in the distribution of this sum. Still, the Commonwealth withdrawal from the major program means that the bulk of the funds required will have to be found from the State's own limited Loan Funds, for which the Commonwealth only allowed a 10 per cent. increase for 1974-75. Continuation of the full program can therefore only proceed with considerable difficulty and could cause the State to have to defer certain other essential work."

DETENTION OF F. S. GREEN IN WOLSTON PARK HOSPITAL

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

(1) Is Frederick Sydney Green an inmate of the Wolston Park Hospital and, if so, how long has he been a patient there?

(2) Was this person sentenced in Mackay to three years' imprisonment about the year 1959 for assaulting a magistrate and, if so, when was he first committed for psychiatric care?

(3) On how many occasions has his application for release been heard by the Mental Health Review Tribunal, when were they heard and with what results?

(4) Does the patient have the right to have the evidence placed before the tribunal checked by an independent person?

(5) Does any other department, including the Prisons Department, have the right to give evidence before the tribunal?

(6) Has Green displayed any tendencies towards violence during the last four years?

(7) Was Green informed by the tribunal in 1972 that, provided someone was prepared to care for and employ him, he would be released?

(8) Did the tribunal receive such a promise from a person in Mackay and, if so, why is Green still being held?

Answers:—

(1) "No."

(2) "My Department's records indicate that a Frederick Sydney Green was admitted to the Ipswich Mental Hospital in March, 1960, from H.M. Prison. He was subsequently transferred to Wolston Park Hospital on February 11, 1968, and on November 7, 1972, he was transferred to Security Patients Hospital at Wacol."

(3) "On nine occasions as follows:— 16-6-64, application refused; 30-3-65, application refused; 17-5-66, application refused; 22-6-67, application refused; 30-9-68, application refused; 7-4-70, application refused; 25-5-71, application refused; 24-7-72, application adjourned; and 18-4-74, recommended discharge under the Prisons Act and acceptance by Wolston Park Hospital as a regulated patient in an open ward under the Mental Health Act."

(4) "No."

(5) "The Tribunal itself determines what evidence may be required."

(6) "Records available to my Department do not disclose any such tendencies."

(7) "The Tribunal is not authorised to make any such statement."

(8) "Yes. The 1972 hearing was adjourned to enable further consideration of the offer, and it was subsequently decided that the offer should not be taken up."

REMOVAL OF VERANDAHS, BELLEVUE BUILDING

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

(1) Who authorised the removal of the verandahs from the former Bellevue Hotel which is now known as the Parliamentary Lodge and was the Parliamentary Buildings Committee consulted?

(2) What additional action will be taken to protect the glass and pine panel doors, which are the external walls of Members' rooms and now comprise the external facade of the building, from rain and possibly hail and other variations of weather?

(3) As the old verandahs comprised part of the fire-escape route in the building, what additional fire-escape measures will be taken to replace them?

Answers:—

(1) "The Executive Council authorised this work, and consultation with the Parliamentary Buildings Committee in such respect was not warranted."

(2) "None at this juncture."

(3) "With the removal of the verandahs, an additional fire escape exit has been provided at the end of each corridor on first and second floor levels in the George Street wing. Further, the provision of an emergency lighting system and illuminated exit and directional signs to fire escape routes, with smoke-stop doors in selected positions in corridors is in hand. This work is anticipated to be completed by the end of next week. A twenty-four hour, seven days per week watchman service is provided in this building under a duty roster, and a fire alarm system throughout the building is connected to the Fire Brigade. Portable fire extinguishers are also installed."

MANUFACTURE OF MARGARINE BY DAIRY FACTORIES

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

As the press has reported that the Chairman of the Australian Dairy Produce Board has suggested that dairy factories might soon be making margarine to combat competition from the vegetable oil industry and as this will mean an acceptance by the dairy industry of the removal of all margarine quotas—

(1) To what extent has he examined the proposal?

(2) What effects will this projected move have on persons actively engaged in the dairy industry?

Answers:—

(1) "I am fully aware of the suggestions made by the Chairman of the Australian Dairy Produce Board. The Honourable Member will recall that amendments to the Margarine Act and The Dairy Products Acts were passed by this House during its last session to provide for the manufacture by dairy factories of a 'dairy blend' of milk fat and vegetable oil. It may well be that the manufacture by dairy factories of a table margarine based wholly on vegetable oil will be a development in the future. It has to be remembered that in Queensland we have a decreasing number of dairy farmers and an increasing number of oil-seed farmers."

(2) "It is considered that the new 'dairy blend' product will offer competition to table margarines based on blends of beef or mutton fat and vegetable oil or on

vegetable oil alone. Having regard to the stricter 'true to label' provisions contained in the amendments I referred to, I would expect that the dairy industry in Queensland would not be greatly disadvantaged by the removal of quotas, which are of course in respect of table margarine only. To my mind, the removal of quotas will mainly benefit the stated arch-enemy of the present Federal Labor Government—the multi-national companies—to the detriment of the smaller Australian margarine manufacturers who, under a quota system, were at least assured of a share of the market. This would perhaps have a greater impact in Queensland because of its relatively large quota."

REPRESENTATION ON QUEENSLAND CANE GROWERS' COUNCIL

Dr. Scott-Young, pursuant to notice, asked The Minister for Primary Industries,—

As there have been, over a period of years, several requests by the Cane Growers' Association to increase their representation on the Queensland Cane Growers' Council, has the Government constantly refused such requests, and, if so, what are the reasons for refusal of the more adequate representation of the canegrowers?

Answer:—

"The membership of the Queensland Cane Growers' Council has been increased on a number of occasions over the years, the last such increase being in 1967, when the membership was increased from thirteen to seventeen. It is considered this number gives adequate representation of districts, mill areas therein and growers."

ALLEGED POLITICAL INFLUENCE OF JAMES COOK UNIVERSITY OVER TOWNSVILLE TEACHERS' COLLEGE

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

(1) Has he been advised of meetings held by a group called "A Joint Working Party", consisting of four representatives from the James Cook University and three representatives from the Townsville Teachers' College and has he seen the report prepared by that group?

(2) If so, will the recommendations of the report be implemented and will this make the teachers' college merely an appendage of the education faculty at the university?

(3) Is E. Scott, one of the university's representatives on the group, Professor of Education and the same person who, with nearly all the staff members of that faculty, published a large, signed advertisement in *The Townsville Daily Bulletin* on the eve

of the last Commonwealth election, urging everyone to vote for the Australian Labor Party candidates?

(4) If so, will he consider deferring any action on the report until Parliament can be satisfied that Townsville Teachers' College students will not be subjected to political brain-washing by the education faculty of the university?

Answers:—

(1) "I understand that a working party comprising representatives of the Townsville Teachers College and the James Cook University has been considering the possible future relationships between the two institutions. I have not however, received an official report."

(2) "Any recommendations that might be made by such a group will clearly need to be exhaustively considered in the light of advice from a variety of relevant sources."

(3) "I understand that the working party includes Professor E. Scott, Dean of the Faculty of Education, James Cook University. I have not seen the advertisement in *The Townsville Daily Bulletin*."

(4) "Honourable Members may be assured that no hasty action will be taken to implement any recommendations that might arise from the activities of the working party."

STATE SCHOOL PLAYING FIELD,
KIPPA-RING

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

What can be done to expedite the clearing of the new playing field at Kippa-Ring State School, as a contract was let last March to have this ground cleared but so far nothing has been done allegedly because the ground is too wet?

Answer:—

"Because of the nature of the soil at this school, the ground must be absolutely dry below the surface before earthmoving equipment of the type required for this work, can satisfactorily operate. The contractor has twice attempted to commence the work, but on both occasions his machines became bogged. Close liaison has been maintained by Departmental Officers with the contractor in an endeavour to have the work completed at the earliest practicable date. The last joint site inspection was made one week ago and it is thought that, provided the present fine weather continues, commencement of work will be possible on Monday August 12, 1974."

WEARING OF SHOULDER PADS BY
RUGBY UNION PLAYERS

Dr. Edwards, pursuant to notice, asked
The Minister for Tourism,—

(1) Is he aware that it has been reported that Rugby Union players in Association and G.P.S. football are not allowed to wear shoulder pads without a doctor's certificate indicating the need for them to be worn?

(2) If so, is there any evidence that Rugby Union players suffer more shoulder injuries than other footballers?

(3) Will he investigate the possibility of this prohibition being lifted, so that, if players wish to wear shoulder pads, they may do so without having to produce a medical certificate?

Answers:—

(1) "No."

(2 and 3) "See Answer (1). It is not my province to interfere in the administration of any sporting body. However, I have had preliminary discussions with Dr. Kevin Hobbs and others interested in sports medicine. I feel that this is a field in which the Government may be able to offer some assistance."

PROPOSAL FOR NEW COMMONWEALTH
LAND TAX ON CERTAIN LANDHOLDERS

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

(1) Has his attention been drawn to a recent letter written by the Commonwealth Minister for Labor and Immigration, Mr. Clyde Cameron, to the Commonwealth Treasurer, Mr. Crean, the text of which appeared in *The Bulletin* of July 20, and particularly to that section of the letter which suggests the imposition of a Federal tax on land owned by any taxpayer which is additional to his place of residence plus one vacant block?

(2) Is this proposal by a very senior and influential member of the Commonwealth Government within the area of constitutional responsibility of the Commonwealth and has the Commonwealth Government carried out any discussions with the State Lands Department in respect to this proposal?

(3) Would the proposal involve the setting up of a second departmental structure similar to his department which already derives revenue from land taxation in certain circumstances?

Answers:—

(1) "My attention has not been drawn to the letter written by the Commonwealth Minister for Labor and Immigration,

Mr. Clyde Cameron, to the Commonwealth Treasurer, Mr. Crean, regarding the suggested additional imposition of a Federal tax on land."

(2) "No discussions have taken place between officers of my Department and the Commonwealth in the matter and the question as to whether such a proposal would be within the constitutional powers of the Commonwealth Government does not come within my jurisdiction."

(3) "Whether such a proposal would affect the operations of my Department would only be known when full details of the proposal are divulged by the Commonwealth."

INSECT INFESTATION OF EXPORTED AUSTRALIAN GRAINS

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

(1) As grain growers are concerned at reports that importers of Australian grains have had reason to complain at the amount of insect infestation found in consignments of grains from Australia, are the reports correct and, if so, what quantity of grain is involved?

(2) What types of grain and which importing countries are affected?

(3) What is the remedy?

(4) Is it likely to affect any sales of our grains to importing countries?

Answer:—

(1 to 4) "I cannot answer for other States, but to the best of my knowledge there have been no official complaints lodged in respect of grains exported from Queensland since 1963. If the Honourable the Member has an instance into which he would like enquiries made, I would appreciate his supplying me with such information."

WATER POLLUTION LEVELS, BRISBANE RIVER

Dr. Crawford, pursuant to notice, asked The Minister for Local Government,—

(1) Does his department continue to make regular inspections of water pollution levels in the Brisbane River?

(2) Can he give a progress report of the pollution situation in the river and compare the oxygen situation and other relevant chemical information which pertained twelve months ago with that of today?

(3) How many firms have made radical alterations to their waste products during the last twelve months and how many firms are urgently adjusting effluents?

(4) What is the situation with regard to the seven-year adjustment period for water pollution and are all major firms co-operating with the Health Department?

Answers:—

(1) "Yes."

(2) "Yes. However, emphasis this year has been on data collection for use in a mathematical water quality model of the river being developed by the university. Dissolved oxygen profiles have been run in the river approximately weekly since late March. Minimum dissolved oxygen levels are currently around 5 milligrams per litre or 60 per cent. saturation, much the same as last year. There has been no observable change in pollutant levels over the last year, however it is pleasing to note that since the coming into force of the Clean Waters Act fish have returned to all reaches of the Brisbane River."

(3) "A number of industries have already made major alterations to their waste products and discharges within the last 12 months. Honourable Members will appreciate that such changes can not normally be made overnight due to the necessity for designing and financing the changes. In particular, in some instances protracted delays in the deliveries of equipment are causing problems. At least fifteen different discharges are under active re-construction in the area at present while an uncounted number are in the design stage, the licensees having been given a reasonable time by the Water Quality Council to comply with the requirements of the *Clean Waters Act 1971*."

(4) "The maximum compliance period set by the Water Quality Council when granting licenses has been four years and major firms are co-operating fully with the council in meeting the requirements of the Act."

COMPLAINT BY MR. A. BEVIS, JUNIOR, ON STUDENT TEACHER ALLOWANCES

Dr. Crawford, pursuant to notice, asked The Minister for Education,—

(1) Has he noticed that Mr. A. Bevis, Junior, on behalf of student teachers, is complaining that allowances are inadequate?

(2) Has it ever been pointed out to this young man that many students are prepared to supplement Government hand-outs or payments from parents by engaging in energetic work themselves on a part-time basis?

(3) What is his department's attitude on this matter?

Answers:—

(1) "I have read Press reports that Mr. Bevis, Junior, on behalf of the Queensland Student Teachers' Union had made a submission to me late last week. I am still waiting to receive it."

(2) "Allowances are provided to student teachers and to scholarship holders with other departments to assist them while undertaking tertiary studies. The allowances are not regarded as wages. It should be remembered that student teachers who receive an allowance from my department are guaranteed employment on completion of their course of training. The majority of tertiary students do not receive allowances anywhere approaching those paid to student teachers and it is a very common practice for tertiary students to undertake part-time work, particularly during vacation periods, to reduce the financial strain on their parents."

(3) "My department does not place any barrier to students undertaking part-time work. It only asks that the student be reasonable in his approach to this matter so that his studies do not suffer."

TRAFFIC CHAOS, BRISBANE

Dr. Crawford, pursuant to notice, asked The Minister for Local Government,—

(1) Has he noticed that the chaotic situation in Brisbane streets continues in spite of the Brisbane City Council's reorganisation of one-way streets?

(2) Although freeway completion may assist the through-flow of traffic, what can be done by his department to assist the Brisbane City Council to disentangle the traffic chaos?

Answer:—

(1 and 2) "The organisation of traffic movements in streets of the City of Brisbane is essentially the responsibility of the Brisbane City Council which is represented on the Brisbane Transport Policy Committee chaired by the Honourable the Minister for Mines and Main Roads. I would accordingly suggest that the Honourable Member redirect his Question to that Minister."

HAUGHTON RIVER WEIRS

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

What progress has been made on the planning of the construction of the two weirs and associated works on the Haughton River in the vicinity of Giru and when will construction on these works commence?

Answer:—

"Because of the heavy design and investigation programme currently in hand by the Irrigation and Water Supply Commission, and the full commitment of all available staff to other priority works in various parts of the State, it has been necessary to temporarily delay commencement of detailed planning and design of the two weirs on the Haughton River in the Giru district. Current commitments to works already in progress and the need to provide additional funds to these schemes as a result of rapid and unexpected cost increases in the past year, has meant delays in commencement of some planned projects. It has not been possible to allocate funds in 1974-75 to enable construction of these two weirs to commence. At this date it is also probable that funds will not be able to be allocated to the works next financial year but this matter will be kept under review and will be reconsidered when the works programme for 1975-76 is being determined."

INCREASED PETROL PRICES IN RURAL AREAS

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

Is there any assistance which this Government can give to the country people of this State with respect to the vicious increases which they will be forced to pay for motor spirit as the result of the Commonwealth Government's decision to abolish the petrol subsidy scheme?

Answer:—

"After last night's slap in the face to country-dwellers by the Labor Party in Canberra, I can well understand the Honourable Member's concern. However, the Queensland Government could not find the \$10,000,000 which would be required to continue the subsidy scheme in this State. I refer the Honourable Member to the Ministerial Statement I made earlier today."

ADDITIVES TO METHYLATED SPIRITS

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

(1) In view of the detrimental effects occasioned by human consumption of methylated spirits, will he take steps to have a substance added to methylated spirits which will have the effect of causing vomiting when consumed?

(2) Will he also consider the advisability of colouring the spirit to more readily enable identification?

Answers:—

(1) "Under the Queensland Food and Drug Regulations of 1964 and the *Methylated Spirits Act 1906-1952* (Commonwealth), methylated spirits must contain substances which would be normally unpalatable. It is well known that these substances do not act in this way in people who are psychologically and physically dependent on methylated spirits. To add strong emetics would be medically hazardous to these people."

(2) "The addition of a colour to methylated spirits would make the substance more attractive especially to children."

NOISE NUISANCE, BRISBANE

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

(1) As noise nuisance is becoming an increasing aspect of pollution of the environment, who is responsible for dealing with this matter?

(2) What responsibility do Government departments and the Brisbane City Council have?

(3) What steps have been taken by his Government to deal with noise nuisance and pollution generally and in all aspects affecting the community?

Answers:—

(1) "There are noise control provisions in many Queensland Statutes, notably the *Traffic Act 1949-1971*; the *Vagrants, Gaming and Other Offences Act 1931-1971*; and the *Local Government Act 1936-1971*."

(2) "Government Departments are responsible for the implementation of the above Acts while the Brisbane City Council derives its power to make By-laws dealing with noise nuisance from the *City of Brisbane Act 1924-1972*."

(3) "The Environmental Control Council, through its Noise Control Committee, is examining the total problem of noise control in Queensland with a view to recommending comprehensive enabling legislation to the Government. Its work in this regard is at an advanced stage."

