

Queensland



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Legislative Assembly

THURSDAY, 12 SEPTEMBER 1974

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

MINISTERIAL STATEMENT**NEW RAIL TERMINAL AT ACACIA RIDGE**

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (11.3 a.m.): I refer honourable members to Press and television news reports of Wednesday, 11 September 1974, concerning the proposed development of a new rail terminal at Acacia Ridge. In true centralist style, the Federal Minister for Transport (Honourable C. K. Jones, M.P.) makes a typical propaganda visit to Queensland in a blatant, deliberate attempt to once again mislead the people of this State and to try to embarrass the Queensland Government. Mr. Jones is reported as saying—"The Australian Government has offered to build and operate a new terminal at Acacia Ridge and that it should be built in five years and not fifteen years as planned." I am deeply concerned that the facts should be presented in their true and proper perspective. At the July 1973 meeting of the Australian Transport Advisory Council comprising all State and Federal Ministers for Transport, following discussion of a paper submitted by the New South Wales Transport Minister covering a report by the Chief Commissioner of the Transport Commission of that State, Ministers agreed that the Bureau of Transport Economics should be asked to survey the needs for investment in rail-freight operations including terminals of the interstate rail-freight system.

In the course of the discussion, I pointed out that the terminal which should have the greatest priority was the one planned by the Queensland Government Railways at Acacia Ridge. Ministers agreed to my request and agreed that a study be initiated immediately by the Bureau of Transport Economics as a matter of urgency.

Following the tabling of this report at the July 1974 meeting of the Australian Transport Advisory Council in Darwin, all State ministers agreed that Acacia Ridge was of national importance and that the construction of the new freight terminal should proceed as a matter of urgency, since any delays in freight-handling had a serious effect on the already critical shortage of standard-gauge rolling-stock.

A.T.A.C. members also agreed that, since Queensland had only 69 miles of standard-gauge track of the total system, there was a compelling case for Commonwealth financial assistance. Although New South Wales would benefit more than other States, all States linked by standard gauge would receive flow-on benefits.

Initially, Mr. Jones flatly refused to discuss making Federal money available for the project under the proposed plan. However, following my strongly pursuing the matter and gaining support from all State Ministers, including the Ministers of South Australia and Tasmania, who are of the same political complexion as the Federal Minister, he was then prepared to consider making money available, but only on the basis of a total take-over of total control, if the Federal Cabinet agreed to it.

Immediately on my return to Brisbane, I informed my Cabinet colleagues of the A.T.A.C. discussions concerning Acacia Ridge, explaining to them that I had pointed out to the Federal Minister that a decision in regard to the terminal was a matter for the Queensland and New South Wales Governments. However, I had informed the Federal Minister that I was prepared to receive and take to Cabinet any written proposition submitted by him. The Acting Minister for Transport, New South Wales, recorded the same view. Mr. Jones stated that this was satisfactory to him.

Mr. Jones's publicly announced take-over bid is ridiculous, as the States of New South Wales and Queensland are just as capable as the Commonwealth of carrying out the construction of this terminal, provided funds are available.

All Ministers, including Mr. Jones, agreed—and in fact requested—that the Advisory Committee on Railway Policy should study and recommend ways of financing the project as soon as possible. Discussions between the Chief Commissioner, New South Wales Transport Commission, and the Queensland Commission for Railways, who are members of the Advisory Committee to A.T.A.C., are at an advanced stage. This decision by A.T.A.C. clearly shows that the take-over offer by the Commonwealth Minister is not in accordance with the facts and is contrary to the agreement reached at the Darwin meeting.

Yesterday, Mr. Jones was discourteous enough to hold a news conference in Ipswich, knowing only too well that I was not in receipt of a letter from him briefly outlining his Government's proposals for Acacia Ridge. His letter and a telex, which I finally received late in the afternoon, talk in general terms and contain no substantial details about the Commonwealth's offer, including the future of all rail services and terminals here and in other States.

Mr. Jones is also reported as saying "the impression he got from dealing with the Queensland Government was a sense of resistance". His present action is certainly not conducive to that spirit of co-operation which was evident amongst other Ministers at the Darwin meeting, where Mr. Jones professed to share their views.

I must add, Mr. Speaker, that the Federal Transport Minister, through his colleague the member for Oxley, sought my permission

to visit Queensland Government Railway establishments at Redbank and Ipswich but made it crystal clear that I would not be welcome to accompany him in inspecting our railway facilities. This is in keeping with his attitude of non-co-operation on his previous visits to Queensland.

And finally, at no stage did the media contact me after I had received Mr. Jones's letter. This is in contrast to all the publicity given to his statements of the so-called proposals, which at the time had not reached me.

Before any decision on the proposal is made by the Queensland Government, discussions would be held with the other States, even as a matter of courtesy, especially New South Wales, which could be substantially affected by any change in present operations.

PERSONAL EXPLANATION

Mr. LANE (Merthyr) (11.9 a.m.), by leave: Mr. Speaker, in the Matters-of-Public-Interest debate yesterday the honourable member for Rockhampton made a personal attack on me, suggesting some impropriety on my part in connection with the proposal to develop several thousand acres of land in the Samford Valley. Despite his disjointed delivery, it seemed to me that his allegation by way of implications fell into two areas, and I should like to answer them separately and in turn.

Firstly, it was suggested that the fact that I know a Mr. D. G. Ogle, the principal of one of the companies in a consortium which is involved in this proposed development, implies unethical behaviour on my part. This I firmly reject. I do know Mr. Ogle. I was introduced to him by a mutual friend last year, who requested that I arrange appointments with the Co-ordinator-General's Department and the Local Government Department for Mr. Ogle or the consortium's planners. I did this in a formal and proper manner, therefore affording the Government the opportunity of having early knowledge of a development proposal which would ultimately house approximately 80,000 people, and have effects on State planning in important areas of water conservation, education, and health and transport facilities. In return, the planners sought advice as to the Government's requirements in these areas. I would have been lacking in my duties as a member of this Parliament had I not done this.

In addition, I have come in contact with Mr. Ogle socially, as indeed have other members of this Assembly from both sides. I do not know Mr. Ogle well but, as I understand it, he is a reputable businessman and, until recently, was a farmer in the Monto district.

Secondly, it is implied that because the chairman of the Pine Shire, Cr. Hughes, and I are ex-policemen, and because Mr. Ogle has business investments (not, I might add, in the Samford area) conjointly with

another ex-policeman, then there is something sinister. This is patently ridiculous. There is nothing dishonourable about being an ex-policeman, any more than there is about being an ex-farmer or an ex-plumber.