EFFECT OF COMMONWEALTH FINANCIAL CUTS ON LOCAL AUTHORITY AND MAIN ROADS WORKS PROGRAMMES

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

(1) What does the future hold for local authorities and Main Roads departmental works programmes following the disastrous cuts in finance by the Commonwealth Government?

(2) Does he consider a united protest by all local authorities to the Commonwealth Government justified or will he suggest some similar urgent approach because of the serious cancellation of many main and arterial roads?

Answers:—

(1) "The problem is not the total allocation to rural roads but that the Commonwealth has earmarked substantial funds for National Highways (Construction and Maintenance) and Beef Roads in the proposed grants. This leaves the Rural Arterial category which includes long lengths of highways, developmental and main roads short of funds which means further releases must be delayed. In the next two financial years National Highways and Beef Roads are increased, whilst Rural Arterials are further reduced and this will aggravate the problem. This is amplified in the following table:—

—	1974-75	1975-76	1976-77
National Highways (Construction and Maintenance) ..	\$19.6 M	\$23.5 M	\$30.8 M
Beef Roads ..	\$6.0 M	\$9.0 M	\$9.0 M
Rural Arterials ..	\$12.1 M	\$8.9 M	\$9.8 M

It must also be understood that the proposed Commonwealth Bills give the Commonwealth Minister power to require works programmes to be submitted to him for approval, not only for Commonwealth Funds but also for State and Local Authority works on all roads."

(2) "Representation at the Premier's Conference, at Ministerial level by Roads Ministers, and at the Australian Transport Advisory Council meetings by the Transport Ministers, has failed to get a recognition of State and Local Authority problems. I understand Local Government Associations have already made representations apparently with no success, especially when the draft Bill still retains absolute control for the Commonwealth. My colleague the Honourable the Treasurer has sent a letter on July 26, to all Local Authorities setting out the position in so far as Commonwealth Funds are considerably less than those recommended by the Bureau of Roads."

REQUEST FOR COMMONWEALTH INTERVENTION IN MEATWORKS STRIKE

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

In view of the present serious financial plight of primary producers due to a prolonged State-wide meatworks strike, high interest rates, loss of taxation concessions and now looming adverse seasonal conditions, will he request the Prime Minister, who promised industrial tranquillity, to intervene on behalf of primary

producers in the prolonged meatworks strike because many cattlemen are being brought to bankruptcy by loss of income and loss of marketable cattle, a situation forced on them by militant union leaders?

Answer:—

"I fully appreciate the position in which so many of our Primary Producers are now finding themselves as a result of the anti-rural policies of the present Federal Government. The Meatworks strike, which has been directed by the Federal Body of the Australian Meat Industry Employees Union, a Union registered in the Commonwealth Industrial Conciliation and Arbitration Court, is nationwide. Export abattoirs are subject to the Federal Meat Industry Award. However, employees of District Abattoir Boards in Queensland work under a State Award and supply the local market. Avenues are available in the State jurisdiction for the Queensland Branch of the Meat and Allied Trades Federation to approach the State Industrial Commission in regard to such employees. To date, however, the only action which has been taken is that the Federation has notified the Commission a dispute exists but has not requested that a compulsory conference be held or that the Commission take any other action. I should like to point out that as a secret ballot was not taken as required by Section 98 of the State Industrial Conciliation and Arbitration Act the strike in regard to workers under State Awards who are involved is illegal, and machinery is available for the Meat and Allied Trades Federation to approach the Industrial Commission for appropriate action. It is known that many workers at State abattoirs have no wish to be on strike and are suffering considerable hardship. Insofar as workers employed under Federal Awards are concerned I will certainly approach the Prime Minister as suggested by the Honourable Member. However, the Prime Minister's inability to deal with his communist and militant union bosses does not give me any grounds to hope he will take any positive and firm action in what is another glaring example of the increasing prevalence of industrial anarchy in Australia. And they promised us industrial peace and harmony when they went to the people!"

COMMONWEALTH PARTICIPATION,
BRISBANE FLOOD MITIGATION
SCHEME

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

(1) Is he aware that the Commonwealth Member for Brisbane, Mr. Cross, informed people in Brisbane prior to the last Commonwealth election that Mr. Crean had

announced that the Commonwealth Government had agreed to participate in the flood mitigation scheme for Brisbane?

(2) Has he received any correspondence from Mr. Crean regarding this important issue and, if not, will he immediately take steps to have the promise honoured?

Answer:—

(1 and 2) "No advice has been received from the Prime Minister or Mr. Crean to the effect that the Commonwealth will take part financially in the flood mitigation scheme for Brisbane. The latest letter received from the Commonwealth in regard to this matter was one from the Prime Minister dated December 27, 1973, in response to advice from the State that it would proceed with urgent works in Brisbane creeks, while still hoping that the Commonwealth would take part. There was also some brief mention of these works in a letter dated April 3, 1974, from the Prime Minister to the Premier enlarging the Brisbane problem to part of a State-wide flood mitigation matter. The Prime Minister's letter of December 27, 1973, stated that Commonwealth officers would make their own examination of the proposals. Whether the Australian Government provided financial assistance would depend on the outcome of that examination. I am not aware of the progress, if any, made by the Commonwealth examination but I doubt, in view of the Prime Minister's letter to which I have referred, that any announcement that his Government would take part financially has been made. I also doubt whether the Prime Minister or Mr. Crean could be held responsible for statements made by the Federal Member for Brisbane."

QUESTIONS WITHOUT NOTICE

REFUND OF SECURITY DEPOSIT MONEYS TO
THIESS BROS. PTY. LTD.

Mr. TUCKER: I ask the Premier: With reference to his answer to my question today about a refund to Thiess Bros. Pty. Ltd. of over \$250,000 as a major portion of the security deposit which was forfeited to the Railway Department owing to the company's failure to rail the minimum quantity of coal for the half year ended 31 March, would not such decision constitute a breach of the contract and act as a precedent in loosening the bonds of such provisions, which should be strongly based in the interest of State finances? Further, with such a large amount involved, why was no public announcement made on the matter?

Mr. BJELKE-PETERSEN: The honourable member seems to know all about it. The payment was an ex gratia one and involved no breach of contract whatsoever. It resulted from a decision made by Cabinet after a

full and careful consideration of the circumstances, which involved the results and effects of intense flooding.

DECLARATION OF ELIZABETH II AS QUEEN
OF QUEENSLAND

Mr. TUCKER: I ask the Premier: Is the notice of motion to the State Full Court—

Mr. Houghton interjected.

Mr. TUCKER: Would you like to come over here?

Mr. Houghton: I wouldn't want to be over there with you.

Mr. TUCKER: We will "do" you the same as you were "done" for the Speakership.

Mr. Houghton: Tell us what Jack Egerton said about you this morning.

Mr. TUCKER: Let me worry about that. Don't you worry.

Mr. SPEAKER: Order! I ask all honourable members to cease interjecting during question time.

Mr. TUCKER: I ask the Premier: Is the notice of motion to the State Full Court today with regard to referring to Queen Elizabeth as "Queen of Queensland" the first step in taking Queensland out of Australia and setting up the "Banana State" as a colony of Britain? If so, does he intend to again go cap in hand to his multi-national friends to enable him to set up a Post Office, Army, Air Force and Navy?

Mr. BJELKE-PETERSEN: I should like to give the reply that the question deserves, but the matter is sub judice.

INTERNATIONAL MARINE PARK, TORRES
STRAIT AREA

Mr. WALLIS-SMITH: On Tuesday, 2 April 1974, the Premier moved, by leave, without notice, for the designation of an area to be known as an international marine park, Torres Strait area. He indicated that Mr. Somare (Chief Minister), the people of Papua New Guinea bordering on the area, as well as the Torres Strait Islanders, were in agreement. I now ask him if he can explain why Mr. Somare and the people in the Fly electorate have publicly stated that they are not in agreement with the proposal and also why the people of the islands concerned know nothing of the proposed international marine park or the conditions which were mentioned at the time?

Mr. BJELKE-PETERSEN: My main concern is for the people of the Torres Strait islands, not Mr. Somare or the people of Papua New Guinea. If the honourable member is concerned for the people of Papua New Guinea, that is his business. I am not primarily interested in them. I am working in the interests of the people of the Torres Strait islands.

INQUIRY INTO HEALTH SERVICES

Mr. F. P. MOORE: I ask the Premier: In view of the very serious situation involving members of the medical and nursing professions employed in State hospitals, and in view of the over-all problems associated with our hospitals, what has he done as Premier to institute an inquiry into the health system? Following the revelation of a hospitals improvement programme report emanating from a report of W. D. Scott & Company, consultants, which appeared in Queensland newspapers, and of which the Health Minister's statement was that this report should remain private, does the Premier believe that this Minister's statement was a responsible one?

Mr. BJELKE-PETERSEN: This is a question that I should like to refer to the Minister who is dealing with this question, and indeed with the whole problem, very ably and in the interests of the State. In this matter, as in many others, Queensland is far better placed than any other State, but I do not suppose the honourable member would be man enough to get up in this Chamber and make that admission.

Mr. F. P. MOORE: I have a supplementary question for the Premier. I am man enough to get up in this House—

Mr. SPEAKER: Order! The honourable member will ask his question.

Mr. F. P. MOORE: Following the announcement—

Honourable Members interjected.

Mr. F. P. MOORE: I do not hide behind the shield of attacking the Federal Government.

Mr. SPEAKER: Order!

Mr. F. P. MOORE: Following the announcement in yesterday's "Courier-Mail" of the resignation of the Medical Superintendent of the Royal Women's Hospital and the prediction that there could be industrial strife there in the near future, what does he, as Premier of the State, intend to do about instituting an inquiry into the hospitals in this State?

Mr. BJELKE-PETERSEN: The honourable member for Mourilyan, in common with all honourable members opposite, is obviously tarred with the same brush as his counterparts in Canberra who set up inquiries into everything under the sun. That is the beginning and end of all the inquiries that they have set up since they became the Government. Inquiries are not necessarily the solutions to problems of this nature. There are very many and varied reasons why there are problems here and in other parts of the State. Is an inquiry justified because one person

resigns? The Minister for Health is dealing with this problem very capably, and I am happy to leave it in his hands and the hands of the Government.

PROHIBITION ON MEDICAL OPERATIONS AT
H.M. PRISON, BRISBANE

Mr. F. P. MOORE: I ask the Minister for Tourism, Sport and Welfare Services: Is he aware of the fact that Dr. Patrick, the director under the Minister for Health, who is in the twilight of his career, does not allow operating in the Boggo Road prison's hospital theatre, when that prison has a well-equipped operating theatre and is visited by specialists? Does not the moving of prisoners to public hospitals for operations add to the lack of security, and, in view of this, will the Minister make an immediate request to the Minister for Health for visiting specialists and medical practitioners to have the right to operate in the Boggo Road gaol's hospital theatre?

Mr. HERBERT: I am surprised that the honourable member has not the guts to question the Minister for Health about his portfolio. He is ducking around questioning other Ministers. Why does he not have a go at the Minister who is responsible for these things?

Mr. F. P. MOORE: I rise to a point of order. I asked a question. Does the Minister not know what occurs in the prison?

Mr. SPEAKER: Order! It is not a question of the Minister's knowing his job; it is quite obvious that the honourable member does not know the Standing Orders.

Mr. F. P. MOORE: Mr. Speaker——

Mr. SPEAKER: Order! The honourable member will resume his seat.

Mr. F. P. MOORE: I cannot accept a "dill" answer.

Mr. SPEAKER: Order! The honourable member will not argue with the Chair, either, or I shall deal with him.

STATEMENT BY LEADER OF THE OPPOSITION
ON QUEENSLAND'S OPEN-CUT STEAMING
COAL

Mr. WHARTON: I ask the Minister for Mines and Main Roads: Has his attention been directed to a statement in today's issue of "The Australian" in which the Leader of the Opposition is reported as saying, amongst other things, that Queensland should not contract its open-cut steaming coal to find out in 10 years that our needs cannot be met, and also that in 1972 half our steaming coal was in the hands of companies with overseas equities? Is there any substance in these statements, or are they typical of the material emanating from

that source? For the information of the Minister, that source is known down here as——

Mr. SPEAKER: Order! Has the honourable member finished asking his question?

Mr. WHARTON: Yes.

Mr. CAMM: Part of the question can be answered tomorrow, of course, when I answer the one that the Leader of the Opposition put on notice.

Let me preface my remarks by saying that the Joint Coal Board, which submitted that evidence to the committee, has no jurisdiction in Queensland and has not the full facts about Queensland's coal supply. I notice that in "The Australian" today the Leader of the Opposition is reported as having said——

"There was also the question of foreign ownership: In 1972 half of Queensland's steaming coal was in the hands of companies with overseas equity participation."

The honourable gentleman does not know what he is talking about, because when the Joint Coal Board made its submission to the Senate committee there were no authorities to prospect in the Galilee Basin; there were no proven reserves in that area, and the reserves in the many areas held by the Queensland Government had not been proven. Since then over 8,000 million tons have been proven in the Galilee Basin.

I suggest to the Leader of the Opposition that he should take notice of a prayer that is depicted on the front page of "The Australian" today. It says——

"O Lord, help me to keep my big mouth shut until I know what I am talking about."

COMMONWEALTH PARTICIPATION, BRISBANE
FLOOD MITIGATION SCHEME

Mr. DAVIS: I ask the Premier (and I would like him to answer, not the Ministers sitting next to him): Is he aware of a statement appearing in "The Courier-Mail" of yesterday's date, 31 July, in which Dr. Patterson said that he (the Premier) was being politically dishonest and disruptive in trying to give the impression that the Federal Government was unconcerned about Queensland flood mitigation? Is it a fact that Federal Government officers have been working since January of this year with officers of the Queensland Co-ordinator General's Department to produce a complete plan of flood mitigation for the Brisbane River system?

Mr. BJELKE-PETERSEN: All I know is that the Queensland Government has spent vast sums of money to try to get this scheme off the ground. The Treasurer has been directly involved in the whole project and, together with myself and the Co-ordinator-General, has submitted a plan——what we believe is an ideal plan—in the light of the

investigations that have been made. We have indicated that we are prepared to commit the State to the expenditure of a considerable sum of money. As I recall it, the whole scheme is expected to cost about \$14,000,000; again as I recall it—I may be wrong on this point—the State Government said it would contribute about \$4,000,000 towards that cost.

Sir Gordon Chalk: We will find 40 per cent if the Commonwealth will find 40 per cent.

Mr. BJELKE-PETERSEN: The Queensland Government will find 40 per cent if the Commonwealth Government will find 40 per cent, just as it has said it would do that for the Gold Coast and for other projects in which the Commonwealth Government has appeared to take an interest.

I say to the honourable member that his colleagues in Canberra are letting him down, as they are letting down the city of Brisbane and the Lord Mayor. As I said earlier this week relative to the Wivenhoe Dam, they talk but they do not do anything.

Mr. DAVIS: I have a supplementary question, and I would like a truthful answer to it.

Mr. SPEAKER: Order!

Mr. DAVIS: Has the Australian Government notified the Premier officially that it would not assist with the scheme outlined by the Queensland Government? "Yes" or "No"!

Mr. SPEAKER: Order! Has the honourable member finished his question?

Mr. DAVIS: Yes.

Mr. SPEAKER: Well, I ask him to resume his seat.

Mr. BJELKE-PETERSEN: The honourable member referred to the Australian Government. I say that the Commonwealth Government has never replied, and the Lord Mayor has said on one occasion that the council will undertake the scheme itself, because he knows that his colleagues in Canberra will not come to his assistance.

INCORRECT COUNT IN ELECTION OF LEADER OF THE OPPOSITION

Mr. HOUGHTON: I ask the Premier: Has his attention been drawn to the fact that the count in the election of the Leader of the Opposition was incorrect, as was also the count by union leaders yesterday at the demonstration by builders' labourers? Will he give an undertaking that all responsible members of the A.L.P. undertake a course in adding at Scholarship level?

Mr. BJELKE-PETERSEN: There is a lot of truth in what the honourable member has said in asking this question. I will leave the decision to the good sense of any honourable member who may require such a course.

EFFECTIVENESS OF PRICE CONTROL IN SOUTH AUSTRALIA

Mr. CHINCHEN: I ask the Minister for Justice: As he is no doubt aware of repeated calls by the A.L.P. in Queensland for the reintroduction of price control as an anti-inflation measure, can he inform the House whether or not the extensive price-control powers exercised by the Dunstan Government in South Australia have reduced inflation in that State?

Mr. KNOX: It has frequently been stated by the Premier of South Australia that because of the extensive system of price control in that State it has been possible to control rises in prices. Of course, this has been doubted in many circles. South Australia is the most price-controlled State in Australia.

It just so happens that this morning there came into my hands a copy of the Consumer Price Index for the June quarter of 1974, published by the Commonwealth bureau and embargoed until 6 p.m. on 19 July (reference No. 9 (1)). That document sets out indexes for the past two years for all the capital cities of Australia, including Canberra, and averaging them in a weighted index.