In respect to the statement of the honourable member for Rockhampton that five residents of the Samford Valley have been raided by the Police Drug Squad, I checked this with the Minister this morning, and he has informed me, in the clearest terms, that none of the five persons mentioned has been raided by the Drug Squad in recent years. However, he was able to tell me that the John Wells mentioned, and apparently relied on by the member for Rockhampton, was convicted at the Magistrates Court at Coolangatta on 2 August 1973 on a charge of possession of a dangerous drug. Also, the man Tony Hillier was of definite interest to the Drug Squad in 1971 when he was suspected of cultivating cannabis at Mt. Glorious. Insufficient evidence could be obtained against him at the time.

Mr. Speaker, I make this personal explanation firstly to clear away doubts about unethical or improper conduct on my part which, by implication and accusation, were made by the honourable member for Rockhampton. The role of Parliament should involve constructive suggestions and criticisms for the betterment of the State; it should not be used as a forum for cowardly character assassination of members, under privilege, based on information received from hopheads.

QUESTIONS UPON NOTICE

POLLUTION OF WATER SUPPLY BY 2,4,5-T AND DIOXIN

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

(1) Which public water supply is at present under investigation for possible contamination arising from the use of 2,4,5-T in water-supply catchment areas and what has the investigation revealed?

(2) Will he table documents on the methods of analysis used by the Government Chemical Laboratory to detect the levels of 2,4,5-T and dioxin in municipal water-supply samples submitted for testing?

Answers:—

(1) "The question of herbicide residues in public water supplies is a matter for the Water Quality Council of Queensland which does not come under the jurisdiction of the State Health Department."

(2) "Specific requests for the testing of water supply samples to detect the levels of 2,4,5-T and dioxin is a relatively recent development. Adequate facilities and equipment within the Government Chemical Laboratory enable satisfactory tests for 2,4,5-T to be carried out in

accordance with approved procedures. I am informed by the Acting Director, Government Chemical Laboratory, that dioxin tests were first requested of the laboratory about December, 1973, and whilst tests for such purposes would be able to be conducted, new equipment comprising a mass spectrograph (estimated to cost \$40,000) would give more precise results. Consideration is still being given as to whether routine testing specifically for dioxin alone should be conducted."

QUEENSLAND GOVERNMENT LEGAL REPRESENTATIVES IN LONDON

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

(1) Who are the six legal men reported to be in London on behalf of the Queensland Government and on what duties are they engaged?

(2) What costs has their visit entailed by way of (a) salary, (b) fares and travelling allowances and (c) accommodation?

Answers:—

(1) "I do not know the basis of the Honourable Member's assumption that there are six legal men in London on behalf of the Queensland Government. This Government has its own English solicitors who are the well-known London firm of Freshfields. The Agent-General for Queensland has, in addition, engaged Messrs. Kingford, Dorman & Co., Solicitors, London to act for him. The only other legal men to whom the Honourable Member could possibly be referring could be Counsel, namely F. G. Brennan Q.C. and T. F. Shepherdson, who have recently appeared on behalf of this State before the Judicial Committee of the Privy Council."

(2) "Costs associated with payments to barristers are tabled in Parliament in the usual way each year."

PROTECTION OF SMALL BUSINESSES

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

(1) Has his attention been drawn to the report in the *Age* of September 2, quoting Professor Meredith of the University of New England as stating that thousands of small businesses faced collapse in the light of the current economic circumstances?

(2) As this appears to be a further case of the Commonwealth Labor Party launching an attack on the basis of the free enterprise system, will he give an assurance that the present Queensland Government will do all in its power to keep small, competitive businesses alive?

Answer:—

(1 and 2) "I share the Honourable Member's fear that the free enterprise system in Australia is under severe attack by the Federal Labor Government. Until now Australia has prospered under an admixture of moderated capitalism with its in-built incentives and rewards for effort and liberalised welfare for those in need. This system has served Australia well and given Australians a high standard of living and prospects of ever-improving standards. We now find that the policies being foisted on the Australian people are no longer moderate. They are extreme, yet disguised. There is no outright proclamation of socialism from which the Australian people would of course recoil. Instead we see a veiled breaking down of the system by inflation and unemployment, by an unhappy division of the people, by a breaking down of society's values and by a deliberate creation of chaos throughout the community. To escape this turmoil the Labor Party expects the Australian people will accept new authorities and new standards. Out of the chaos the Labor Party hopes to rebuild its own brand of society, with all power in Canberra, a big brother climate throughout the nation, new society devoid of spirit and enterprise, a nation of people totally dependant on the party's whims and easily manipulated for its own political purpose. The Queensland Government will continue to oppose these policies."

SCHOOL DENTAL AND NURSING SERVICES, ROCKHAMPTON

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

(1) What school dental services are provided in Rockhampton and what staff is available to carry out the services?

(2) How many school nursing sisters are available for Rockhampton schools?

(3) What are the dates, for the last three years, on which nursing sisters visited schools in North Rockhampton?

Answers:—

(1) "School dental officers attached to Rail Dental Clinic No. 2 provide dental treatment for children from St. George's Home, Parkhurst, and St. Joseph's Home, Neerkoll. The normal establishment of Rail Dental Clinic No. 2 is two dentists. Currently one is employed. The Honourable Member will realise that the Rockhampton Hospitals Board Clinic employs five full time dentists, one part time dentist, and one part time orthodontist, and provides treatment for a substantial number of Rockhampton school children."

(2) "At present two sisters are stationed in Rockhampton. The staff has recently been increased to three and the new position is currently being advertised."

(3) "Berserker Street State—September 1971, September 1972, July 1973, July 1974; Berserker Street Infants—October 1971, June 1973, June 1974; North Rockhampton Opportunity—February 1971, April 1973; Park Avenue State—November 1971, June 1972, May 1973, June 1974; Koongal Convent—June 1971, November 1972; Park Avenue Convent—July 1971, October 1972, August 1973; North Rockhampton Convent—July 1971, July 1973; Nerimbera State—June 1971; Frenchville State—April 1974; Glenmore State—December 1972; Lakes Creek State—July 1974."

MEDICAL STAFF, ROCKHAMPTON BASE HOSPITAL

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

What is the present position at the Rockhampton Base Hospital concerning all medical staff, full-time and part-time?

Answer:—

"The medical staff presently employed at Rockhampton Hospital is as follows:— Full-time: 1 medical superintendent; 1 casualty supervisor; 1 director of anaesthesia; 6 registrars; 10 resident medical officers. Part-time: 1 dermatologist; 1 ear nose and throat specialist; 1 gastroscopist; 3 obstetricians and gynaecologists; 1 paediatrician; 3 physicians; 2 orthopaedic surgeons; 2 radiologists; 2 radium clinic medical officers; 3 surgeons; 1 urologist."