Honourable members will be interested to know that in South Australia, where this socialist policy is pursued, the index is above the Australian average and has been so since June of last year. For the whole of the last 12 months the Consumer Price Index for Adelaide has been higher than the average for Australia. Indeed, at the moment, at 15.3 it is the highest in Australia. The Brisbane figure is 14.3, which is slightly below the Australian average.

Honourable members will also be interested to know that in the last 12 months the Adelaide figure rose by 15.31 compared with 14.31 in Brisbane. The position is that, whether as the result of extensive price control or in spite of it, South Australia has the highest C.P.I. in Australia.

STATEMENT BY SENATOR MURPHY ON THE PRIVY COUNCIL

Mr. FRAWLEY: I ask the Premier: Does he agree with the statement made yesterday by Senator Murphy in the Senate, namely, that the Privy Council is a relic of colonialism which poisoned relations between Australia and the United Kingdom?

Mr. BJELKE-PETERSEN: Honourable members on this side of the House would expect such a statement from Senator Murphy. It displays or demonstrates the total attitude of the present Commonwealth Government to the United Kingdom, to the association we have had with it in the past, and to our association in the years ahead. I do not agree—and I am sure no honourable

member on this side of the House agrees—with Senator Murphy's attitude. We have demonstrated our feelings by our approach to the Privy Council on certain issues. I can understand why Senator Murphy does not want us to do that and does not want our right of appeal to this institution to remain in existence.

Mr. SPEAKER: Order! The time allotted for questions has now expired.

SITTING DAYS

SESSIONAL ORDER

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That during this session, unless otherwise ordered, the House will meet for the dispatch of business at 11 o'clock a.m. on Tuesday, Wednesday and Thursday in each week, and that on Tuesdays and Thursdays, and after 1 o'clock p.m. on Wednesdays, Government business shall take precedence of all other business.”

Motion agreed to.

MATTERS OF PUBLIC INTEREST

SESSIONAL ORDER

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That during this session, unless otherwise ordered, and notwithstanding the provisions of Standing Order No. 17, on each sitting Wednesday a period shall be allotted until 1 o'clock p.m. for discussion of matters of public interest on which any member may address the House for 10 minutes. If the discussion is still proceeding at 1 o'clock p.m., it shall be terminated by Mr. Speaker.”

Motion agreed to.

TIME LIMIT OF SPEECHES

SESSIONAL ORDER

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That during this session, unless otherwise ordered, the following amendments to the times allowed for certain speeches shall apply:—

(1) Under Standing Order No. 37A (Disallowance of Proclamations, Orders in Council, Regulations of Rules):

Mover of the motion, fifteen minutes; seconder of the motion and any other Member, ten minutes; Minister in reply, twenty minutes. Total time allowed, two hours.

(2) Under Standing Order No. 109 (Time limit of Speeches):

(a) Paragraph 4—In Committee on a Bill, Motion or Estimate—substitute ‘ten minutes’ for ‘fifteen minutes’.

(b) Paragraph 8—In Committee on the introduction of a Bill—substitute ‘twenty minutes’ for ‘twenty-five minutes’.

All other provisions of Standing Orders Nos. 37A and 109 shall continue to apply.”

Motion agreed to.

SUSPENSION OF STANDING ORDERS

APPROPRIATION BILL (No. 1)

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That so much of the Standing Orders be suspended as would otherwise prevent the constitution of Committees of Supply and Ways and Means, the receiving of resolutions on the same day as they shall have passed in those Committees, and the passing of an Appropriation Bill through all its stages in one day.”

Motion agreed to.

OVERTIME PAID IN GOVERNMENT DEPARTMENTS

ORDER FOR RETURN

Mr. BIRD (Burdekin): I move—

“That there be laid upon the table of the House a return showing the amount of overtime paid in each Government department (all funds) in 1973-74.”

Motion agreed to.

MINISTERIAL EXPENSES

ORDER FOR RETURN

Mr. PORTER (Toowong): On behalf of the honourable member for Ithaca, I move—

“That there be laid upon the table of the House a return, in the usual form, of expenses of Ministers for the period 1 July 1973 to 30 June 1974 inclusive, showing each separately and in detail.”

Motion agreed to.

USE OF OFFICIAL AEROPLANE

ORDER FOR RETURN

Mr. NEWTON (Belmont): I move—

“That there be laid upon the table of the House a return showing the flying hours and air-route miles logged for the official aeroplane, together with the names of Cabinet Ministers, Government officials and

others who have used the plane, and showing each individual trip separately and in detail, during the fiscal year 1973-74."

Motion agreed to.

FEES PAID BY CROWN TO BARRISTERS AND SOLICITORS

ORDER FOR RETURN

Mr. WRIGHT (Rockhampton): I move—

"That there be laid upon the table of the House a return showing all payments made by the Government to barristers and solicitors during the 1973-74 financial year, stating the names of the recipients and the amounts received separately."

Motion agreed to.

FEES PAID BY CROWN TO PUBLIC RELATIONS AND ADVERTISING AGENCIES

ORDER FOR RETURN

Mr. B. WOOD (Barron River): I move—

"That there be laid upon the table of the House a return showing all payments made by the Government to public relations agencies or consultants and advertising agencies or consultants during the 1973-74 financial year, stating the names of the recipients and the amounts received separately."

Motion agreed to.

PRIVILEGE

SELECT COMMITTEE; DISCLOSURE OF CONFIDENTIAL EVIDENCE

Mr. SPEAKER: Order! Honourable members, I have to report to the House that the Select Committee on Punishment for Crimes of Violence in Queensland has brought to my attention certain matters relating to the unauthorised disclosure of confidential evidence given before that committee while sitting in camera.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (12.16 p.m.), by leave: I move—

"That the matter of the complaint by the Select Committee be taken into consideration by the House."

Mr. Speaker, you have reported that the Select Committee on Punishment for Crimes of Violence in Queensland has brought to your attention certain matters which the committee considers have involved a breach of parliamentary privilege during the course of its deliberations.

Traditionally, privilege is one of the most jealously preserved institutions of our Legislature and not for one moment should we do anything which might attempt to prevent or postpone consideration by the House of such an important subject. We believe not

only in open Government but in the observance of all the hard-won rights and cherished processes of Parliament. I therefore am of the opinion, Mr. Speaker, that the matter which has been reported to you should now receive the earnest consideration of the House.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.17 p.m.): I second the motion.

Mr. PORTER (Toowong) (12.18 p.m.): This is a very unhappy business and nobody regrets more than I that it should require the attention of the House. I want to make it quite clear that we are not here to establish that somebody is right and somebody else is wrong; that somebody has to win a point and therefore somebody has to lose it.

I would hope that we are all here to be concerned only with the best interests of Parliament. In this matter, although it has been most disturbing, nobody has attempted to make any judgments or apportion any blame. That is totally a matter for this House. But what has happened, in my view, has done Parliament as an institution a great mischief, and it cannot be ignored.

I think all decent people will accept that enormous damage is done if a private citizen who believes he can rely on the integrity and responsibility of a parliamentary select committee discovers that this is not so. I think quite massive damage is done to Parliament in the eyes of the people if it appears to them, whether rightly or wrongly, that a solemn parliamentary pledge of trust can be traded for individual Press advantage, or cynically exploited by a sensation-seeking newspaper. So, as the Premier quite properly said, our concern here is for the institutions of Parliament. Our concern is not with any person or with any private body, but with Parliament.

I think it is proper that I should raise very briefly the salient facts in this matter. At its first meeting on 23 April, with only Mr. Tomkins absent, the select committee resolved that, where necessary, it would hear evidence in camera. It also agreed unanimously, and without demur from anyone, that the only private material to come from the committee or statements made on its behalf would be through the chairman; that is, there would be one source and one source only for Press releases other than the reports of evidence given in public, that is, myself as chairman. I think it is important to remember that.

Dr. Neville Parker, a specialist psychiatrist, sent to the committee a written submission and, as he had considerable forensic experience in a field in which we were getting quite conflicting theoretical testimony, the committee agreed that we should invite him to appear and augment his written submission. When contacted by the committee secretary, Dr. Parker agreed to do this on the condition that he be heard in camera. This was related to the select committee at

its meeting on 4 June, when everybody was present, and the condition was accepted without question.

Dr. Parker appeared before the select committee on the afternoon of 18 June, and at the conclusion of that morning's evidence—I think we were at that time hearing from Mr. Charles Clark, the Director of Children's Services—I referred again to the fact that Dr. Parker, as the first and only witness that afternoon, would be heard in camera. I then advised the Press that the afternoon's session would not be open to them, and, when in fact we resumed at 2 o'clock with Dr. Parker, the Press, for the first time since the hearing of any evidence, was conspicuous by its absence.

I relate all of this merely to clarify the situation, and in order that the House may understand my amazement and shocked disbelief at the events that then transpired. A Sunday newspaper of 23 June carried a sensational story obviously worked up from the transcript of Dr. Parker's confidential testimony. The real damage done to Dr. Parker, and to this Parliament, was, of course, done by this illicit publication. Reluctantly, I cannot accept that the newspaper published in good faith, or was confident that in publishing it would not transgress. I say this for a very good reason.

On the Wednesday following the publication, a Mr. Blanch, from this newspaper, telephoned me and expressed surprise that he had not heard from me as chairman, in view of other media comments currently being made. I expressed surprise at his surprise, and pointed out that there was no reason why I should contact him. If there had been a breach of privilege constituting contempt, which the Crown Law Office was then considering, whatever was to be done about it was, in my view, a matter for Parliament, and this would be decided when Parliament met. Mr. Blanch admitted to me that his paper had had doubts about its use of the material, but it checked with a member of the committee who gave an assurance that it could publish it. I told Mr. Blanch that, as chairman, I found this totally unsatisfactory. If it had any doubts, surely it should not consider that they could be resolved unless it contacted a responsible person, either myself, as chairman, or the committee secretary.

I then asked Mr. Blanch if the member who had given the assurance on which the publication was made was also the one who made the transcript available. He said that under no circumstances could he divulge the identity of his sources. I was therefore somewhat surprised when, four days later in the following Sunday's newspaper, it completely abandoned this long-cherished journalistic tenet of protecting sources of information.

Those are the simple facts that I consider the House should know. The select committee considered the matter at its meeting

of 2 July in the light of advice from the Solicitor-General, received through the Minister for Justice, that a breach of Standing Order 206 did involve contempt, and the committee decided that it should apologise unreservedly to Dr. Parker and advise Parliament through you, Mr. Speaker, that in its view a grave breach of privilege had occurred. I believe that it may well be suggested that the member of the committee named by the newspaper should have been advised by the select committee of its resolution. But why? The select committee allocated no guilt. It did not carry out any process of sifting evidence. It did not attempt to identify anybody at any stage. That was not its role. The question of how, why, or by whom the mischief had been done was not a matter for the select committee, and it did not at any time consider this. This is a matter for the House, and the House alone. The committee decided that it should advise the House of the situation, and this it has done.

I think there is very little more that now need be said. The select committee did write conveying its apology to Dr. Parker. I then received from the Premier a copy of a letter written to him by the president of the Queensland Branch of the Australian and New Zealand College of Psychiatrists, and I think it is proper that that letter be read. It says—

"As Chairman of the Queensland Branch of the Australian and New Zealand College of Psychiatrists I wish to state our extreme concern about the recent disclosure of confidential material to the public. I refer to the report concerning Dr. Neville Parker in the edition of the 'Sunday Sun' of 23rd June.

"As you are aware, he gave a submission and interview to the Commission investigating crime and punishment with the proviso that it be treated as confidential. The subsequent disclosure of this material mitigates against psychiatrists and people in general feeling confidence in appearing before future such Commissions.

"We urge you, very strongly, to do all you can to discover and deal with the source of this leak and prevent such occurrences in the future.

"Yours sincerely,
"L. Proctor
Chairman."

I replied to the Premier—

"My Dear Premier,

"Thank you for your letter of the 28th June, enclosing a copy of Dr. A. L. Proctor's letter.

"For your information, the following motion was adopted by the Select Committee at its Meeting on Tuesday:—

"That the Committee apologises to Dr. N. Parker and deeply regrets the unauthorised publication of his in camera submissions.

'In the Committee's view a grave breach of Parliamentary Privilege has taken place, and this should be placed before Parliament at the earliest opportunity for Parliament to consider censure of the offending Member, and bringing the newspaper concerned before the bar of Parliament for explanation as to its part in the offence.'

"This is being conveyed to Mr. Speaker for consideration by the House when it meets at the end of the month.

"The event is to be deplored on every count, and the mischief done to Dr. N. Parker and to the College of Psychiatrists is substantial, warranting the sternest view of the action taken."

The only other letter that will bring the House up to date on this matter is one of 10 July from Dr. Parker to the secretary of the Select Committee on Punishment for Crimes of Violence, in which he said—

"Thank you for the recent letter from the Select Committee on Punishment for Crimes of Violence in Queensland (5.7.74). I greatly appreciated receiving the apology from the Committee as it goes part of the way in restoring my integrity. When the offending member and the newspaper concerned are appropriately dealt with by Parliament my name will be cleared in the eyes of most people.

"Unfortunately however, some of my 'colleagues' will never forgive me over this incident no matter what steps are taken to undo the damage and my resignation from the Board of Censors of the Australian and New Zealand College of Psychiatrists was immediately accepted (confirming my fear that this matter has ruined my reputation in the College for all time, and I have tendered my resignation there also.)"

So there it is. I believe the matter is quite simple and straightforward. I am certain that no-one in this House wants to find scapegoats for any personal satisfaction. I believe that we are all much too conscious of the need to preserve the dignity of and respect for Parliament as an institution to want the matter dealt with in terms of repaying imaginary political debts or settling old grudges.

Members should always bear in mind that it was the unauthorised publication that did the damage. What I believe is essential here is that we establish quite clearly and unequivocally that any private citizen who generously responds to Parliament's call and places at its disposal his specialist knowledge and expertise should be able to rely implicitly on the protection he is assured he will get. If any citizen, having been given absolute assurance of confidence and trust by members of this House (properly acting as the House has required them to do), finds that he cannot rely on that assurance,

then I say that the honour, integrity and probity of every member of this Parliament has been assailed.

I remind the House again that the select committee has not at any stage attempted to apportion blame anywhere. But I would hope that we will clear up this matter satisfactorily today, with what the House sees as adequate explanation and expiation being made. If there have been honest mistakes, then let them be admitted. I think that is the very least that can be expected.

I believe also that some constraint on the newspaper involved must be expressed. I say that common justice for Dr. Parker demands it, common decency, on behalf of all of those members of the select committee and all the representatives of the Press and other media who observed the rules, merits it; and the reputation for integrity of this Parliament and all its members, I believe, requires it.

So I commend to the House consideration of the Premier's motion, without any heat and without any personal rancour, but with an earnest recognition that whatever may be the outcome of the motion, that outcome must be in the best long-term interests of this whole Parliament and of the people of Queensland whom we represent here.

Mr. NEWTON (Belmont) (12.30 p.m.): I rise to support the remarks made by the honourable member for Toowong, who had the responsibility of being elected chairman of the select committee to deal with the question of crime and punishment in this State, in which there had not been a select committee in the past 57 years. In his position of chairman, the honourable member for Toowong went out of his way to make sure that those of us on the select committee, as parliamentarians, were fully aware of our responsibilities on that committee. The same approach was taken by him with respect to those persons who appeared before the select committee.

The most damaging thing which has been done is that assurances which were given by the chairman to those people who were good enough to come forward to support their submissions before the select committee were not honoured as far as one of those persons is concerned.

At the start of each session of the select committee the chairman always made it quite clear to the committee who would be appearing, what their submissions would be, and whether that session would be open to the Press or otherwise. The same thing occurred at the conclusion of the morning session: the chairman announced what was going to apply in the afternoon session; so that the protection was there as far as members of this Assembly were concerned. He would say that such-and-such a person or persons would be appearing to support the submissions they had already submitted or add to the submissions they had already forwarded to the

committee. Here again, of course, we were informed that the select committee was in session, and it was in camera, and the Press was not allowed in. It was quite easy for us to check for ourselves wherever the sittings of the select committee may have been held because we specifically looked as we knew the responsibilities that had been placed on us as members of this Parliament to make sure that what we were told was correct and to see that no information got out from the select committee to the Press. Such were the many submissions that we had during the course of the committee's sittings that it was well known that each and every one of us had our satchels full of submissions, and we would have protected them within an inch of our lives if necessary because of the fear of what damage could be done if such submissions got out to the Press.

I, too, want to make it quite clear that it was also agreed, right from the time we first met to draw up our programme as to how we would meet, that we would give the power to make statements on behalf of the select committee to the chairman of that committee. We even indicated to him quite clearly that we would be very carefully watching any statements that were made in the progress of the committee's sittings. As has been indicated by the honourable member for Toowong, after this breach had occurred we were very concerned. We began to look at one another, wondering just how this submission, made by Dr. Neville Parker, which was of vital importance to the committee, got to the Press which printed it. Each and every one of us felt very strongly about the matter because we knew the untold damage that could be done to the person concerned.

As indicated by the honourable member for Toowong, from the correspondence we have received from this gentleman we now fully realise the setbacks he has received over the matter. And it goes further than that because the general public, whether they be in the specialist field or ordinary men and women in the street, will in future have very little confidence in select committees of this Parliament if drastic action is not taken in this matter. I say this because we are hopeful that what we are endeavouring to do will be appreciated by this Parliament. When the report is forthcoming I am sure it will be, and I am certain it will go a long way towards helping future select committees in the important tasks they will have to undertake, as we had to in considering crime and punishment.

Nobody in this Chamber can be happy with the situation that has arisen. To my way of thinking a grave injustice has been done to the gentleman concerned and if the Parliament takes into account the submissions that have been made by the chairman of the select committee on this person's behalf, every honourable member will know the full extent of the damage that has been done to his

career. Like the chairman of the committee, the honourable member for Toowong, I would like to see positive action taken in the matter. It is in Parliament's hands and it is up to Parliament to do something about it in order to make sure that when select committees are appointed in future to go into matters for this Parliament, people who appear before such committees, no matter in what walk of life they may be, will have the Parliament's full protection.

Mr. AIKENS (Townsville South) (12.39 p.m.): Let me say quite frankly at the outset—it has been stressed by the honourable member for Toowong, the tenor of whose remarks I appreciate because they were fair and unbiased although I could detect overtones of political bias in the remarks of the honourable member for Belmont—that I did agree with other members of the committee right at the outset that no statement of the committee's proceedings was to be made to the Press or anybody else by anyone but the chairman. I have abided by that religiously. No statement was ever made by me to the Press or to anybody else. Let us get that straight.

I want to say quite frankly and honestly that I deeply regret any embarrassment or inconvenience that has been caused to Dr. Parker. If this House cares to move an apology to him I shall be only too happy and pleased to support it. However, I wish to deal today with the embarrassment and inconvenience caused to me and the fact that I think some people owe me an apology. They have no idea of the distress that has been caused to me and my family by what, if I may term it so, is not a "Comedy of Errors" as written by Shakespeare, but a tragedy of errors.

I shall take the matters chronologically so that there may be no doubt in the mind of any honourable member of this House, in the mind of any member of the public, or in the mind of anyone who cares to read "Hansard". The honourable member for Belmont has created the impression—quite unwittingly, perhaps—that the committee was a secret organisation, that it was a cloak-and-dagger affair. It was quite the reverse. As a matter of fact, the sittings of the committee were even more open than those of Parliament.

Mr. NEWTON: I rise to a point of order to ask for the withdrawal of that statement. Nowhere throughout my contribution on this matter did I say that at all.

Mr. AIKENS: I did not say that the honourable member stated it; I said that he created the impression.

Mr. SPEAKER: Order!

Mr. HOUGHTON: I rise to a point of order. Are all members of this committee on trial or has any individual been named? If so, who is the member who is being tried for any misdemeanour?

Mr. SPEAKER: Order! No-one is on trial. The motion before the House is that the matter of the complaint be taken into consideration. No-one has been charged. Before the honourable member for Townsville South goes any further I remind him that the fact that the committee was open to the public at times is not in doubt. The only point is the one that has been mentioned in the letter concerning confidential evidence given before that committee while it was sitting in camera. That is the point.

Mr. AIKENS: That is the point, Mr. Speaker. I am glad that you made it because it is a point that has not been made to the people of Queensland; it is a point that has not been made to the people of North Queensland; but I have been vilified, scarified and scandalised by people who should know better. They created the impression that all the committee hearings were held in secret. They were wide open; the Press were there all the time; honourable members walked in and out and members of the committee got up from the table and walked out and in again.

The point that must not be forgotten—I am dealing now with the confidential information—is that the “Hansard” reporters reported every word said at that committee. They worked in relays just as they work in relays when Parliament is in session. Every night, the “Hansard” reporters completed a transcript of all the evidence given. As Parliament was not sitting, the Government Printing Office did not print it, but the “Hansard” reporters typed it—it was roneoed—and every morning a transcript of the previous day’s evidence was made available to every member of the Committee, and everyone who wanted one. Here is a transcript of one of the day’s proceedings of Parliament, taken down by “Hansard” reporters, sedulously and meticulously, word for word, and made available to everybody. I know that is true, and I know that the chairman of the committee would not deny it.

I want to break down the story that has been circulated in North Queensland that it was a secret society, that nobody knew anything about it, that I had run out and smashed the secrecy and that I had breached the privileges of Parliament.

When I tell you, Mr. Speaker, what happened to me relative to this evidence of Dr. Parker, you and every other honourable member of this House will be amazed. I shall be perfectly honest, frank and forthright about it. As you say, Mr. Speaker, I am not on trial. Honesty, decency and sincerity need no defence, and I am not on my defence. I did not at any time hear the honourable member for Toowong say that Dr. Parker’s evidence was to be heard in camera, but as I said on an A.B.C. television programme in North Queensland recently, because I am a gentleman, if the honourable member for Toowong says that

he told the members of the committee that, I am prepared to believe him. I have never known him to tell a lie. But I want him to believe me when I say that I did not hear him and that I had no idea that Dr. Parker’s evidence was heard in camera until, unfortunately, much later.

The day after Dr. Parker gave his evidence I got a ring from the “Sunday Sun”. I want to make it clear now that I have not seen any member of the “Sunday Sun” staff for months. I have not been to the “Sunday Sun” office for years. As a matter of fact, I would not know my way there. If I did go there, I feel sure I would have to join the end of a queue of A.L.P. members I could name who would be waiting outside the door of the editor or the chief of staff. The only “Sunday Sun” staff member I have seen in past weeks was a very pleasant fellow who came here with a tandem bike and inveigled me into trying to ride it with him, and we both finished up on our rumps on the Parliament House lawn. However, that had absolutely nothing to do with this case.

The morning after Dr. Parker gave his evidence, a member of the “Sunday Sun” staff rang me and in general conversation asked me if anything of importance had occurred. I said, “Yes. Yesterday we heard evidence from Dr. Parker and it was among the best evidence that has been given before the committee.” Then, following the usual practice—and every honourable member will know this because we have all been asked this question a dozen times, and we will be asked in the future—I was asked, “Can we have a transcript of the evidence?” I said, “Yes, you can have it. I will leave it on my table for you and, if you want it, you can come and pick it up.” I left a copy of that day’s transcript on my table and I marked it to “Sunday Sun”. Let it also be admitted, Mr. Speaker—and we all know this to be true—that when a transcript or a Hansard pull is left for the Press, half the time they do not collect it and, on the occasions when they do, half the time they do not use what is in it. I did not see the transcript collected by a representative of the “Sunday Sun”. When I went to my office the next morning the transcript had gone.

Later that morning I received a telephone call from the “Sunday Sun”. The caller said, “This is indeed very fine evidence. We would like to use it. Do you know of any reason why we cannot use it?” I said, “Is the transcript marked that the evidence was given in camera?” The reply was, “No, there is nothing on the transcript.” I said, “As far as I know”—and I spoke honestly and sincerely—“there is no reason why you should not use it.”

That afternoon I went back to the capital of my beloved northland, Townsville, and I told the members of the committee—as a matter of fact, they commended me on returning to attend the annual show—that I

would not be back for the sitting commencing on 2 July. I said that I was going to attend the Townsville show. Many of us were at the Townsville show—all the politicians, both State and Federal. The Leader of the Opposition was there, strutting around and posturing, with Houston's blood still dripping from his fingers.

I returned to Townsville with a clear conscience and a clean mind. The following Sunday morning I read the article that the honourable member for Toowong mentioned—a big two-page article written in the style that is typical of "Sunday Sun". I think the heading read, "Good God! Who let these killers loose?" In the article was a photograph of Dr. Parker. When I read it I thought, "It is obvious that, before they published an article such as that, they would not publish it on my say-so. If they were to publish articles on the say-so of rank-and-file politicians, what a happy harvest time we would all have. What if "Sunday Sun", for instance, were to ring up the Leader of the Opposition and say, "We have a beautiful article here on Joh Petersen that we would like to print. Do you think we should print it? Is there any objection to our printing it?" The Leader of the Opposition would sing out "No" so loudly that he would shake all the lead-headed nails out of the roof.

I must say that, when I read the article, my reaction was much the same as that of the honourable member for Toowong. I felt certain that "Sunday Sun", in accordance with the accepted ethics of journalism and the rules of common law, would have checked with someone before publishing the evidence contained in the transcript. I felt sure that they had checked with Dr. Parker or, if they had not, that they had checked with the chairman of the committee.

I went about my business in Townsville. On the Monday I went to the field day and, on Tuesday, to the show. Then, on the Wednesday morning, I picked up "The Townsville Daily Bulletin" from the lawn and I read that the committee had sat on Tuesday, 2 July, without advising me that they proposed to do so, without giving me an opportunity to attend, or without even notifying me at all, and had carried a resolution on the matter. That was the week after.

The following week, two very important things happened. First of all, I received from the chairman of the committee a photostat copy of a letter that he had received from Dr. Parker, as well as a photostat copy of the letter he sent to Dr. Parker, expressing his regret. I want to make it clear that every member of the committee received a copy of this letter from the chairman of the committee, because at that time my name had not been mentioned in connection with the affair.

Attached to those two photostat copies was a little tag which read, "Mr. Aikens. For your information, copy of Dr. Parker's letter and my reply. The matter is now with the Solicitor-General." I was quite happy. I thought, "My conscience is quite clear. If the Solicitor-General is to deal with this matter, I have nothing to fear. I have done nothing wrong. I have acted in accordance with the principles of privilege of this Parliament and in accordance with my conception of decency, which is even much higher than that."

So, the following week, as I said, two important things happened. First of all "Sunday Sun" was slapped with a writ issued by Dr. Parker for \$100,000 damages. That put the cat among the chickens, and I am afraid it caused panic in the minds of a lot of people who should not have been panicked.

The same day or the next day, I received a telephone call from a "Sunday Sun" representative who told me they had received the writ and that they proposed—again I have the same opinions as the honourable member for Toowong, and I mentioned this to the representative—to mention that I had supplied them with the evidence. I said, "Wouldn't it be a breach of journalistic ethics to name the person who supplied you with the news?" He said, "Well, we have to do it. Can we use your name?" I am so open and honest about it that I said, "Yes, you can use my name but say that you got it from the transcript."

That is where all the trouble started. The trouble we are discussing in this House started when "Sunday Sun", the following week, published an abject apology to Dr. Parker. He was entitled to that abject apology. In it, "Sunday Sun", instead of saying, "We got Dr. Parker's evidence from a transcript taken at the committee's sittings made available by Mr. Aikens, M.L.A." said, "We got the evidence from Mr. Aikens, M.L.A., the member for Townsville South." That is all they said.

That immediately created the impression that I had hidden behind the mango tree and whispered a story into somebody's ear, that I had written a surreptitious note and sent it to "Sunday Sun", or that I had gone there myself and had an interview. As I said, I have not seen a member of the "Sunday Sun" staff for months. All I gave them or, rather, what I left on my table, was the transcript of the evidence. (Opposition laughter.)

Members of the A.L.P. are laughing. How many times have they done the same thing? How often have they given a "Hansard" pull to the Pressmen? How many times have they gone down to "Sunday Sun" and blown down the ear of the editor or the chief of staff? I would not mind betting that some of them have been down there this week. They ring up and "Sunday Sun" rings them back.

Mr. SPEAKER: Order!

Mr. AIKENS: As a result, people had grounds for suggesting that I had acted in a clandestine, surreptitious, or underhand way. The point I want to make is that, in North Queensland, this was avidly seized by the slanderous scandalmongers of the A.L.P. Some of the things they said would curl anybody's hair.

First of all, a series of articles appeared in "The Townsville Daily Bulletin". They were written by an A.L.P. alderman—Reynolds, or whatever his name is. "The Bearded Lady", as he is called. I have mentioned him before. He said, "It is about time that the honourable member for Townsville South, Mr. Aikens, came out in the open and told the people all about the leakage of information that he supplied to the Press." They built up all sorts of ideas about that "leakage of information". The Leader of the Opposition was not far behind it, either. There is a saying in Townsville, which is quite true, that "Prince Percy," as they call him—

Mr. SPEAKER: Order!

Mr. AIKENS: It was said that he was in it, and so, too, were all who are associated with the A.L.P. The honourable member for Rockhampton had an article published in "The Morning Bulletin" in Rockhampton in which he spoke about "this leakage of confidential information." That phrase created the impression in the minds of people, including friends of mine who were quite disturbed about it, that I had done something underhand, shady, clandestine and surreptitious, whereas all that I did is what I have told the House.

Had I been notified that the committee was going to carry this resolution, I would, if necessary, have ridden my bike down to be here at the time. Everybody else has a copy of that resolution. The Premier has one, and he is entitled to it. Dr. Parker has one, and the Press has one. But I have not received a copy of it. I read it for the first time in "The Townsville Daily Bulletin". That is the position as it stands.

"Reynolds" is the name that I was trying to call to mind a few minutes ago. Alderman Reynolds is the name of "The Bearded Lady". And what a nice fellow he is! He is an A.L.P. alderman because he allowed his name to appear on a how-to-vote card at the last council election in a team organised and conducted by a member of the Country Party. I know the honourable member for Mackay is happy to hear that.

The slander and scandal became so bad in and around Townsville that the Australian Broadcasting Commission approached me and virtually challenged me to appear on their weekly television segment "Points North" and explain the matter to the people.

I said to the A.B.C., "You have to realise that a writ has been taken out in the Supreme Court, and that there is such a thing as contempt of court. I would like to go on your television programme and tell the people everything I know. I should like to tell them everything that I am telling you now. But I am bound by the law dealing with contempt of court, and you are bound by it, too. Before you put me on your TV segment, you had better have a talk with your solicitor." The A.B.C. representative did so, and again contacted me by telephone. He said, "I think we can do it." I said, "If you think I can do it, I will do it." I then appeared on the programme.

So plied with this story about the leakage of confidential information were the people of North Queensland that, when I sat before the television camera to be interrogated (one is supposed to be "interviewed", but, of course, one is not), the first question put to me was, "With reference to the leakage of confidential information in Parliament, Mr. Aikens, you are described as the villain of the piece." That was the attitude of the people of North Queensland as a result of the slander and scandal that followed the bald statement in "Sunday Sun" merely that I had given it the evidence.

I appeared on the programme "Points North" and told the story quite clearly, and for the first time I shocked the slanderers and scandalmongers by saying, "I have never made a statement to any staff member of 'Sunday Sun'. I have never seen any member of 'Sunday Sun'. What 'Sunday Sun' published was taken from a transcript of the evidence prepared by 'Hansard' reporters." The people were absolutely astonished to learn that those were the facts of the case. So also were some of my slanderers, because from the moment that programme appeared on television they started to cease their speculation and scurrilous stories about me.

Mr. Lane: Did Mr. Tucker apologise to you?

Mr. AIKENS: Never mind about him. I do not want to drag him into it. If he wants to come into it, I am quite happy about it. As a matter of fact, I am a little disappointed that he did not "buy" in, because I was going to compare what I did with what he did at the Townsville Hospital. He did not come in, so that can wait till another time.

Mr. SPEAKER: Order! I ask the honourable member to continue with his speech.

Mr. AIKENS: Those are all the facts of the case. I know that the honourable member for Townsville West, who is now the Leader of the Opposition, made the statement to some A.L.P. members that he would move to have Tom Aikens brought to the Bar of the House and dealt with, without

knowing what I should be brought to the Bar of the House for, and without knowing of any charge that could be laid against me.

In conclusion, I repeat that I regret as much as anyone else here any damage, inconvenience or embarrassment caused to Dr. Parker. If it was caused to him, it was caused by my honest and sincere error. I also want to say that never for a moment did I think that a newspaper would print anything from any private member of Parliament on his word alone, particularly when it dealt with a matter such as the one now before the House, without checking with the people concerned. The newspaper did not do that, and what is happening today is the result. I regret what has happened to Dr. Parker. I feel sure that he regrets what has happened to me, and that if he were here he would say so. That is all I have to say on the matter.

[*Sitting suspended from 1 to 2.15 p.m.*]

Mr. AHERN (Landsborough) (2.15 p.m.): I wish to record my deep disappointment at the happenings that have been referred to surrounding the appearance by Dr. Neville Parker before the Select Committee on Punishment for Crimes of Violence, and I do so for a number of reasons.

Firstly, the hearings before the first select committee of the Queensland Parliament in over 50 years absorbed a tremendous amount of my time and a tremendous amount of the time of all members who served on it. In fact, I am physically exhausted from the events of the past few months, during which we waded through reams and reams of material, heard countless witnesses in this Chamber, and did a tremendous amount of responsible work. In this respect, I pay a special tribute to our chairman, who did more than anyone else. For all that work to be possibly placed in jeopardy is a very serious matter, but that is what has been done.

There are those on both sides of the House who were only waiting for the opportunity to say about the select committee, "We told you so." There are members on both sides of the Chamber who are of the opinion that all-party committees cannot, and should not, succeed. The fact that, until now, Parliamentary committees have been part of the parliamentary scene in every other part of the British Commonwealth plays no part in their calculations. So when we set about doing this job, we set about it with the greatest care and attention and went about our work in a very responsible way. I am depressed at the actions that have taken place and the circumstances that have arisen, because I fear that the results of our work may have been placed in jeopardy.

I inform the House that the chairman, the secretary and the committee took the greatest care relative to all matters of procedure followed by the select committee.