RESIGNATIONS AND RETIREMENTS, POLICE FORCE

Mr. Marginson for **Mr. N. F. Jones**, pursuant to notice, asked The Minister for Works,—

(1) How many resignations by members of the Police Force were received by the Police Department in May, June and July?

(2) What were the numbers of retirements from the force in those months on the grounds of medical unfitness, what were the ranks of those men and what was the length of service of each officer?

(3) What were the numbers of retirements from the force in May, June and July upon the officers reaching the age limit for service, what ranks were they and what was the length of service of each member?

Answers:—

(1) "Discharges from Police Force on resignation—

1974		Number
May .. ..	..	18
June .. ..	..	12
July .. ..	..	16"

(2) "Retirements (medically unfit) from Police Force—

1974		Number	Rank
May .. ..	..	2	Sergeant 2/C
June .. ..	..	3	1 Senior Sergeant 2 Sergeants 2/C
July .. ..	..	4	3 Senior Constables 1 Constable 1/C

Length of Service—

		Years	Months	Days
May ..	1 Sergeant 2/C ..	22	..	1
	1 Sergeant 2/C ..	24	6	21
June ..	1 Senior Sergeant	33	9	17
	1 Sergeant 2/C ..	36	1	26
	1 Sergeant 2/C ..	27	7	8
July ..	1 Senior Constable	24	2	25
	1 Senior Constable	15	3	19
	1 Senior Constable	16	10	24
	1 Constable 1/C	28	1	24"

(3) "Retirements (age limit) from Police Force—

1974		Number	Rank
May .. ..	..	5	3 Inspectors 1 Sergeant 1/C 1 Sergeant 2/C
June .. ..	..	1	Senior Sergeant
July .. ..	..	4	3 Inspectors 1 Senior Sergeant

Length of Service—

		Years	Months	Days
May ..	1 Inspector ..	38	5	11
	1 Inspector ..	37	9	27
	1 Inspector ..	38	3	12
	1 Sergeant 1/C ..	39	1	16
	1 Sergeant 2/C ..	34	6	17
June ..	1 Senior Sergeant	34	..	11
July ..	1 Inspector ..	34	7	28
	1 Inspector ..	36	..	15
	1 Inspector ..	36	1	11
	1 Senior Sergeant	36	..	14"

GUIDANCE AND SPECIAL EDUCATION BRANCH

Mr. Marginson for **Mr. N. F. Jones**, pursuant to notice, asked The Minister for Education,—

(1) Where are the 15 offices of the Guidance and Special Education Branch located?

(2) What is the number of permanent staff assigned to each office?

(3) What are the details of the qualifications of each staff member?

(4) What are the duties carried out by each staff member?

(5) How many interviews of children have been carried out at each centre?

(6) How many children are awaiting interviews at each centre?

Answers:—

(1) "The 15 offices are located at Brisbane (4), Bundaberg, Cairns, Gold Coast, Gympie, Mackay, Maryborough, Mount Isa, Nambour, Rockhampton, Toowoomba and Townsville."

(2) "Permanent staff at guidance offices consist of guidance officers, guidance assistants, social workers, speech therapists, remedial and resource teachers and clerical staff. I have provided details only of the guidance staff. (a) Brisbane Headquarters, 9; (b) Brisbane, North Region (Chermside), 16; (c) Brisbane, South Region (Mt. Gravatt), 14; (d) Brisbane, West Region (Ipswich), 10; (e) Bundaberg, 1; (f) Cairns, 3; (g) Gold Coast, 3; (h) Gympie, 1; (i) Mackay, 1; (j) Maryborough, 3; (k) Mount Isa, 1; (l) Nambour, 1; (m) Rockhampton, 3; (n) Toowoomba, 6; (o) Townsville, 7."

(3) "(a) 4 B.A., B.Ed.; 1 B.Ed., Dip. Psych.; 1 B.Ed., Dip.Ed.Psych.; 2 B.Ed.; 1 B.Sc. (b) 2 B.A., B.Ed.; 1 B.A., Dip. Ed.; 8 B.A.; 5 B.Ed. (c) 1 B.Ed., Dip. Psych.; 2 B.A., Dip.Ed.; 5 B.Ed.; 2 B.Sc.; 4 B.A. (d) 3 B.Ed.; 4 B.A.; 2 B.A., Dip. Ed.; 1 B.Sp.Th. (e) 1 B.A., B.Ed. (f) 2 B.Ed.; 1 B.A. (g) 2 B.Ed., Dip.Ed.Psych.; 1 B.Ed. (h) 1 B.A. (i) 1 B.A. (j) 1 B.A., B.Ed., Dip.Psych.; 1 M.A.; 1 B.Ed. (k) 1 B.A., Dip.Ed.; Dip. Ed. Psych. (l) 1 B.Ed. (m) 2 B.Ed.; 1 B.A., Dip.Ed. (n) 1 B.A., Dip.Ed.; 3 B.A.; 2 B.Ed. (o) 1 B.A., B.Ed.; 1 B.A., B.Com., Dip.Ed.; 2 B.A., Dip.Ed.; 3 B.A."

(4) "(a) 4 administration and supervision; 2 training; 1 occupational information; 1 guidance (pre-school children); 1 test administration. (b) 1 administration; 5 primary school guidance and counselling (P.S.G.); 9 high school guidance and counselling (H.S.G.); 1 test administration. (c) 1 administration; 5 P.S.G.; 8 H.S.G. (d) 1 administration; 3 P.S.G.; 5 H.S.G.; 1 test administration. (e) 1 guidance services to both primary and secondary schools. (f) 1 P.S.G.; 1 H.S.G.; 1 test administration. (g) 1 P.S.G.; 2 H.S.G. (h) 1 combined services (as for (e)). (i) 1 combined services (as for (e)). (j) 1 P.S.G. and administration; 2 H.S.G. (k) 1 combined services (as for (e)). (l) 1 combined services (as for (e)). (m) 1 P.S.G. and administration; 2 H.S.G. (n) 1 H.S.G. and administration; 1 P.S.G.; 1 test administration. (o) 1 H.S.G. and administration; 2 P.S.G.; 4 H.S.G."

(5 and 6) "Detailed statistics of interviews are published annually in the Report of the Staff Inspector, Guidance and Special Education and summarised in the Annual Report of the Minister for Education both in the body of the Report and in Table 9.1 of the Statistical Tables. To collect and collate statistics at this

stage of the year would require a considerable number of man-hours. I am sure the Honourable Member would not wish to cause guidance personnel to have to cancel appointments to undertake this task."

VIOLENCE AT SUNNYBANK HOTEL

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

(1) Has his attention been drawn to claims by the Honourable Member for Archerfield of widespread violence in hotels, particularly the Sunnybank Hotel?