In fact, counsels' opinion was obtained upon every aspect of our powers and the procedures to be adopted. I draw the attention of honourable members to notes that were made for us by the Justice Department and by our very capable secretary, Mr. Mackenzie. In particular, reference is made to a section dealing with an application for a private hearing, in which special attention is paid to the rights of a select committee and to the rights of witnesses to decline to appear before such a committee or to give certain evidence. This matter was discussed particularly by the committee, and members of the committee took great pains to discuss it when one witness came before us and asked to appear in camera. As the chairman has rightly said, on three occasions we discussed whether we had the right and the power to grant that request. In fact, I am not breaching any confidence when I say that my friend the honourable member for Chatsworth raised specifically with the committee the question, "Can we guarantee to persons coming before us the right to anonymity in this regard?" It was properly canvassed, and I find it very difficult indeed to accept that anyone who was at those hearings could say, "I did not know that any of the evidence was to be in camera, or that Dr. Parker's evidence was to be in camera."

Reference has been made in the debate so far to the fact that "Hansard" reporters were present at certain of our hearings. The "Hansard" reporters were there to record the proceedings and produce a transcript, and a transcript was all that it was. It was a transcript to enable honourable members to refer to what had been said in the oral submissions. It was not intended to be reprinted in the annals of the House and left there for future reference. Transcripts were prepared for the information of every member of the committee.

Mr. R. Jones: It was a confidential document.

Mr. AHERN: In this respect it was an entirely confidential document. It was agreed by the committee that the transcript containing the evidence that was given in camera would not later go into the library records, and that anonymity would be preserved in that way.

I am trying to give the House a clear picture showing that the committee went to great lengths to preserve anonymity in this instance. I am very disappointed that this breakdown occurred. I find it very difficult for someone to plead innocence and ignorance in view of the procedures that were taken. The elements of Standing Orders that gave us powers in this respect were read to us and discussed.

I am very disappointed that through this leakage of information—I use those words advisedly—damage has been done to a person who appeared before us and to whom we

had given a promise of anonymity. In fact he went to great lengths in his written submissions to guard himself in this respect. Names of some of the personnel whose cases he was citing were codified so that it would be extremely difficult to identify them from the written document he himself had prepared. Those are the facts of the situation. He was not the only witness to appear before us in camera; there were at least 10. If the information from the other nine had been released, it would have filled 10 full front pages of "Sunday Sun". Much more damaging statements than those released via a transcript were made before the select committee. There is no doubt in my mind about that.

There could have been defamation actions for the next 10 years on the basis of some of the evidence put to us in camera. That is how certain evidence should be heard by a parliamentary committee. After all, it is a higher committee than a royal commission, and if it is endeavouring to get at the roots of a problem it must be prepared to invite people to appear before it and submit reasonable and confidential opinions on the matters being investigated. Any committee in the future must be able to do that. That is why I feel quite insulted by the incident that has occurred. In my opinion it has severely embarrassed the position of the Parliament, and certainly the select committee. All members of that committee, both Opposition and Government members, tried very hard to do a good job. I am quite sure that that will be acknowledged at the appropriate time.

When the matter was raised it was raised urgently. I am sure everybody realises that the committee had a bounden responsibility to consider this matter at its very next meeting, which is what happened. I knew that it would. Had it not been raised by anybody else, I would have raised it myself.

When I was appointed to the parliamentary committee, I knew that it would cause inconvenience to me in that its deliberations would take up the whole of the parliamentary recess. I and other honourable members on that committee had to cancel several engagements. We had to reschedule our time and cancel local appointments. I did this because I knew that I would have to sit in Brisbane for the whole of the recess. I do not think any member of such a committee could assume that he could walk in and out of meetings at will or that he could absent himself and have the committee consider any particular problem he had when he reported back at some time convenient to him. I was there all the time because I realised that I could not do justice to the work of the committee unless I was. That was the case with most members of the committee—far and away the majority.

The newspaper concerned has a reputation for this sort of thing. It thrives on it. It is short of reporters, and they realise that

their newspaper can survive only by printing this type of matter. They do not have the time to check things out. In many instances they have not the inclination to do so. Much of their information is gleaned from the drains in our society. This is to be very much regretted, and I am quite sure it will be recorded in the evidence presented to this Parliament.

However, the fact is that the damage has been done, and up to this point of time we have had no definite evidence of how it occurred other than what appeared in "Sunday Sun". We had no firm evidence when the matter came before the committee. We made our decision around this table on the basis that a leak had definitely occurred and that it had definitely come from one of us, because it could not have come from anywhere else. Therefore, we said that the honourable member concerned had breached parliamentary privilege. We were certainly entitled to say that. The honourable member for Townsville South has admitted in this Parliament that he was the source of the information, that he handed over the transcript which the rest of us on the select committee knew beyond doubt was confidential but of which fact he said he was not sure. However, the facts are that damage has been done. The honourable member for Townsville South has said that he regrets that damage has been done. There is no doubt at all that it has. I am very angry that severe damage has been done to a person who appeared before us in an endeavour to help us. And he did help us to a very great degree.

The newspaper concerned will have its own fight at a future time, and I hope that some day the standard of its reporting will be lifted to a point above its present level. Perhaps that is wishful thinking, but the facts are that the damage has been done and we are sitting in this Parliament today considering it and what we might do about it. The Premier has moved that the Parliament take the matter into consideration. I believe now that we must take the matter further and resolve on it.

We have the fact that the honourable member concerned has made his statement. There is not a great deal more he can do. The damage has been done to the person concerned. The newspaper involved can take its own course of action, but I propose at this time to move an amendment to the motion before the House. I think it is appropriate, and is one that the House should adopt at this point of time. This has been a very sorry incident. I regret it very sincerely because there are those who wanted to say, "We told you so. This is the last parliamentary committee that there will ever be." I hope that that will not be the case and that this sorry little incident will not besmirch the hard work done by that committee. I believe it will go down in history that this committee, the first in 50 years,

did the job responsibly and well, despite this incident. I therefore move the following amendment—

“After the word ‘House’ add the following words—

‘and that the House accepts the apology of the honourable member for Townsville South, expresses its deep regret to Dr Neville Parker and registers its strongest displeasure at the action of the newspaper concerned.’”

Mr. W. D. HEWITT (Chatsworth) (2.29 p.m.): I second the amendment moved by my colleague the honourable member for Landsborough. First of all, I wholeheartedly support his closing sentiments with regard to select committees, the way this one in particular worked and the great necessity to make sure that there will be other select committees in this State’s parliamentary activities.

The amendment is based on the proposition that the honourable member for Townsville South has acknowledged his misdemeanour and has apologised to the House. I take some consolation from that action on his part. I say, “some consolation” because I share the deep regret of my colleague that this situation arose, and that the honourable member for Townsville South allowed it to arise. While he expressed his regret about the situation that developed, I do not believe that he should be allowed the luxury of a total white-wash. This morning he indulged in an interesting exercise in verbal gymnastics and proved to his own satisfaction—but certainly to nobody else’s—that he did not make a statement to the Press. In an exercise in semantics he said, “I did not make a statement to the Press; I allowed them to read the transcript; I told them where they could find it,” and he then expressed indignation, great regret and sadness because they had done just what he intended them to do—they had printed the contents.

Mr. F. P. Moore: Where does the fault lie?

Mr. SPEAKER: Order! I give the honourable member for Mourilyan a final warning.

Mr. W. D. HEWITT: The honourable member for Townsville South expressed his regret, but his statement that he did it in innocence is to me at least not acceptable, because there was not a person at that committee meeting who did not understand that it was a privileged document. If the honourable member could be forgiven that misdemeanour—I do not forgive him—he breached a second ethic in that it was clearly understood that no member of the committee would have any contact with the Press whatsoever. And contact with the Press certainly includes giving the Press access to a privileged document.

Let us dispense with the form of nonsense that the honourable member chose to indulge in. Giving the Press access to that document was tantamount to making a statement. There was certainly a breach of the ethic that every member of the committee adopted enthusiastically. That was the ground rule that we accepted from the start.

It is interesting to try to explain why the honourable member chose to do this. I would say it is consistent with a relationship that he has enjoyed with the newspaper in question for many years—a “You scratch my back and I’ll scratch yours” relationship. We all know that for many years the honourable member has chosen to give that newspaper leaks, information and advice that has often been detrimental to this place and to individuals in it, but helpful to himself.

Mr. AIKENS: I rise to a point of order. I have had enough of the personal venom and viciousness of the honourable member for Chatsworth. No member of this House supplies “Sunday Sun” with more information than he does. I am absolutely disgusted at his statement that I supplied the transcript to “Sunday Sun” knowing that it would be used as it was. That is completely untrue, and I ask him to withdraw it.

Mr. SPEAKER: Order!

Mr. W. D. HEWITT: The honourable member condemned himself when he said that he told “Sunday Sun” how they could get access to the transcript. That is the basis of my argument. No words of mine are necessary to condemn him; he condemns himself out of his own mouth.

The action we are taking today is necessary for a number of reasons. We will do nothing to put a dent in the escutcheon of the honourable member for Townsville South. Notwithstanding his cries of indignation, he is thriving on the notoriety and enjoying every moment of it. We will do nothing to scathe him in any way at all because the facts of the matter are that he is an Independent; he is an ageing gentleman; he is secure in his seat and he is comfortable in material things. It therefore does not matter so far as he is concerned.

Mr. AIKENS: I rise to a point of order. I may be an ageing gentleman, but at least I have grown old with honour and decency, which is more than I can say for the honourable member for Chatsworth.

Mr. SPEAKER: Order! There is no valid point of order.

Mr. W. D. HEWITT: The action we take today, Mr. Speaker, is an investment in the integrity of select committees yet to come because, in the fullness of time, there will be other select committees. I say, notwithstanding the number of cynics in this House who argue to the contrary, that there will be other select committees in this House. One of these days there will be serving on

those committees, not an ageing gentleman, but a young man; not an Independent, but a man tied to a political party and a person who is hoping to carve out a career in politics. If he is disposed to reveal the contents of a privileged document, he will look back on the pages of the debate taking place today and think to himself, "Could I stand such a censure or a rebuke? Would this do me any good?" The history of today will establish once and for all that such a step could not be taken lightly. I emphasise that point: What we do today assures the integrity of select committees that will come in later years. For that reason it is important that this House should express itself in the terms chosen by my colleague.

I turn to the three parts of the amendment proposed by the honourable member for Landsborough. The first is that we accept the apology of the honourable member for Townsville South. I am pleased that the honourable member has shown himself to be contrite in some degree, and I am pleased that he has recognised the damage that we have done to a man in his professional capacity.

The second part of the amendment expresses our deep regret to Dr. Neville Parker. How can words alone express our deep regret to that gentleman who, in good faith, came before the committee to give us the advantage and benefit of his professional expertise and, having accepted an obligation as a citizen in this State, honestly believing that he had knowledge that he could disclose to us to our advantage in our deliberations, then had his reputation damaged? How can we express our regret? Words alone are easy to utter, but the damage to his career is hard to assess. So, when we express that regret, we can merely say that we do so with great depth of feeling and sympathy in the situation in which he has found himself.

Mr. F. P. Moore interjected.

Mr. SPEAKER: Order! If the honourable member for Mourilyan interjects once more, I will deal with him under Standing Order 123A. He may take that as a final warning.

Mr. W. D. HEWITT: Thirdly, the amendment expresses our strongest displeasure at the action of the newspaper. I am not satisfied that they made all the inquiries that were demanded of them. I am not satisfied that, having seen the contents of the transcript, they looked at it carefully enough and considered whether or not it was in the best interests of all concerned that it should be printed. The doubt that seems to have been expressed by the editor himself underlines the sentiment to which I give voice this afternoon.

The matter could have been readily verified by checking with the chairman of the committee. One would have thought that the content of the document was sufficiently fascinating to an editor to suggest that it

could have been checked out by the person responsible for the committee. So the newspaper concerned is deserving of an expression of our displeasure, and I support that sentiment wholeheartedly as well.

Today we are attempting to correct a wrong—a wrong that has been committed by a person who breached the ethics of a select committee. I regret everything that has happened. I can only hope that the action we take this afternoon in some way repairs the damage and, importantly, assures the integrity of other parliamentary committees that, in the fullness of time, will be appointed.

Mr. WRIGHT (Rockhampton) (2.40 p.m.): I do not think that any honourable member, let alone the Opposition, would have thought for one moment that this would be a white-wash because, from hearing Government members speak on this issue prior to this debate, it was clear that the strongest reprimand would come forward against the honourable member for Townsville South. Yet here and now we are saying that we will accept an apology that I do not believe was ever given. The point was well made by the honourable member for Chatsworth that in fact the honourable member for Townsville South did not apologise.

What did he do? He reminded me of the young fellow who set fire to a warehouse and based his whole defence on the fact that the fire brigade did not put the fire out in time. That is the type of defence we have heard today. It was a total camouflage of the facts: The salient fact is not open to dispute. It is very clear. Privileged information was given out.

The honourable member for Townsville South has blamed everyone else but himself. He tried to blame the committee chairman, by inference, by saying that he did not hear it but if the committee chairman says that he did say that it was privileged, he will accept his word for it. Of course the chairman said it! The other eight members of the select committee knew it. The honourable member for Townsville South was there. He must be deaf; there is no other reason why he would not know.

Mr. AIKENS: I rise to a point of order. I was not there when that was said any more than the honourable member for Rockhampton was at the table for 20 minutes on the final Thursday we sat. He wandered out and wandered back whenever he liked and now he is condemning me for doing the same thing.

Mr. SPEAKER: Order! There is no valid point of order.

Mr. WRIGHT: It will be recorded by the other eight members and the secretary that the honourable member for Townsville South was there when the chairman made this important point known to every other person.

What amazed me was that this honourable member, who has been here for 30 years, had the audacity to try to put the blame on the "Hansard" reporters. Surely we, as a Parliament, are not going to sit back and let him do that. It is what he tried to do. He said, "After all, there were 'Hansard' reporters here and that record was sent upstairs and it was going backwards and forwards."

Mr. Lane interjected.

Mr. SPEAKER: Order! I ask the honourable member for Merthyr to cease interjecting.

Mr. WRIGHT: Thank you, Mr. Speaker.

After blaming the "Hansard" reporters he finally blamed the "Sunday Sun". He said he never had any contact with that newspaper. It is rather amazing that every time the honourable member for Townsville South has something in the "Sunday Sun", it is a scurrilous article. I recall when the honourable member for Townsville South "tipped cans" on this Parliament about the Bellevue building. He said we all had marvellous kitchen facilities over there. I am sure honourable members will remember that. He told blatant untruths about the facilities for country members and tried to make out that he was "roughing it" himself. It is worth noting that he said nothing when he moved in there too.

Mr. AIKENS: I rise to a point of order. This man said that I was born in a brothel and that my mother was a prostitute. Fancy him sitting in judgment on me!

Mr. WRIGHT: I think everyone would agree that it would not be hard to make such a mistake.

The honourable member has made such information available to the "Sunday Sun" before, and he did it this time. I do not deny the responsibility of this newspaper, but this fire would never have been started had it not been for the matches lit by the honourable member for Townsville South. That is the man who did it; he knew very well what he was doing, and we have the results of it today.

All members of that select committee have become suspect. In fact, the name of this Parliament is suspect, and other honourable members will verify that. Other witnesses decided they did not wish to appear because they could no longer trust the members of the select committee. In fact, one fellow told me on the telephone that he could no longer trust members of Parliament—all because of one man! And yet we are saying today that we accept his apology. Yes, let us apologise to Dr. Parker and register our protest to the "Sunday Sun"; but let us be a little firmer with this honourable member who has caused all of these problems.

This is the first select committee appointed in Queensland for over 50 years and every one of us knew that we would have problems

because it was bruited around the Parliament that the honourable member for Townsville South was put on the committee to sabotage it. Honourable members will recall that originally there were only eight members on the committee, and suddenly it was expanded to nine so that he could be on it. I think he has done a marvellous scuttling job but we, as a Parliament, have a responsibility to see that he does not achieve his aim. Let us not condone the sabotage of select committees. As the honourable member for Chatsworth and other Government members have said, let us assure the future of select committees in this State. The only way to do that is to convince the public and those members of the professions who will be called on at a later date to give evidence that when they are told that their evidence will be heard in camera, it will be the truth. They must feel confident that committee members will not make their evidence available to the Press.

The honourable member said that he did not know that he should not have done what he did. Whilst I do not believe him, we might have to accept that statement. But he has been here for 30 years.

Mr. B. Wood: He claims to be an authority.

Mr. WRIGHT: He has told us a dozen times that he is an authority on Standing Orders. We have all at times been the subject of his vociferous attacks. He has taken on Chairmen and Speakers, and time and time again he has taken points of order. One would assume that in 30 years he would have gained some grasp of Standing Orders. Standing Order 206, appearing at page 43 of the Standing Rules and Orders, quite clearly provides—

"The evidence taken by a Select Committee, and documents presented to such Committee, which have not been reported to the House, shall not be published or referred to in the House."

One would have thought that when a member was appointed to the select committee, his first action would have been to refer to the Standing Orders to ascertain the rules and regulations by which he must abide. The Standing Order that I have just quoted is the one dealing with evidence, and although the honourable member for Townsville South has been here 30 years, he apparently was not aware of it. For his own publicity and gain, he allowed this information to get out.

We of the Opposition agree, as I have already said, with the apology to Dr. Parker; we register our displeasure at the "Sunday Sun"; but we cannot accept the apology from the honourable member for Townsville South. I therefore move the following amendment to the amendment—

"After the word 'House' omit the words 'accepts the apology of' and insert the word 'censures'."

We believe that that will show the public, and all those who one day may have some

contact with select committees, that we stand by what we say, and that when a member steps out of line we shall take action against him. We believe that the honourable member for Townsville South has done the wrong thing, and that he has placed a huge question mark over every select committee appointed in this State in the future. We of the Opposition cannot accept that he be simply let off, and that the issue be whitewashed.

Mr. DAVIS (Brisbane) (2.48 p.m.): I second the amendment moved by the honourable member for Rockhampton. As a member of the all-party committee dealing with crime and punishment, I, in common with the great majority of its members, am concerned about what happened during its sittings. I believe that some facts should be placed before the House. It is no use saying that all members did not know what the position was when Dr. Parker came before the committee, because they all received a photostat copy of a letter from Dr. Parker dated 28 May 1974, addressed to the chairman, Mr. Porter. The first paragraph reads—

“Although I would particularly like to present my point of view to the committee of inquiry into capital punishment, I am prevented by the fear of criticism by my colleagues that I would be seeking cheap publicity. (It took a long time to be forgiven after my pronouncements in 1968.)”

Mr. Lee: Isn't that a confidential letter you are reading?

Mr. DAVIS: I am reading it because it has to do with what we are discussing here.

Mr. R. E. Moore: A Trades Hall brief.

Mr. DAVIS: Here we have the honourable member for Windsor butting in.

Mr. Lane: It's straight from Arch Bevis's table.

Mr. DAVIS: I thought we were discussing a serious matter. It is stated round the Valley area that the honourable member for Merthyr has been a leading light in attempts to whitewash this whole issue.

Every member of the committee knew that Dr. Parker's submissions were to be made in camera. When we met on the day that the honourable member for Townsville South was not present, the resolution passed by the committee was fair and just.

Let us also be fair in considering what the honourable member for Townsville South said about newspapers. I believe that every committee member has been asked by the Press about committee decisions. I have stated—I know my colleagues have also said it—that because of the importance of the deliberations of the committee, I would not refer to them and that the only person to make a statement would be the spokesman for the committee, who was the chairman.

Mr. AIKENS: I rise to a point of order. The honourable member for Brisbane is wide of the mark. The Press were present at almost every meeting of the committee. Only when evidence was given in camera were the Press not there, so all this talk about our making statements to the Press is bunkum.

Mr. SPEAKER: Order!

Mr. DAVIS: As I said before the honourable member for Townsville South interrupted, I think every member of the select committee was approached by the Press at one time or another in an endeavour to find out what some of the deliberations of the committee had related to, and I believe that the only leak that occurred was the one from the honourable member for Townsville South.

Each member of the select committee had transcripts. Why was “Sunday Sun” the only newspaper that got the information? I had it, but “The Courier-Mail”, “Telegraph” or the A.B.C. did not get it from me when their representatives were asked not to be present at that hearing. If anybody says he did not know that the evidence was being heard in camera or that he did not know it was secret, obviously he is trying to fool himself.

I make the point that the select committee was set up to investigate crime and punishment and the deterrence of crime and punishment. If this Parliament does not censure the honourable member for Townsville South, we can forget about all-party parliamentary committees. Dr. Parker was the victim of the malicious tongue of the honourable member for Townsville South, who blatantly breached the confidence of the committee and relayed Dr. Parker's submissions to “Sunday Sun”.

I wholeheartedly support the amendment moved by the honourable member for Rockhampton. I am very sorry to see the attitude now taken by other members of the committee who, when the committee was deliberating, were very vocal about what we should do to censure the honourable member. It seems that the rumours that have been circulating in Parliament House for the last three or four weeks are now being confirmed. I believe that the honourable member for Townsville South can no longer be trusted and that Parliament must censure him. As far as I am concerned, the resolution carried by the committee that “Sunday Sun” should be brought before the bar of the House to give its explanation should be put into effect.

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That the question be now put.”

Mr. TUCKER: I rise to a point of order. There is an amendment before the House, Mr. Speaker. Are you going to allow the Premier to cut off the debate and whitewash the whole thing?

Mr. SPEAKER: Order! There have been quite a few speakers in the debate, and I commend each and every one of them for the manner in which he has approached the question. Honourable members on both sides of the House could have made the position very difficult. I think everyone regrets what has happened, and I do not mind telling the House that I have my own views about it. The question is—

“That the question be now put.”

Question put; and the House divided—

AYES, 41

Ahern	Knox
Alison	Lee
Armstrong	Lickiss
Bird	Miller
Bjelke-Petersen	Moore, R. E.
Camm	Muller
Campbell	Neal
Chalk	Newbery
Chinchen	Porter
Cory	Rae
Crawford	Row
Edwards	Scott-Young
Fletcher	Small
Gunn	Sullivan
Hartwig	Tomkins
Herbert	Tooth
Hewitt, W. D.	Wharton
Hinze	
Hodges	
Hooper, K. W.	
Hughes	
Kaus	

NOES, 34

Aiken	Jordan
Baldwin	Leese
Blake	Marginson
Bousen	Melloy
Bromley	Moore, F. P.
Casey	Newton
D'Arcy	O'Donnell
Davis	Sherrington
Dean	Tucker
Hanlon	Wallis-Smith
Hanson	Wood, B.
Harris	Wood, P.
Hooper, K. J.	Wright
Houston	Yewdale
Inch	
Jensen	
Jones, N. F.	
Jones, R.	

Resolved in the affirmative.

Question—That the words proposed to be omitted stand part of the amendment—put; and the House divided—

AYES, 43

Ahern	Knox
Aikens	Lee
Alison	Lickiss
Armstrong	Miller
Bird	Moore, R. E.
Bjelke-Petersen	Muller
Camm	Neal
Campbell	Newbery
Casey	Porter
Chalk	Rae
Chinchen	Row
Cory	Scott-Young
Crawford	Small
Edwards	Sullivan
Fletcher	Tomkins
Gunn	Tooth
Hartwig	Wharton
Herbert	
Hewitt, W. D.	
Hinze	
Hodges	
Hooper, K. W.	
Hughes	
Kaus	

Tellers:
Frawley
Lane

NOES, 33

Aiken	Leese
Baldwin	Marginson
Blake	Melloy
Bousen	Moore, F. P.
Bromley	Newton
D'Arcy	O'Donnell
Davis	Sherrington
Dean	Tucker
Hanlon	Wallis-Smith
Hanson	Wood, B.
Harris	Wood, P.
Hooper, K. J.	Wright
Houston	Yewdale
Inch	
Jensen	
Jones, N. F.	
Jones, R.	
Jordan	

Tellers:
Burns
Harvey

Resolved in the affirmative.

Amendment (Mr. Ahern) agreed to.

Motion, as amended, agreed to.

GOVERNOR'S OPENING SPEECH

Mr. SPEAKER: I have to report that His Excellency the Governor, on Tuesday, 30 July 1974, delivered to Parliament an Opening Speech of which, for greater accuracy, I have obtained a copy. I presume honourable members will take the Speech as read?

Honourable Members: Hear, Hear!

ADDRESS IN REPLY

Mr. LANE (Merthyr) (3.6 p.m.), who was received with Government “Hear, hears!”, said: I move—

“That the following Address be presented to the Governor in reply to the Speech delivered by His Excellency in opening this, the third session of the Fortieth Parliament of Queensland—

‘May it please Your Excellency:—

‘We, Her Majesty’s loyal and dutiful subjects, the Members of the Legislature of Queensland, in Parliament assembled, desire to assure Your Excellency of our continued loyalty and affection towards the Throne and person of our Most Gracious Sovereign, and to tender our thanks to Your Excellency for the Speech with which you have been pleased to open the present session.

‘The various measures to which Your Excellency has referred, and all other matters that may be brought before us, will receive our most careful consideration, and it shall be our earnest endeavour so to deal with them that our labours may tend to the advancement and prosperity of the State.’”

The programme of this Queensland Government will be carried out in a politico-economic climate which we, as Australians, have not seen since the thirties. There is a whole generation of Australians who are now witnessing an era of political and economic uncertainty of which they have had no previous experience.

In the political arena, for the first time in over 20 years, this nation is being governed by people who unashamedly subscribe to a philosophy of socialism, a philosophy which had its birth in the minds of theorists who lived and died in a previous century. The oppressions which existed then, and which gave such theories some validity, no longer exist—certainly not in this country—yet we now carry the burden of a Federal Government committed to these outmoded ideas.

As the Ministers of this new Federal Government seek to apply their ideas, and sometimes their prejudices, to the various areas of public administration, Australians must suffer the tragic consequences. Nowhere more than in the economic field is the pathetic mismanagement of this socialist Government more evident. As this new socialist experiment is embarked upon, Australians must suffer from a rising inflation rate which is currently running at 17 per cent, and doubts have been expressed that even this figure is an accurate one in recording the real cost-of-living increases. They could be as high as 29 per cent if interest rates and bank charges were taken into account.

Mr. DEPUTY SPEAKER (Mr. Lickiss): Order! There is too much audible conversation in the Chamber. It will cease forthwith.

Mr. LANE: There is real alarm in the community as to just where this country is heading. It is true that we in this great State of Queensland are most fortunate because of the great wealth of basic resources at our disposal. In the mineral field the production of coal, copper and bauxite has given this State an economic strength and stability which the other States envy. The revenue derived from these sources subsidises rail freights and passenger fares in the cities, and will enable the Treasurer to balance the State Budget this year, despite the Labor Federal Government. It is a great shame that progress must now be made "despite the Federal Government" rather than in co-operation with it.

In such times of uncertainty, most Australians tend to look around for some assurance that the institutions that guarantee democracy in this country will not be demolished by Whitlam and Cairns. Such institutions as the Monarchy, the Constitution, the parliaments and the courts are each looked upon by the average Australian as having a special place in providing such a guarantee. It is no coincidence that each of these has been, or is about to be, manipulated in some devious way so as to change the balance of constitutional and political power in Australia. The ultimate aim is, of course, to transform this country into a socialist republic with one central Government, free of opposition from the States,

unhindered by any real constitutional ground rules, and completely remote from the influence of the individual citizen.

There is probably no more suitable occasion than that of moving the Address in Reply to the speech of His Excellency the Governor to proclaim this Parliament's loyalty and commitment to Her Majesty and to comment briefly on the place the Crown occupies in our democratic system.

As the Queen of Australia, Her Majesty is represented at national level by the Governor-General, who summons Parliament to meet and who may dissolve it in the same manner. An Act does not become law without the assent of the Queen's representative, and judges dispense justice in her name. In the technical sense, the Cabinet Ministers hold office as her servants and advisers, having from her received their commissions. Her Writ has become the guarantee of all that is legal and above board. Although the Queen no longer rules Australia, she reigns over it, making only such laws as are agreeable to her Parliament and appointing only such judges and administrators as are chosen by her advisers, the Cabinet.

The process is repeated at State level: through the office of His Excellency the Governor, direct links are preserved with Her Majesty and her Privy Council. The events of the last two years—and particularly the last few days—have only gone to prove how important these links are. The Fathers of Federation in Australia were indeed far-sighted, not only in deciding the powers that should pass to the national Parliament, but also in their decision as to those that should be retained by the States. They were of course not preoccupied with or influenced by the foreign ideologies that guide the present Federal Government.

The monarchy is to-day referred to mostly as a symbol which stands as a continuous reminder of our British traditions and all that they imply—traditions of personal conduct and responsibility reinforced by a legal system which guarantees justice to all men irrespective of class, race or creed.

In a practical sense the Queen carries out a more deliberate role by her exercise of authority through Executive Council. An Act which does not receive her assent (through her delegate, the Governor) does not become law and will not be given effect to by her courts. This assent is given only after the legislation has travelled through the full course and procedures which are constitutionally required, and after it has stood the tests of public scrutiny and amendment by a full Parliament properly called together in the Queen's name.

Just as it is the Sovereign's duty to accept the advice of her Ministers in all things, it is also her duty to accept advice from no-one else. She must guarantee that no-one but a duly appointed minister can claim to exercise the prerogatives of Government, and

no other body but a Parliament appointed by her Writ can make laws in her name. If they are not made in her name, they have no validity in the courts or in the community. Here, therefore, is the reality behind the symbolism.

Another prerogative which a modern Sovereign constantly exercises is that selection which is made in the order in which she sends for statesmen to assume the offices of Prime Minister or of Premier. Admittedly, this is limited by the necessity for the new Minister to hold the support of a majority of elected members, but there have been occasions earlier this century—in the times of Baldwin and Churchill—which show the folly of attempting to minimise the importance of this selection.

The power of advice is another prerogative which can be exercised by the Sovereign or his (or her) designate. Whilst in theory it is the Minister who advises the Sovereign, who takes such advice (which is binding) without offering a word of criticism in public, in private the Sovereign is afforded the opportunity of saying exactly what he or she thinks to the Minister's face. Regrettably, one must admit that this would have little effect on the rhinoceros-like hides of the present Federal Ministers.

The Royal Seal of Assent is, however, so essential in law to the authority of legislation that any action taken without it would immediately be challenged as unlawful and have no effect. Whilst most Australians are not aware of the full legal implications of the Monarchy to our system of democracy, they do hold the Sovereign in a place of real affection and recognise the simple symbolism of her position as some guarantee of stability. This is, I believe, the reason why the people who currently seek to downgrade the role of the Monarchy conspire to do so in a devious way, as any direct and open attack would bring them under such public scorn and animosity that they would fall politically from Government.

Although I am not a militant royalist, it is for these practical reasons that I support the retention of the Monarchy in its special place in our constitutional system. Because the Crown provides an insurance against a ruthless political group taking complete power unto itself, unanswerable to anyone, its office is truly relevant to modern society in this country.

I deem it a great pity that our major political opponents, members of the Australian Labor Party, who in this State pretend to occupy the position of "Her Majesty's loyal Opposition", have as part of their platform the declaration of their intention to abolish the office of State Governor. Who, if this were to happen, would fill the role of Queen's designate to the States and give that final seal of approval to legislation, so ensuring its constitutionality? Would having the

simple numbers on the floor of this House be the only factor that mattered in approving a law that could mean life or death, bankruptcy or anything else to an individual citizen?

In the Federal arena, major changes to the position of Governor-General have been mooted. It has been suggested that this office shall be that of a Viceroy, to whom all royal power and dignity would be transferred. As I understand it, a Viceroy would assume complete and total power to act in the Queen's name in all respects, so eliminating any direct right of appeal to Her Majesty or her Privy Council by the States.

Such an appointment would be a cheap "lawyers' trick" to circumvent the States' special relationship to the Crown which was preserved at the time of Federation, and very wisely so.

The sovereign position of the States is clearly recognised in the Constitution of the Commonwealth, chapter V, clause 106, which states—

"The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State."

Were agreement not reached to guarantee the position of the States, in the interests of the people, then Federation would not have become a reality. The proclamation given by Queen Victoria on 17 September 1900 speaks of the States being "United in a federal Commonwealth under the name of the Commonwealth of Australia". It seems to me that to speak of a Federation is to first of all speak of a union or a joining together which is free or voluntary and therefore on terms which are agreeable to all parties; of an alliance in which there is give and take on both sides, and of a partnership in which the independence of parties in their internal affairs is respected. Unfortunately, this is not the case today.

This is how the relationship between the State and Federal Governments was seen by the architects of our Constitution, and it is evident that this is the view of the majority of the Australian people, a view which was registered quite soundly in a succession of six referendums put to the Australian people in the last nine months, and again in the greatly increased vote registered for non-Labor candidates in this State—candidates who campaigned on the basis of preservation of the federal system and no further transfer of political power to the central Government in Canberra. I am sure Mr. Brendan Hansen, the former Labor member for the Federal Division of Wide Bay, is acutely aware of this.

The referendum questions so soundly defeated at the recent election were a blatant attempt to change the Constitution of the

Commonwealth for sordid political purposes. The questions were couched in such terms by the Federal Labor Government as to attempt to deceive the Australian people into voting in the affirmative. Not only did they seek to alter the method by which elections are held for all the Parliaments of Australia, but they also sought to change the method by which the Constitution could be altered in the future.

The conspirators responsible for this attempted politicalisation of the Constitution failed to take into account the good common sense of the average Australian voter, who is very conscious, especially today, of the necessity of preserving the Constitution as a basic protection of this democracy. In fact, since Federation, only five proposals of the 26 put to the people in 15 referendums have been carried, and most of these have been of a technical and non-controversial nature.

That the Labor Party's aim in the four latter referendums of 18 May 1974 was to take over and do away with the States is beyond dispute. Mr. Bob Hawke, the Federal President of the A.L.P. made this clear when he said on television on 12 August 1973—

"The States merely represent lines drawn on a map over 150 years ago by British explorers. They are not relevant to-day, and are hopelessly out of touch with reality."