(2) If so, how many complaints of violent behaviour have been reported to the Licensing Commission by (a) private citizens, (b) licensees or (c) the Member for Archerfield?

(3) Have any such complaints been investigated by the commission and with what result?

(4) Is the commission aware of violence at the Sunnybank Hotel, as alleged by the Member for Archerfield?

(5) Has the Member for Archerfield ever made a written or a verbal complaint to the commission about the Sunnybank Hotel?

Answers:—

(1) "Yes."

(2) "One verbal complaint in February last by a private citizen concerning the forceful ejection of a friend of his from the public bar was received. This was not substantiated in writing although the complainant was requested to do so."

(3) "No substantial complaint has been lodged with the Licensing Commission."

(4) "No."

(5) "No."

GOVERNMENT PRESS RELEASES BY TELEX SERVICE

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

(1) What has been the average monthly cost of sending Ministerial and State Government Press statements and propaganda to newspapers, radio and television stations in Queensland by telex, since the inception of the service?

(2) What officer or officers authorise the despatch of these statements by telex?

(3) What are the names of all newspapers, radio and television stations which have received Government telex despatches since June 30?

Answer:—

(1 to 3) "I have no doubt that prior to August, 1957, political propaganda, to use the Honourable Member's term, was disseminated through departmental resources. That situation has not obtained since then and there has been no such abuse of Telex and other communications systems available for the forwarding of Government information. With my overall approval, such operations form part of day-to-day departmental business."

POLICEWOMEN

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

(1) In relation to the actual strength of the Police Force as at July 30, how many policewomen, including ranks in all categories, were employed?

(2) How many are married and, of this number, how many are married to serving members of the Police Force?

(3) How many policewomen were dismissed or resigned from the force in 1971, 1972, 1973 and 1974 to date?

(4) What were the reasons for the dismissals or resignations?

Answers:—

(1) "Sergeants 2/C, 2; Senior Constable, 1; Constables 1/C, 9; Constables, 208. Total: 220."

(2) "41 including 23 married to serving members."

(3) "This information is available statistically only under financial years."

—	Dismissed	Resigned
1970-71 ..	Nil	5
1971-72 ..	Nil	4
1972-73 ..	Nil	6
1973-74 ..	1	23 "

(4) Resignations—marriage, 10; other employment, 4; travel, 6; personal reasons, 8; discontented, 4; study, 2; ill-health, 2; husband transferred, 1; and not stated, 1. Dismissal—immoral conduct, 1."

QUEENSLAND STUDENT TEACHERS' UNION NOTICES

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

(1) Has his attention been drawn to two notices issued by the State Council of the Queensland Student Teachers' Union, one headed "Referendum", calling for a vote for a one-day boycott of lectures as a protest against low rates of pay, and the

other headed, "What's happening to our pay?", which includes seven statements allegedly made by him?

(2) If so, were these statements made by him?

Answers:—

(1) "Yes."

(2) "During my six years as Minister for Education, I have always enjoyed a very cordial relationship with student teachers, and have had frank and open discussions, both formal and informal, with them. I am therefore very disappointed and saddened that certain people have seen fit to completely and deliberately mis-represent comments I made at a recent meeting with representatives of the Queensland Student Teachers' Union. Why they have done this I do not know. I can only look upon it as a deliberate attempt at trouble making, designed to mis-inform and create discontent among the student body. The statements attributed to me are in the main a distortion of the facts, which I shall now recount with specific reference to the seven statements alleged to have been made by me. (1) 'The Minister feels that even though we are living below the poverty line—this is not relevant to our case!!!' This bears no resemblance to any statement I made. The only point I did make was that we should not put our allowances in the same light as unemployment benefits. The subject of the poverty line was briefly mentioned by a union representative. I certainly did not state that this was not relevant to their case. (2) 'The Minister feels that our allowance is to help our mummy and daddy—not for us.' This is somebody's interpretation of the advice I gave the union that the scholarship allowances paid by my department are provided to assist the student and his parents with tertiary education expenses. I have not used the terms 'mummy and daddy' for some years now. The allowances are not salaries or wages. (3) Police cadets need \$100-\$132 per fortnight because we need to 'enforce law and order no matter what the cost.' What I actually said was that if the Police Department considered that it was necessary to pay their police cadets highly in order to recruit policemen for the purpose of maintaining law and order, then that was a matter for that department. (4) 'The Minister doesn't know that we want an increase from the start of our pay dispute not from January 1 as usually happens.' At the recent deputation, the union stated that they wanted the increase to date from the Budget or from when the submission was put in and not from the beginning of the next school year. I am, and was, aware of the union request and this is being considered along with the rest of the submission made by the

union. (5) 'The Minister still maintains that we receive an allowance not a wage—but we are still taxed.' As I stated earlier, the payments made to student teachers by my department are allowances, not salaries or wages. My department's 'Handbook of Teacher Scholarships and Courses', copies of which have in the past been made available for the information of applicants for teacher scholarships, clearly refers to these payments as allowances. The question of taxation is a matter for the Commonwealth Government and not the State. (6) 'The Minister, though he claims to be sympathetic, lays the blame on Cabinet because they won't give him money.' I did state to the union delegation that I was sympathetic and I am in fact sympathetic. I also stated that the Treasury did not have unlimited supplies of money and that it quite often happens that cuts are made to the submissions made by Government departments. The figures, of course, are submitted to Cabinet for confirmation. (7) 'The Minister doubts the necessity of textbooks. He fails to realise that they are prescribed and must be paid for.' I certainly did not express any doubts about the necessity for textbooks. In fact, I made no comment at all in connection with textbooks. In a recent letter to the new President of the Queensland Student Teachers' Union, I pointed out that my department and I had made a submission for a reasonable increase based on our own knowledge of the situation. The submission made by the union was also passed on for consideration. I also stated that, while I could not expect anything more than a reasonable escalation of the allowances about Budget time, I hoped that the outcome would be satisfactory."

LEGALITY OF ABORTION

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

Does the judgment of the Honourable Mr. Justice Menhennitt, given in the case of *Rev. Davidson in Victoria* on May 22, 1969, provide criteria which may be relied upon by doctors and others in Queensland in assessing the lawfulness or otherwise of an operation to terminate a pregnancy, with the woman's consent?