At the last Federal Conference of the Australian Labor Party, held at Surfers Paradise in July last year, a motion was passed to include in the platform of the party a plank for the referral of the States to the Commonwealth of "such legislative power as will help to achieve the party's objectives". The motion, which was moved by the Federal Attorney-General (Senator Murphy), was supported strongly by the Prime Minister, who said at the time—

"I am, always have been, and never will be less than an avowed centralist". It was explained by Mr. Whitlam that the powers which would be transferred by Labor Governments in each of the States would include—

"power over corporations, family law, defamation, shipping and navigation".

But these were only a few examples. The then Western Australian Premier (Mr. Tonkin) bluntly opposed the motion, saying that the move meant—

". . . any and every power requested by the Federal Government".

He said—

"All this will mean is the destruction of every State Labor Government. I believe that the time will come when State Governments will be reduced to the level of local councils, but this is a long way off. It will never happen until the rank-and-file voters in Australia want it to happen."

It is a great pity that Federal Labor leaders would not recognise that fact.

The motion was carried by 40 votes to 7. Only the Western Australians voted against it. The Queensland delegation, which included the State President of the A.L.P. and the former Leader of the Labor Party in this House (Mr. Houston), voted in favour of the resolution, which is binding on the Parliamentary Labor Parties in Canberra and the six States. It does not matter what posture the present Leader of the Opposition now takes.

The resolution was for a referral of powers to Canberra by State Labor Governments, ignoring the normal process of referendum by the people of Australia, and, in Mr. Tonkin's assessment, "any and every power requested". What a mockery this makes of constitutional democracy!

No-one denies that constitutional changes are needed, or that powers as between the Commonwealth and the States are in urgent need of re-examination and revision. But this revision ought to have as its fundamental basis the maintenance of a federal system, with a division of power and responsibility determined in the best interests of the Australian people. It is beyond coincidence that the more socialistic Ministers in the Federal Government are the same men who are most actively promoting centralist policies.

The Federal Government's actions completely ignore the fact that for over 12 months now a Constitutional Convention has been held, at great public expense. This is the place where constitutional change should be initiated. The convention was called at the behest of the States, and from the outset they have sought co-operation to achieve a meaningful examination of the Constitution—the first in 76 years.

It is regrettable that, in an endeavour to centralise power in Canberra, the Federal Government has apparently seen the convention as a means to gain more political power, consistent with the A.L.P. platform. This is in sharp contrast to the federal platform of the Liberal Party written 30 years ago, which states—

"To maintain the federal system of Government with divisions of power and functions between State Governments and the Commonwealth Government as most conducive to the progress and well-being of Australia and its citizens, the development of Australia's territories and resources, and the democratic protection of the freedom of the individual".

It may be said, with some accuracy, that successive Federal Liberal Governments have deviated from that principle. But any deviation by Liberal Governments pales into insignificance when compared with what has happened in Australia in the last twenty months.

The centralist policies of the Federal Government, affecting as they do so many aspects of Government, are being implemented without a mandate from the electorate, and without reference or regard to the fundamental rights of the States. In some instances well known to members, these policies have met with the unanimous opposition of the States, three of which have Labor Governments.

The attitude of the Federal Government has endangered the Constitution Convention which, instead of being a vehicle for meaningful discussion on the Constitution, is in danger of becoming a forum to expound centralist objectives. And let there be no illusions about the fact that centralism is a vehicle to achieve socialist objectives, as outlined in the official A.L.P. platform.

The third institution of democracy which is under threat of drastic change at this time is the Parliament—the Senate and the House of Representatives. Indeed, the A.L.P. Federal platform declares as one of its aims the abolition of the Senate.

Only the other day it was reported from Canberra that Senator Keeffe, a Queensland Labor senator, advocated the abolition of the Senate, saying that a referendum to this effect should be held each time there is an election. He said that it was not likely to be passed on the first occasion, but it would stand a better chance at each succeeding election. Apparently he seeks to bludgeon the electors into making a decision.

The first moves in this exercise were made at the last series of referendums, when attempts were made to change the basic ground rules upon which electoral laws are based. As we have recorded, these moves failed.

The Government is, however, proceeding with electoral bills in Canberra calculated to change the complexion of the Parliament. This will be done by adding to the number of senators by drawing additional senators from the territories. This will have the effect of diluting the effective vote of the senators from the States. And the reason for this? Not because it is in the interests of democracy (which it is not), but because it is in the interests of the Labor Party so that it will have the numbers in the Senate—a place which has so far proved itself a very effective safeguard against the despotism of the Whitlam ministry. One of the most important reasons for the establishment of the Senate, particularly for Queenslanders, was to enable the less populous States to safeguard their interests by having equal representations in the upper House if they should come into conflict with the more densely populated States that have larger representation in the House of Representatives and whose interests may not coincide with ours.

The Electoral Bill also seeks to eliminate the equality of representation provided for in respect of the election of members of

the House of Representatives. This equality is ensured by allowing for a slight variance of 20 per cent from the quota of electors required to make up a Federal division (or electorate). This allowance is made to guarantee that electorates in such a vast country as Australia shall not be unnecessarily large in area and so preclude the citizen from reasonable access to his or her member of Parliament. It is an approach which is consistent with that adopted by parties of various persuasions in most western democracies—for example, Canada and Great Britain.

Another field which the Federal Government intends to move into and which will cut across existing authority in the community is that of the courts. This action will be carried out by the establishment of an Australian Superior Court.

This was first foreshadowed in Mr. Whitlam's policy speech prior to the election of 1972, and a Bill to make it a reality was introduced in the Senate in late 1973.

An examination of this Bill indicated what a wide charter this will have. It will be constituted as a Superior Court of Record, and will comprise a Chief Justice and a number of judges, and will have both original and appellate jurisdiction. Its business will be organized in districts—specifically the A.C.T. District, the Northern Territory District, and "such other districts as are prescribed".

It seems likely that districts will be prescribed to conform to the States—for example the Queensland District, the Victorian District, etc.

There will be a chief judge and a group of judges for each district. There will also be a chief judge and judges of the Industrial Division, it being apparent that the work of the Industrial Division is segregated from the other original and appellate work of the court.

As I have intimated, the court is divided into divisions and each judge will be assigned to a particular division. These divisions are listed in the Bill as follows—

- Administrative Division.
- Bankruptcy and Insolvency Division.
- Commercial Division.
- Family Division.
- General Division.
- Industrial Division.

This list gives an indication of the scope of the jurisdiction intended to be conferred upon the court.

Clause 19 of the Bill confers jurisdiction on the court under a number of specific headings, the most significant of which is subclause (1) (g) of that section, which says—

"arising under any laws made by the Parliament."

The appellate jurisdiction of the court (exercisable by three or more judges) will extend not only to appeals from the original jurisdiction of the Court but also to appeals from State courts, other than State Supreme Courts, involving the exercise of Federal jurisdiction.

Clause 23 provides:

"To the extent that the Constitution permits, jurisdiction is conferred on the Court in respect of matters not otherwise within the jurisdiction expressed by this Act or any other law to be conferred on the Court that are associated with matters (including matters before the Court upon an appeal) in which the jurisdiction of the Court is invoked or that arise in proceedings (including proceedings upon an appeal) before the Court."

The Bill contains other machinery provisions necessary to set the court up as a Superior Court of Record and equip it with the requisite powers. Other clauses make provision for the exclusive exercise of jurisdiction by the Superior Court under a series of Federal statutes, which are listed, including Federal taxation statutes.

In examining the history of such a proposal, that is, to set up a system of Federal courts concurrent to the existing State courts, one must first acknowledge that it is to some extent a copy of that which exists in the United States. Also, it must be admitted that the Labor Party was not the first to give consideration to such a scheme in Australia.

A system of Federal courts has been canvassed from time to time over the years, and the proposal leading to the present Bill was first made by Sir Garfield Barwick. It is known that he, after due consideration of both the difficulties and the significance of establishing a dual system of courts in Australia, formed the view that the proposal should not be taken further, and he has for many years now been an opponent of the proposal.

Mr. Justice Bowen, of the New South Wales Court of Appeal, when, as Mr. Nigel Bowen, he was Federal Attorney-General, took up and formulated into a draft Bill the proposal which at that stage was amongst the matters currently being carried forward by the Government of which he was a member. He, too, after due deliberation and consideration, saw the unsatisfactory nature of the plan, and he became and remained thereafter an opponent of the proposal.

The next Attorney-General, Mr. T. E. F. Hughes, Q.C., expressed firm views in opposition to the proposal. It was not canvassed again, apart from reference in the pre-election policy speech of the present Prime Minister in 1972, until the Bill now under consideration was brought forward in late 1973. It was last brought before the Federal Parliament again just over a week ago.

Senator Murphy seems to ignore the fact that there are many constitutional difficulties of major complexity associated with setting up a Superior Court of general jurisdiction. A significant disadvantage resulting from establishing the new court will be that the question, which is now largely academic, whether a particular matter is one of Federal or State jurisdiction will become of real practical importance. In most proceedings before the proposed court (other than some specialised matters) there will be a potential question as to its jurisdiction to hear the matter in whole or in part. This question would have to be determined before the merits of the case are reached. It is obvious that this would heap additional legal costs on the parties involved.

As examples, expensive legal questions will arise as to whether a particular matter is correctly described as "arising out of any laws made by the Parliament", or whether the particular matter is sufficiently closely associated with matters in which the jurisdiction of the court is validly invoked. Whilst jurisdictional problems of this kind may be of absorbing interest to lawyers, they would present real problems to litigants, who should not be exposed to such additional and unnecessary legal shoals if it is at all possible to avoid doing so.

The fact that Federal jurisdiction will encompass only a limited class of matters will also mean that in a variety of situations the new court will not be able to resolve the whole of the matters in dispute. Problems as to the joinder of parties will arise. A plaintiff who is not certain which of two or more defendants is liable to him may not be able to join all defendants in action in the new court.

To give an example of another difficulty: Who will decide whether a claim in debt in the State jurisdiction may be joined with a claim on a dishonoured cheque in Federal jurisdiction? Other examples of associated causes of action would be actions in contract in relation to copyright, patent or registered design matters.

Often a defendant, having been brought to the court, will be at a disadvantage in that he will be unable to have the whole of the matters in dispute adjudicated upon in the one hearing. In such case, he will be put to the additional trouble and expense of invoking the jurisdiction of a State court to have part of the dispute determined. Thus, the new court may well have no jurisdiction to entertain a counter-claim, set-off or cross-action which a defendant to an action in the proposed court wishes to raise. In short, in many cases the court would not be able to do justice, or complete justice, between the parties litigating before it.

It is apparent that the question whether the new court has or has not jurisdiction to determine a particular matter, or part of a matter, may only be finally resolved when an appeal is taken to the High Court and, in some cases, only after a lengthy trial on

the merits of the dispute in the new court. In the event of the High Court deciding that the new court lacked jurisdiction, the litigants would be faced not only with the burden of wasted costs, but also with further, possibly lengthy, proceedings in a State court.

It is true that the problems discussed above are not peculiar to the proposed court. They apply equally to the High Court, but they raise the question whether Parliament should now create another court in which litigants may have to incur the additional cost and delay in having decided questions which do not go to the merits of the dispute between the parties, when an alternative which would avoid these difficulties is available. The mere prospect of litigants having to have recourse to more than one court to resolve the whole of the matters in dispute between them is an undesirable aspect of setting up a new court. These problems do not occur at all where a State court has both State jurisdiction and invested Federal jurisdiction.

In such an important matter as this, one should be able to put aside political considerations and be concerned with which system best serves the community, apparently something that the Labor Party is unable to do. Two alternatives are open. The first is to set up the Australian Superior Court, an entirely new court, which would exist in parallel with the existing State court structures. The second is to invest the existing State courts with the requisite Federal jurisdiction, thus charging the State court system with the responsibility for applying the laws made by the Australian Parliament.

It is believed that there is a strong weight of opinion amongst lawyers throughout the country against the introduction of a dual court system as is envisaged in the present Bill. The reasons favouring its introduction are not founded upon important or popular considerations of policy. At the highest, these reasons appear to come down to what are said to be some unsatisfactory aspects of procedural differences between the various States in the juridical handling of Federal legislation. It is to be noted that this criticism, even if valid, does not suggest that different States make different interpretations in law.

There is no question that the State court system is incapable of handling matters arising from the laws of the Federal Parliament. The origin of the law is of no consequence; it is the content that is significant. A basic precept both of court systems and of laws is that they should be made as simple as requirements permit. An ideal and straightforward court hierarchy, readily capable of being organised and understood by members of the community, is the three-tier system which applies in this State, namely: the Magistrates Court, the District Court and the Supreme Court, each having civil and criminal jurisdiction. An intermediate place

of appeal is the State Supreme Court, whilst the place of ultimate appeal is the High Court.

So it is that the present State systems provide all the ingredients of a basic framework that is as simple and easily understood, as possible. The uneconomic aspects of setting up a dual administration by establishing a superior court system are obvious. There is much more to a court than the individual judges who staff it. The cost of the setting up and operation of the necessary supporting establishment will be of enormous proportions. In the first place, premises (including courts, chambers, jury facilities, etc.) will have to be provided at least in each capital city, and probably in larger provincial centres such as Newcastle, Wollongong, Albury, Townsville and Rockhampton. A registry organisation, with the requisite court staff (court reporting, etc.) will have to be employed and housed.

Perhaps even more significant, a whole law-enforcement agency will be required for the carrying into effect of the decisions of the court. Are we in Australia to set up a force of Federal marshals? Or will the Commonwealth Police Force be called into action to provide the executive arm of the court? Each alternative would be unacceptable in the Australian community. Moreover, whichever may be the executive arm, it will need its own localised premises throughout Australia, as well as localised goals to meet the obvious requirements of a Federal court.

Relationships with existing State organs could be potentially divisive at all levels. This whole project seems to involve a quite unwarranted extravagance, bearing in mind the availability of existing complete State systems of courts and existing administrative staff. In addition, an open demonstration of a Federal judicial and executive power structure is likely to prove gravely disquieting throughout the Australian community. It smells to me of a "Big Brother" situation.

Of even greater importance is the prospect of the weakening of the existing relationships between the present court systems and the communities which they serve. The authority of the courts, and hence the authority of the law itself, is in no small degree dependent upon the extent to which the courts are recognised, accepted and respected by the communities that they serve. The greater the degree of identification between a community and its courts (that is to say its law enforcement agency), the more effective will be the administration of justice within that community. It is a human—and particularly an Australian—characteristic to look with suspicion at authority imposed or exercised from elsewhere, or from too great a height. This tendency exists regardless of the quality of the source of such authority. At the other end of the scale, it can be clearly seen in rural communities that there is an acceptance of—indeed almost an identification with—the authority of the local magistrate

and the local police sergeant. These men represent the law in small communities, and their influence and efficacy in these small communities is measurably the greater by reason of their local identity.

The principle is that the more closely the court system can be identified with the community which it serves, the more readily will it be accepted, the greater will be its authority, and thus the more secure will be the administration of justice within the community. This applies no matter what may be the source of the laws.

The strength of the authority of the State system depends not upon legislation or efficiency, but rather upon its command of the confidence and trust of the community. This confidence and trust exists at the moment, stemming as the State system does from historical traditions, and identified as it is with State institutions. There is a risk of weakening this confidence and trust by the creation of a parallel Australian superior court.

There is another area of responsibility being given to this new Federal superior court system which deserves mention, although I do not have time to deal with it today. I refer to the Industrial Division of the proposed court. Union leaders and employers' advocates would do well to study the full ramifications of this new scheme, which we can only assume will replace the existing industrial conciliation and arbitration structure.

Finally, may I say that I have attempted today to deal with four separate thrusts that are being made by the Labor Federal Government against the constitutional position of the States and to outline some of the reasons why I believe such action is contrary to the interests of all Australians.

As a Liberal I am a Federalist, because I believe in the decentralisation of political power as a protection against a remote, ruthless, "Big Brother" Government, which, by its very nature, can have little real consideration for the individual citizen.

The best and most efficient method of decentralising government in this country is through the existing Federal system. I was heartened, as I am sure many other honourable members were, to hear the assurances given in His Excellency's speech emphasising the Government's adherence to the original concepts of the Federation and the recognition that constitutional change is quite valid if it is achieved in the proper way, that is, by referendum of the people, not by deceit and dirty tricks. The issue is too important to this democracy.

Mr. NEAL (Balonne) (3.45 p.m.): It is with a great deal of pleasure that I rise to second the motion for the adoption of the Address in Reply to His Excellency's Speech in opening this the Third Session of the 40th Parliament of the State of Queensland.

The motion, so capably moved by my colleague the honourable member for Merthyr, reaffirms the desire of this Parliament and this Government to assure His Excellency of our continued loyalty and affection towards the Throne and the person of our Most Gracious Sovereign and to tender our thanks to His Excellency for the Speech with which he has been pleased to open the present session. The various measures to which His Excellency has referred and all other matters that may be brought before us will receive our most careful consideration, and it shall be our earnest endeavour so to deal with them that our labours may tend to the advancement and prosperity of the State.

It is my desire to associate the electors of Balonne with my own expression of loyalty to Her Majesty Queen Elizabeth II, and to offer my congratulations to the Governor, Sir Colin Hannah, and Lady Hannah for the dedicated and dignified manner in which they have carried out their responsibility during His Excellency's term of office.

In the period since my election to this Assembly, I have appreciated the work that has been carried out by the Government in my electorate. I am also most appreciative of the co-operation of all Cabinet Ministers, their private secretaries and their departmental officers, whose assistance and advice have considerably eased my burdens of office.

Members of this House have recently been saddened by the passing of the Commissioner for Irrigation, the late Fred Haigh. I extend my personal sympathy to his wife and family and also pay a tribute to the achievements of Mr. Haigh, who was probably one of Australia's top men in this field. He was a thoroughly dedicated man—one whom I came to respect through my short association with him. The late Fred Haigh will also be remembered by the people of St. George and the surrounding district for the contribution he made to the development of the St. George Irrigation Area.

I wish to mention some of the problems that affect my constituents. From time to time I have raised the problems that many who live in remote areas are compelled to put up with. It is appreciated that Governments plan for areas where populations dictate that the need is greatest. However, if we are always to apply the theory that owing to the pressure of population the need is greatest, those people in remote and sparsely populated areas will never be given a fair deal. Cognisance must be taken of their problems. Their contribution to the nation's well-being should be given due consideration. Governments must face up to the fact that, if people in remote areas are to have some measure of equality with their city counterparts, they must be prepared to spend far greater amounts of money per capita to provide these services.

The education of children in remote areas is one such sphere. Though much has been done in providing education for these children, they are still at a distinct disadvantage compared with children in more closely settled areas. We have seen the introduction by the Queensland Government of pre-school education in our State. That is a very necessary and worth-while addition for our children, and it is to be regretted that the Federal Government has seen fit to withdraw the sum of \$130,000,000 for pre-school and child-care centres. It is very pleasing to know, however, that here in Queensland there will be no curtailment of the rate at which the development of pre-school centres is progressing. His Excellency outlined the Government's plans in this respect, and it is noted that the Department of Education will make provision for children living in isolated areas to enrol in the State's pre-school correspondence programme. To parents of pre-school children in remote areas, pre-school in the past has been just something else for other children.

Similarly, country people suffer from a lack of higher educational facilities. Remote-area allowances give a good measure of assistance in this respect. However, many parents still cannot afford the extra cost involved in sending their children away to school; so because of the lack of these higher schooling facilities numerous children are not able to fully realise their potential.

It is for these reasons that I again stress the need to reduce the number of students required for the establishment of high schools in remote areas. Surely in these areas, which are up to 100 miles or more from the nearest high school, it is not unreasonable that the Government should relax the qualifying conditions. Unless this is done, I venture to say that a number of areas will never qualify and many children will be deprived of the opportunity of a better education.

Mr. Davis: What are you doing about it?

Mr. NEAL: There is another problem that, like the honourable member for Brisbane, raises its ugly head from time to time, and could become a real problem in the future. It is the difficulty that country hospital boards have in attracting doctors to these areas. From time to time, quite a number of small towns are without the services of a permanent medical practitioner. In past years, most country towns enjoyed the benefit of having a general practitioner. However, it has become increasingly difficult to find doctors who are prepared to "go bush", so to speak. Again we are confronted with the problem of services being provided where population demands that the need is greatest. Again I say this is still no reason why country people should be compelled to do without.

Mr. K. J. Hooper: It's the result of poor representation.

Mr. NEAL: It is all right for the honourable member for Archerfield, who is sitting in the middle of a closely populated area with doctors to burn.

Following discussions with a number of doctors who have served time in country areas it would appear that, in the main, they have been quite happy during their periods of country service. However, with respect to single-doctor hospitals, the medical practitioner is virtually on call 24 hours a day, seven days a week, 52 weeks a year. It is little wonder that, after a couple of years, they are ready to pull up stakes and get out.

Furthermore, any doctor who wishes to further his experience and knowledge finds it increasingly hard, being tied down almost all the time. Such doctors are unable to attend the various medical seminars. Often they do not get the opportunity to converse with fellow doctors concerning new techniques, etc., or discussing experiences and cases with them. They also do not get experience in surgery, as operations other than of a minor nature must be performed at the larger hospitals where another doctor is in attendance. For the doctor who wishes to progress in his chosen field of endeavour, the years he may spend in a small country town, although not wasted, are virtually a period of marking time.

The problem to which I refer is noticed most in towns and districts that, in the past, have had a doctor and are suddenly faced with the prospect of being without one. In a one-doctor town, people accept the fact that operations of a major nature cannot be carried out locally. They know, however, that the doctor is there and will refer them to another doctor if necessary. They also know that he is there to save a life in an emergency, and this is the important point. The doctor's very presence gives a feeling of security in times of illness or accident. When a doctor is no longer available, this feeling of security vanishes and is replaced by a feeling of apprehension.

I realise the problems confronting the Minister and his department in this respect. There always appears to be a shortage of doctors. What is suggested, however, is an investigation into the feasibility of having a pool of Government-employed doctors, based at the various larger or base hospitals and available for relieving in the smaller hospitals from time to time. Assistance such as this would allow time for the country doctor to attend an odd seminar or even a short period of exchange in a larger hospital. It would allow for time off from being on call 24 hours a day, seven days a week, 52 weeks a year. It would allow for time off to catch up in medical terms and techniques. It would not necessarily be for lengthy periods, but rather a once-a-year proposition for a couple of weeks, which could be considered as part of

a doctor's job. I believe that this could be one small step in the encouraging of doctors to serve in small country towns.

Mr. Sherrington: Have you ever put this up to the Minister for Health?

Mr. NEAL: I have discussed this matter before.

Whilst on the subject of doctors and hospitals, I should like to commend the Government on the very fine hospital being constructed at St. George.

Mr. Sherrington interjected.

Mr. NEAL: The honourable member for Salisbury would not know what it is like to be without a doctor, or to live in a country area where no doctor is available.

Mr. Sherrington: I was born in a smaller town than you live in.

Mr. NEAL: Then it is a shame the honourable member has forgotten all about his past.

The very fine hospital nearing completion in the township of St. George is a modern, up-to-date building, air-conditioned throughout. The very latest fittings and equipment have been used on the interior, thus ensuring the best in convenience of function. I also commend the constructing engineers, G. F. Strohfeldt & Sons Pty. Ltd., of Toowoomba, for the very high standard of work that has been maintained throughout. I also commend the architects, Edwards Bisset & Partners Pty. Ltd., of Toowoomba, the Balonne Hospitals Board, all those people whose labours have assisted in its construction, and the many and varied supply companies. When completed, at a cost estimated to be in the vicinity of \$1,250,000, the people of St. George and district will have a hospital of which they can be justifiably proud. They will have a hospital as up to date and modern as any hospital in any other country town in Australia.

The next matter with which I wish to deal concerns roads. We have seen in my electorate the progress that has been made in the extension of bitumen surfacing on many of the road systems. Roads are the arteries along which much of the rural life-blood flows. The money released through the Main Roads Department to local authorities for road construction has played a major role in the economies of many country towns and districts. It has assisted in decentralisation in that better services are provided to such communities. Many country towns owe their well-being to the continued release of money through these channels. People who might otherwise have joined the exodus to the cities have been retained in such areas, and so a general flow-on of benefits has resulted.

Curtailment of funds to local authorities, other than of a minor nature, would have a devastating effect on these communities, as their economies are dependent upon such

releases. In addition, councils have been geared to carry out much of this work, and they would be left virtually high and dry with their investment in roadmaking plant.

There is one road in particular that I should like to discuss, namely, the road from Dirranbandi to Thallon. The township of Dirranbandi does not have an all-weather outlet. Originally an outlet was gazetted from Dirranbandi to Mungindi. However, I understand that the Main Roads Department will favourably view submissions for the sacrifice of this gazetted in favour of the Dirranbandi-Thallon road. The Dirranbandi area is a rich pastoral and agricultural area that contributes greatly to the over-all economy of the State with wool, beef, mutton and grain. During the disastrous floods at the beginning of this year, the township was cut off by rail for six weeks and by road for approximately one month. The odd occasion on which perishables and foodstuffs were able to be trucked in necessitated a journey from St. George west to Boilon and back to Dirranbandi, a distance of 134 miles, as compared with the direct run from St. George of some 50 miles.

The absence of an all-weather outlet creates other problems. School teachers, together with other business staff on transfer from more favoured areas, feel that they are cut off from the rest of the world. Furthermore, the township suffers because travellers and tourists are not prepared to stay overnight lest a small downfall of rain enforces a lengthy unintended stay.

It is realised that, at this stage, the Minister and his department are unable to make any pronouncements on expenditure for the roads system in this State, because of the lack of action in Canberra. However, when they do make up their minds in Canberra, I would ask that, owing to the circumstances involved, the Minister treat this road as a special case, placing a high priority on it and allowing for its completion to all-weather standard in the shortest possible time.

I should also like to draw the attention of the House to the position in which local authorities are placed by the galloping inflation caused by the socialists in Canberra. The spiralling of interest rates to the highest level ever has resulted in councils being in the position that important works will have to be curtailed, thus adding to their already-present dilemma. Many have had to increase rates to such a level that further increases could not be met by their rate-payers.

In my area, in common with all other country areas in Queensland, the council is the principal employer of labour. The Federal Government has made it quite clear that much less money will be available for rural roads. This is sure to cause hardship. In addition, it has insisted that councils receive approval from the central Government to carry out any of their work. It

can well be imagined how work will be held up pending their approval. Under such impositions, local government works programmes could be put back for years and, in fact, eventually out of the reach of the financial capacity of these councils.

The survival of local government as the third tier of Government is absolutely essential for the well-being of people in country areas. Any breakdown in this form of government will sound the death knell of many country towns. The situation that local government finds itself in is the direct result of the shilly-shally and lack of action in Canberra.

The excellent summer season enjoyed earlier this year, coupled with a warm winter last year, produced favourable conditions for the breed-up of perhaps the worst locust plagues this State has seen.

Mr. Sherrington: What did the Minister for Primary Industries do about it? Nothing!

Mr. NEAL: If the honourable member will sit back and listen, he will hear in a moment, and he will have a red face.

Areas of my electorate, together with many other areas of the State, have been ravaged by these pests. Indeed, the swarms have contained such numbers that at times they have clouded the sun. Substantial branches have been broken from trees under their sheer weight, and one grazier reported to me that he drove for approximately 8 miles under one such swarm.

In the main, two varieties of locust, namely, the migratory locust and the spur-throated locust, have been causing the damage. They are presently wintering in the warm country in the various districts. Timbered red country and shade clumps seem to be favoured for their camps, and it is in these camps, prior to 11 a.m. and after 4 p.m., that the locusts are most vulnerable to spraying. Around mid-day, after they have been warmed by the sun, they fly off to feed. I mention that for the information of the honourable member for Brisbane. I understand that in some areas a very high percentage kill is being obtained with both ground and aerial spraying. Landholders are appreciative of the money that the State has contributed towards the control of these pests. This assistance, however, was terminated on 30 June owing to lack of funds and the fact that the matching grant from the Commonwealth was not forthcoming.

Dr. Patterson claimed in reply to a question from Mr. Jim Corbett, the Federal member for Maranoa, that the Federal Government had agreed to provide up to \$500,000 to the States to overcome plague locust problems and said that assistance already had been given to Queensland to control the spur-throated variety. However, the Federal Government has not, as claimed by Dr. Patterson, provided any subsidy assistance to control the spur-throated locust. For a total expenditure on the three species

by the Queensland Government of more than \$450,000, the subsidy received from the Federal Government would apply to only \$14,000 for insecticide costs for the control of the Australian plague locust.

The Federal Labor Government displayed its usual complete lack of understanding for rural areas, and a classic example of straw-splitting at its best, when it would not provide the money promised. The reason given was that the money was provided for plague locusts, not spur-throated locusts, and so we in Queensland have had to whistle for Federal assistance while the locusts breed up for a bigger and better onslaught in the coming spring.

Just how the Federal Government can brazenly split straws so finely is beyond comprehension—plague locusts or spur-throated locusts. When either variety is in plague proportions it constitutes a locust plague. The devastation to pastures and crops caused by either variety is similar. It is still devastation. There is no difference.

I know that our Minister and his department have done their best and will continue to fight for assistance here. It is to be hoped that funds are forthcoming at the earliest possible time in order to allow an all-out attack on the locusts while they are in their camps. If this is not done prior to the coming spring and they are allowed to hatch, there is little doubt that millions of dollars worth of grain crops and pastures will be devastated. The ridiculous part of it is that the Federal Government could stand to gain much more by way of increased taxation from the production than it would expect to expend on the control of these pests.

The future for the primary producer does not look exceedingly bright, nor does it look bright for all those people who service primary industry. People in rural areas are accustomed to living with a feeling of instability and with the knowledge that things can often change for the worse in a short space of time. They are aware of the instability of their environment. They know that they are dependent for the most part on seasons and export prices for the goods they produce. They know that just when things appear to be bright a sudden crash can come. They have seen it so often through flood, fire, drought, crop failures, mouse and locust plagues, and crashes in the prices of commodities such as wool, meat and grains. The present prices for meat and wool leave a lot to be desired. This they accept and learn to adjust to.

There is, however, one influence in their daily life that can give some measure of assistance and stability to them and can inspire some confidence in them, and that is the influence of government. Both local and State Governments have been playing their part in this respect according to their available resources, a far cry from what we have learned to expect from the present Federal Government, a Government that has

shown its absolute contempt for the rural sector, a Government whose aim is to bleed as much as possible out of the rural sector and to return the barest of minimums. For a Government whose members have such scant knowledge of the problems confronting the rural sector and such small appreciation of that sector's contribution to the wealth of this nation, it is amazing to discover just how quick it was to learn the method of applying the machine to milk this sector dry.

It is a Government that pays little heed to industry leaders, the men who are best equipped to advise. It is a take-all, give-nothing Government, a Government that increased the excise duty on petrol and removed the differential limitations from all non-metropolitan areas, a Government that abolished all the previous schemes for rural subsidies, a Government that put paid to many country air services and made heavy cut-backs in grants for country roads. As well, this same Government has cut many rural taxation concessions for pasture improvement, fencing, water and soil conservation and fodder conservation—concessions that gave production incentives that assisted in drought mitigation.

We see inflation running wilder than ever; unemployment on the increase; an ineffectual mini-Budget; an ever-increasing scarcity of goods; demands for higher and higher wages; increasing prices and an absolutely wild spiral. We see a Government which is incapable of coming to grips with the problems of this nation. The Federal Treasurer, in bringing down his mini-Budget, declared, "The plain fact is that we no longer have any real choice. I say without exaggeration that the Australian economy faces a dangerous situation."

He further admitted that unless the rate of inflation was reduced we would see further increases in interest rates and that there was no way to beat inflation which would not involve discomfort for the whole community for a while. To say the least, he certainly stated the obvious. It was a statement that "blind Freddie" could have made at least 12 months ago.

One might well ask, "Where are we going?" It is little wonder that a general lack of confidence and a feeling of uncertainty and insecurity prevails in the rural sector. This could well be the catalyst to initiate a further boost in the population drift to the cities. The lack of confidence of the rural sector in the Labor Party was clearly displayed in the recent elections.

Mr. Sullivan: The honourable member for Warrego agrees with every word you are saying.

Mr. NEAL: He would have to. Indeed, in Queensland it was displayed throughout the entire State. The Federal member for

Maranoa received an all-time record vote in his seat, which embraces my seat of Balonne. By this vote the electors showed beyond doubt their regard for Jim Corbett and the confidence they place in him as their member. It clearly showed also an extremely strong rejection of the Labor Party and its policies, a rejection that was justly earned. Yet the Labor Party in this State continues to foolishly agree with all that "Big Brother" in Canberra has to say. How honourable members opposite who represent rural seats can hold their heads up in their respective electorates is beyond my comprehension. Their Federal colleagues give them nothing to be proud of. In "The Courier-Mail" of Wednesday, 24 July, the Leader of the Opposition was reported as saying—

Mr. Lee: Which one?

Mr. NEAL: The one who is there at present. In "The Courier-Mail" of Wednesday, 24 July, the current leader is reported as saying that Labor could win 15 seats from the National-Liberal Government. In view of what I have outlined concerning the feelings of people in rural areas, he certainly has a ton of confidence. Once again he advanced the hackneyed catchcry of "gerrymander". But that was not really the punch line; that related to the seats he predicted Labor could win. He will certainly have to pull more than a rabbit out of the hat to win my seat of Balonne. Moreover, he will have his work cut out to retain his own seat, let alone win the seats he predicted.

I shall now cite some figures. In 1972 the Leader of the Opposition held his seat of Townsville West by only 26 votes after preferences were distributed. By comparison, my seat of Balonne was won by an absolute majority of 1,364 votes, and preferences did not have to be counted. In the light of the feelings of people in rural areas, I am certainly confident of obtaining an even higher vote next year.

The measures outlined by His Excellency give an indication of the Government's plans for the forthcoming year. Once again, thanks to sound management, we will see a year of unparalleled progress in this State.

Mr. K. J. Hooper: What did you say?

Mr. NEAL: Obviously the honourable member for Archerfield has not been out to any of the country areas. He does not know the feeling among country people.

It has given me great pleasure to second the motion for the adoption of the Address-in-Reply to His Excellency's Speech in opening this session of Parliament.

Debate, on motion of Mr. Tucker, adjourned.

The House adjourned at 4.19 p.m.