Answer:—

"The ruling in *R. v. Davidson* 1969 V.R. 667 by Mr. Justice Menhennitt was a direction to a jury. As a direction to the jury it would be binding on that jury. What weight it would be given in other jurisdictions would depend upon the views of the Judge presiding at the Court. I am unable to give any legal opinion on whether the views expressed to the jury represent the law in Queensland. The Honourable Member is referred

to May's Parliamentary Practice, 18th Edition, page 327 where it is stated that it is not for the Minister to give opinions on law, as these are matters for the Courts. In Queensland the law is as stated in the Criminal Code, particularly Sections 224, 225 and, in the case of a surgical operation, Section 282. The interpretation of these Sections and their application to particular circumstances would be a matter for a Court. Doctors and other persons concerned should seek their own legal advice on whether the views expressed by the Judge are relevant in Queensland."

MILK DISTRIBUTION

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

(1) Is he aware of the repeated calls from milk vendors for the registration of milk runs and zones, as well as the allocation of a minimum gallonage for an owner to operate so that he can physically complete deliveries of this gallonage within the time allowed by the Act?

(2) Has any investigation been carried out into the turnover of vendors, the leasing of milk runs and the economic viability of these runs for their owner-operators?

(3) What action does the Government plan to ensure that these owner-operators are not forced into economic slavery because of the unregulated nature of their industry and the monopoly control of the processing industry?

Answers:—

(1) "I am aware of the pressures being exerted by retail milk vendors to have a system of statutory zoning introduced in Queensland, particularly in the Brisbane area, but have not received any representations relating to minimum gallonages to be allocated to respective vendors."

(2) "A committee set up by the Chairman of the Brisbane Milk Board, under the Chairmanship of the Director of Dairying is currently examining the problems of the retail vendors with a view to improving their position in relation to the services they will be required to render to the public in the future."

(3) "I am hopeful that the Committee referred to in (2) of which the President of the Amalgamated Milk Vendors' Association and the Manager of Dairy Division of Q.U.F. Industries Limited are members will ultimately come up with a workable plan acceptable to retail vendors and processors alike. Any action which may be necessary to implement any worthwhile recommendations the Committee may make would receive consideration in due course by the Government."

ACCOMMODATION OF FORESTRY DEPARTMENT EMPLOYEES, JIMNA

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

(1) Does the Forestry Department at Jimna supply electric power to the single barracks and private quarters but not to married quarters?

(2) Does a rule exist which allows occupants of married quarters to use their own power plant during the day but not after dark?

(3) Does the department supply carbide or kerosene lights to married families?

(4) Do married workers in Jimna live in quarters which are not lined or sealed and, if so, what action has he taken to see that persons living in these quarters are not forced to live in 18th-century conditions?

Answers:—

(1) "Electric power is provided to single barracks and private quarters but not to married quarters."

(2) "Yes, this is a local arrangement to meet the wishes of families with children. Engines are stopped after dark to prevent disturbance to neighbours but batteries charged during the day provide for night use."

(3) "Yes, on request."

(4) "Married quarters are sealed but not lined and the question of accommodation and supply of electricity is currently under review and the possibility of arranging S.E.A. supply is being investigated."

PROPOSED PETROL PRICE INCREASE,
BRISBANE

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

(1) Has his attention been drawn to a proposal by the A.L.P. to increase the price of petrol in Brisbane and provincial cities by one cent per gallon to subsidise petrol prices in the rest of the State?

(2) Does not this proposal arise from the recent decision of the Commonwealth Government to abolish the Petroleum Products Subsidy Scheme introduced by the previous Commonwealth Government and supported by all the State Governments?

(3) As the collection of excise tax is a Commonwealth responsibility, is the proposal either constitutional or feasible?

Answers:—

(1) "Yes, I read Press reports of a proposal by the A.L.P. to increase the price of petrol in the metropolitan area by at least one cent a gallon."

(2) "Yes. The Petroleum Products Subsidy Scheme, introduced in 1965, and supported by the Queensland Government was recently abolished by the Whitlam Government. As a result, petrol prices in country areas of Australia, particularly Queensland rose by up to 25 cents a gallon."

(3) "The proposal would undoubtedly be open to Constitutional challenge on the grounds that excise is a Federal responsibility. Furthermore, the proposal would not even appear to be feasible if it was introduced only in one State as has been suggested. In any case, the constitutional validity or feasibility will never be able to be tested because the representation of the A.L.P. in this House will be considerably reduced at the next election, because of the manner in which the Opposition has submitted to the centralist dictates of the Whitlam Government, a Government totally devoid of credibility and integrity."

COMMONWEALTH SUBSIDY FOR LEGAL
AID SERVICES

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

(1) What amount was received from the Commonwealth Government during 1973-1974 to subsidise the legal aid services provided by the Queensland Government and the Legal Assistance Committee of Queensland?

(2) What amount has been received for the current financial year or what amount has been promised?

(3) What conditions, if any, apply to Commonwealth assistance to the States for legal aid?

Answers:—

(1) "\$295,903."

(2) "No amount has been received for the current financial year. By letter of July 24, 1974, in response to a request by me Senator Murphy advised that he was not yet able to give me any information about a grant for the current financial year. He stated that he would shortly be looking at budgetary matters within his administration for this financial year including the question of a further Commonwealth Government grant to supplement existing legal aid services. He said he would take into account the matters raised in my letter and also the submissions he had received from the Queensland Legal Aid Committee. No further advice has since been received."

(3) "The funds previously supplied were to be expended in a manner approved by the Federal Attorney-General. The Federal Attorney-General was informed of the manner in which these funds were to be used. The subsequent accounting

requirements asked for were—(a) Separate accounts should be kept in respect of the Federal funds made available to the State; (b) A financial statement showing expenditure of the funds, audited by the Auditor-General of the State, should be furnished to the Commonwealth Attorney-General as soon as possible after the completion of each financial year, in which there is expenditure of the funds, up to the preceding 30th day of June; (c) The financial statement should be accompanied by a report setting out the number and kinds of cases in respect of which the expenditure was incurred.”

TRANSFERS OF TECHNICAL TEACHERS

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

(1) What is the reason for the proposed transfer of experienced trade teachers from positions in provincial cities to colleges in Brisbane?

(2) Why is there a shortage of experienced trade teachers in the metropolitan area?

(3) Is it desirable for provincial cities to be deprived of experienced trade teachers?

Answers:—

(1) “A large scale transfer of experienced technical teachers from provincial cities to Brisbane or vice versa is not proposed. Transfers of technical teachers or instructors will be necessary so as to maintain a reasonably balanced staff of experienced and relatively new teachers at all Technical Colleges for the 1975 tuition years. Teachers and instructors may rest assured that transfers will be kept to a minimum and will not be made unless absolutely necessary.”

(2) “There is an imbalance of new technical teachers to experienced technical teachers in metropolitan technical colleges as, since 1972, technical teachers and instructors appointed undertook a two year part-time technical teacher education course at the Mount Gravatt Teachers College. Of 540 technical teachers and instructors employed in Technical Education in Queensland in 1974, 140 new teachers and instructors were appointed in the 1973-74 financial year. Block release apprenticeship education will be expanded in 1975 and the staffing establishments of all provincial technical colleges will be increased by transferring graduating technical teachers from Brisbane as well as intra-college transfers to improve the balance.”

(3) “Provincial city colleges will not be deprived of experienced technical teachers any more than Brisbane technical colleges will be deprived of such experienced teachers.”

STUDENT TEACHER ENROLMENTS

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

(1) What are the details of student teachers who are expected to enter his department in 1975, 1976 and 1977?

(2) What are the relevant enrolment details at each of the teacher-training establishments?

Answers:—

(1) “Estimated appointments of student teachers to the State Teaching Service as from the beginning of the following academic years are:—1975, 1,600; 1976, 1,680; and 1977, 1,530. In 1977 an additional 150 are expected to graduate in the middle of the year.”

(2) “The total number of teacher scholarship holders at each institution as at June 30, 1974 are:—(a) Three-year course scholarship holders and certain one-year and two-year courses: Brisbane Kindergarten Teachers’ College, 64; Kedron Park Teachers’ College, 751; Kelvin Grove College of Teacher Education, 1,262; Mt. Gravatt Teachers’ College, 1,033; Townsville Teachers’ College, 368; Capricornia Institute of Advanced Education, 291; Darling Downs Institute of Advanced Education, 398. Total, 4,167. (b) Four-year course scholarship holders (including Graduate scholarship holders): University (including Dip.Ed.), 1,006; Queensland Institute of Technology and Institutes of Advanced Education, 109; Queensland Conservatorium of Music, 45; Queensland Agricultural College, 4; College of Art, 29. Total: 1,193. Total (a) and (b) 5,360.”

UNIVERSITY OF QUEENSLAND MATRICULATION REQUIREMENTS

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

What are the matriculation requirements for students wishing to enter the University of Queensland in 1975?

Answer:—

“I table a copy of the Rules for entry to the University of Queensland in 1975.”

Paper.—Whereupon a copy of the rules referred to was laid upon the Table of the House.

LAND FOR PRIMARY SCHOOL, FERNY HILLS

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

(1) What land has been acquired for additional primary-school needs in the Ferny Hills district?

(2) If land has been acquired, what is its exact location?

(3) When will a new primary school be provided in this area?

Answers:—

(1) "No additional land has been acquired or is proposed for acquisition in the Ferny Hills District. Action has been initiated, however, towards the acquisition of a primary school site in the western sector of Bunyaville, which adjoins Ferny Hills. Investigation of this proposal is being undertaken by the Department of Works."

(2) "The exact location of this site has not been finalised."

(3) "No firm plans have been made to date for establishment of a new school in the area."

PAMPHLETS ON ASSISTANCE PROVIDED BY
DEPARTMENT OF CHILDREN'S SERVICES

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

Does the Department of Children's Services publish any pamphlets detailing benefits and assistance available to families? If not, will he consider publishing pamphlets similar to those published by the Department of Social Security, so that a complete record of a citizen's entitlements are available?

Answer:—

"No. Because of the varied and personal nature of the work it is considered that the services offered by the Department of Children's Services could not be adequately or satisfactorily described in pamphlet form. The department's policy of endeavouring to provide individual service has proved satisfactory and it would not be expected this service could be improved by the issue of pamphlets. It is considered preferable for people to have matters personally explained to them as it affects their particular problem, rather than attempt to convey the information in general terms in a printed pamphlet."

ENVIRONMENTAL STUDY, SAMFORD
VALLEY

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

(1) Will the proposed development of the Samford Valley take place prior to an environmental impact study?

(2) Will he give urgent consideration to having such a study carried out?

Answer:—

(1 and 2) "I consider that the proposed development in the Samford area would, if it goes ahead, have a major impact on the Samford Valley and contiguous areas. Government policy, as announced on November 27, 1972 is that environmental studies are required for all developmental projects and other projects where the

Environmental Control Council or Statutory Authority considers these studies necessary. Recently the Local Government Act was amended to provide that local authorities, when considering an application for its approval, consent, permission or authority for the implementation of a proposal, shall take into consideration whether any deleterious effect on the environment would be occasioned by the implementation of the proposal, as well as providing that they can require an environmental study report and statement of impact to accompany such application. The Pine Rivers Shire Council is the local authority concerned with the area of the proposed development. They are assessing the Samford Area Planning Report at present and they have asked the Department of Local Government and the Co-ordinator-General's Department to comment on the report. The Pine Rivers Shire Council has the authority to call for an environmental study, and the duty to consider the adverse environmental effects of the development proposal."

BRISBANE CITY COUNCIL LAND SALES

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

(1) How many parcels of land were sold by the Brisbane City Council in the last three years?

(2) What was the size, location and sale price of each area, to whom was each sold and what was the method of sale?

(3) Was any of the land encompassed in the parcels previously zoned for park, recreational or public use? If so, on what date was rezoning carried out?

(4) How many of the blocks were resumed from individuals or companies?

Answer:—

(1 to 4) "Except in limited circumstances, such as the sale of land acquired by the Brisbane City Council for development or redevelopment purposes under the Brisbane Town Plan, the sale of land owned by the council is a matter within its sole discretion. Accordingly, the information sought by the Honourable Member is not available to my department."

BRISBANE CITY COUNCIL STAFF
DISMISSALS

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

In view of the newspaper report on the alleged sacking of 300 white-collar workers by the Brisbane City Council, will he call for an inquiry into the financial position of the council?

Answer:—

"I am not aware whether the newspaper reports on this matter are accurate. A *Courier-Mail* article yesterday quoted the vice-mayor as referring to 'staff adjustments' and I am also unaware of what those adjustments are. I am however aware of many local authorities being faced with the problem of having to dismiss staff because of the very difficult financial situation created by the Commonwealth Labor Government. In the circumstances, I feel that an inquiry is needed not so much into the financial affairs of the Brisbane City Council or any other Local Authority—

Mr. Sherrington: You made a mess of it when you reduced the number of aldermen in the Brisbane City Council.

Mr. SPEAKER: Order!

Mr. McKECHNIE: For the benefit of the honourable member for Salisbury, I will repeat that.

Mr. Sherrington interjected.

Sir Gordon Chalk: Do you want to go home?

Mr. Sherrington: No, I don't want to go home.

Mr. SPEAKER: Order! I warn the honourable member for Salisbury under Standing Order 123A. If he offends again, he will go home.

Mr. McKECHNIE: For the benefit of the honourable member for Salisbury, I will repeat what I said.

Answer (continued)—

"In the circumstances, I feel that an inquiry is needed not so much into the financial affairs of the Brisbane City Council or any other local authority as into the general fiscal policy at present being implemented by the Commonwealth Government which operates to the detriment of local authorities perhaps more than to any other section of the community."

TRACTOR SAFETY

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

(1) Is he aware of recent submissions by interested bodies which are hopeful of legislation being passed requiring tractors to be built with roll-over protective frames, safe access in front of the rear wheel, seat-belt provision and the enclosing of rear wheels with mudguards?

(2) Has he any figures relating to deaths through tractor accidents for the year ended June 30 and were these accidents confined to rural, mining or construction industries?

(3) What would be the actual cost of supplying roll-over protective frames and has his department been engaged in any programme to create greater driver awareness of potential dangers?

(4) Has a comprehensive study been made of the braking system of tractors as applied to the wet-disc and dry-disc systems of brakes?

(5) In view of other States having passed legislation to provide for tractor safety measures, what is the attitude of this Government?

Answers:—

(1) "Yes."

(2) "Statistics of fatal accidents involving tractors for the year ended June 30, 1974, are currently unavailable. Over the past 5 years there has been an average of 16 fatalities per year involving tractors. Statistics are separated into rural and industrial with 80 per cent. of fatal accidents occurring in the rural industry and 20 per cent. in industrial situations."

(3) "The cost of roll-over protective frames is approximately \$300, there being variations up or down depending upon the type of tractor. My department has been extremely active in creating interest in tractor safety not only with drivers but with all sections of the community. The department has produced a film dealing with rural safety with a heavy emphasis on tractor safety. Officers of the department on request address meetings of persons interested in rural safety and similarly officers attend R.N.A. shows, agricultural shows, and rural field days to increase safety awareness in the rural industry. Recently, my department took delivery of a model radio controlled tractor which was used at the recent R.N.A. show to demonstrate the need for roll-over protection. This model is in use today at the Central Queensland Trades Exhibition being held at the Rockhampton Showgrounds."

(4) "Work is being done in this area by the University of Queensland and the Gatton Agricultural College. A sub-committee of the Standards Association of Australia is also currently working on the development of an Australian Standard for tractor brakes."

(5) "I would inform the Honourable Member that the Government has already amended the First Schedule to the Inspection of Machinery Act to enable regulations on tractor safety to be made. These regulations are being drafted at present and will be similar to those in other States. The proposed regulations among other things will require safety frames to be fitted to new wheeled tractors of certain categories."

MISLEADING ADVERTISEMENTS FOR
FRUIT DRINKS

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

(1) Is he aware of a report recently submitted to the Victorian Parliament wherein an attack was made by the Victorian Consumer Affairs Council on misleading advertisements by certain soft-drink companies?

(2) As the advertisement mentioned has direct relationship with similar drinks offered for sale in this State and as the advertisement misleads the public by indicating that drinks are made from fresh oranges, does his department still demand that the percentage of juice be shown on the label?

(3) In view of the constant concern of citrus growers in this State in their desire to explore all available sales outlets, does he insist that patients in our public hospitals receive, wherever practicable, pure juices from fresh fruits?

Answers:—

(1) "I have not read the report to which the Honourable Member refers."

(2) "Regulation 54 of the Food and Drug Regulations demands that there shall be written in the label on or attached to every package containing fruit juice drink a statement of the total proportion in the drink of the fruit or fruits claimed to be present. Regulation 61 demands that there shall be written in the label on or attached to every package containing fruit drink a statement of the total proportion in the drink of the fruit or fruits claimed to be present."

(3) "No policy directive has been issued to hospitals boards regarding this matter."

INTIMIDATION OF GOLD COAST
RESTAURANT OWNERS

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

(1) Is he aware that standover, blackmail and intimidatory tactics have developed in the Gold Coast restaurant industry, whereby all supplies will be stopped to various restaurants until their owners or staff pay \$20 per head, and that this black ban applied to the Bistro Keller and the River Inn on September 11?

(2) Are the tactics which apply in the Seamen's Union being adopted throughout Australia by irresponsible unions?

Answers:—

(1) "It would appear that the \$20 per head mentioned in the Question refers to the annual membership fee of the Foodstuffs and Allied Industries Union

which is presently conducting a drive for membership on the Gold Coast. The tactics to secure membership which the Honourable Member alleges are to be deplored and the proprietors concerned are being advised by officers of the Department of Industrial Affairs of their rights under the Industrial Conciliation and Arbitration Act. Further investigations are being made in respect of the allegations made by the Honourable Member and he may rest assured that if this reveals that an overbearing attitude has been adopted by trade union officials, I will not hesitate to take the matter up with appropriate trade union circles."

(2) "A union drive for membership would have no connection in any way with the circumstances surrounding the Seaman's Union action as reported in the Press."

MINERAL PRODUCTION

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

(1) For each financial year from 1969-70 to 1973-74, what was the value and tonnage of (a) coal, (b) bauxite, (c) copper, (d) lead, (e) zinc and (f) minerals from sands, produced in Queensland?

(2) What was the tonnage and value of each mineral per year (a) exported and (b) used within Australia?

Answer:—

(1 and 2) "Full and accurate production and value statistics in respect of minerals are not compiled in respect of financial years and a good deal of work will be involved in furnishing them now. However, such statistics are published in respect of calendar years and are available in the Annual Reports of the Under Secretary for Mines, but these do not specify exports. However, if the Honourable Member still desires production statistics for the financial years, their urgent compilation will be arranged."

Mr. CAMM: If the honourable member wants the figures specifically for financial years, we will have to try to get them for him; but they will take a lot of working out.

Mr. Houston: The Minister gave them to me 12 months ago, so I should like them now.

Mr. CAMM: The statistician will have to compile them later on for some of the royalty provisions, but they will take a little bit of working out at the present time. If the honourable member needs them I will get them for him.

Mr. Houston: I would like them, Mr. Speaker. I thank the Minister.

REDUCED EXPENDITURE ON EDUCATION

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

Has his attention been drawn to the comments of the President of the Queensland Teachers' Union regarding an alleged cut of 20 per cent. in State education expenditure as a result of increased Commonwealth spending in this area and, if so, will he assure the House that education will remain one of the areas of greatest concern to the State Government and that no such cut-back is contemplated?

Answer:—

"Yes. Last month, I received from the Queensland Teachers' Union a document entitled 'Maintenance of Effort in Education' which dealt with State Government expenditure on Government schools in Queensland. On August 16, I wrote to the General Secretary of the Union in the following terms:—'It seems to me that your Union in distributing such a statement (which by implication, its author admitted could be inaccurate) before this Office has had the opportunity to point out its inaccuracies, must be concerned more with trying to damage the Government's image than with objective research. I assure you again, that there has been no reduction in Government spending because additional funds have been made available by the Commonwealth. . . ' (end of quote). The position has not changed since that letter was written."

T.A.B. PAYMENTS TO COUNTRY RACE CLUBS

Dr. Scott-Young, pursuant to notice, asked The Treasurer,—

Has he received requests from a number of country race clubs that the funds made available to them by the Totalisator Administration Board should be the same as in 1973 to ensure that many clubs are not financially embarrassed?

Answer:—

"The matter of the percentage of the T.A.B. distribution to race clubs to be declared shortly by the Board has already been the subject of discussion in this House. Some country clubs have contacted me on the subject and I have pointed out that many clubs considerably increased their prize money during last year and the ratio of such prize money to funds available for distribution must affect the overall position. Most clubs will probably receive a higher distribution—but they gave away more in prize money. It must also be remembered that the Board's distribution is limited by its profits which, in common with other enterprises have been affected by rapidly increasing costs of operation. These are facts that must be realised and, whilst I appreciate the

plight of any club which has over-committed itself, there is no magic wand that can be waved."

SURVEY OF LAND, KAWANA AND BATTERY HILL, CALOUNDRA

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

(1) What is the actual acreage of the land on the frontal ocean dunes at Kawana which is being offered as an exchange for public land at Battery Hill, Caloundra, and when was the last official Government survey delineating all the boundaries of this land, including the beach front, carried out?

(2) What is the actual acreage of the public land on Battery Hill which is being exchanged for the area fronting Kawana on the frontal ocean dunes and when was the last official Government survey of this land carried out?

(3) Is the Government aware of this exchange of land?

(4) Has the Government overruled objections from the Landsborough Shire Council in favour of private interests?

Answers:—

(1) "About 45 hectares (about 111 acres). The external boundaries of the Development Lease have not been surveyed nor do the conditions of lease require such survey. As each part of the leased land is developed, survey of allotments contained therein is undertaken by the developer at his expense."

(2) "About 77 hectares (about 190 acres) and includes subdivisional roads and areas required for park purposes. No survey of the external boundaries of this area has been effected."

(3) "Yes."

(4) "No."

TUAN FORESTRY PLANTATION

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

(1) What has been the annual acreage of planting in the Tuan Forestry plantation since its establishment?

(2) When will the harvesting of sawlogs commence and at what rate will it continue?

(3) At what mills will the sawlogs be cut into timber and what modifications will the mills need to process these sawlogs?

Answers:—

(1) "Planting at Tuan started in 1948 when about 180 acres were planted. Since then a total of about 37,500 acres of plantations have been established, which gives

an average annual planting of about 1,400 acres. Currently the planting programme is about 3,000 acres per annum."

(2) "Harvesting of saw-logs from Tuan plantations commenced early in 1974 at a level of about 2,500,000 super feet per year and is not expected to increase greatly over the next five years. If all available land is planted it is anticipated the annual sawlog yield from the Tuan plantations, will build up to between 80 and 100 million super feet early in the next century."

(3) "The only sawlogs so far committed are involved in the 2,500,000 super feet per annum currently being operated. These are being sawn in a mill recently built at Granville. It is impracticable to saw plantation softwoods efficiently in mills designed to handle sawlogs of native species, such as exist in the Maryborough District at present. New mills designed to handle plantation timbers will be required."

FORESTRY DEPARTMENT ACTIVITIES, FRASER ISLAND

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

(1) What royalties were collected on forestry operations on Fraser Island in each of the past ten years and what was the Government expenditure on forestry operation during the same years?

(2) What are the differences in royalties received from timber on the island, compared with mainland royalties, for (a) satinay, (b) brush box, (c) hoop pine and (d) kauri pine?

(3) Has any Government representative approached the present owners to sell the 160-acre freehold land in the Parish of Wathumba, County of Fraser, which is encircled by the Fraser Island National Park? If so, what price did they put on the land?

(4) Has any approach been made by the Queensland Government to the Commonwealth Government for assistance to acquire this land?

(5) Did the Forestry Department consider constructing a road through the national park from Wathumba Creek to Orchid Beach? If so, what was the outcome and what national park purposes would be served by the road?

(6) What future use is planned by the Government for the area of land between Grid Line 12 on the East and the Como Scarp on the West and, if clearance of the area is proposed and softwood planted,

when will operations commence and at what rate will felling and planting continue?

Answers:—

(1) "Royalty collections from Fraser Island, over the past ten years, are not readily available. It would take weeks of work to obtain the information requested. Government expenditure on forestry works on Fraser Island over the past ten years has been—1964-65, \$62,500; 1965-66, \$84,300; 1966-67, \$69,100; 1967-68, \$88,400; 1968-69, \$88,100; 1969-70, \$82,500; 1970-71, \$98,700; 1971-72, \$107,000; 1972-73, 96,900; 1973-74, \$122,200. Total for 10 years, \$899,700."

(2) "Stumpages on Fraser Island are lower than those for equivalent log sizes on the mainland located a comparable distance from Maryborough. This is because of disabilities associated with haulage over sand roads on Fraser Island and the extra handling costs arising from the necessity to punt logs from the Island to Maryborough. There is no satinay on the mainland nor any kauri pine reasonably accessible to Maryborough mills. It has been calculated that mainland stumpage prices for hoop pine and brush box logs of equivalent size and distance from Maryborough as those on Fraser Island, are about 90 cents per 100 super. feet in excess of stumpage prices on the island."

(3) "Yes. The owners advised they did not wish to sell the land."

(4) "A submission entitled 'Extending the National Park Estate in Queensland' was submitted to the Federal Minister for the Environment and Conservation in 1973. This included Portion 2, Wathumba, as an area of national park interest. In view of the owner's attitude no approach has been made to the Commonwealth Government for assistance to acquire this land."

(5) "The report of the Interdepartmental Committee on Fraser Island, submitted in 1971, recommended the dedication of a road from Wathumba Creek to Orchid Beach. The Department of Forestry has no plans to lift the standard of the current track connecting the two localities. Upgrading of the existing track would facilitate public access to the national park and would assist in future park management."

(6) It is proposed to plant the area between Grid Line 12 on the east and the Como Scarp on the west after gazettal of the boundaries of the proposed Cooloola National Park. Planting rate will be about 1,000 acres per annum."

COMMONWEALTH GOVERNMENT RURAL
POLICIES

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

Has he read the report in *The Australian* of September 9 in which the A.L.P. State President, Mr. J. Egerton, when addressing the State Conference of Young Labor Association last week-end, stated that he believed that the Commonwealth Labor Government rural policies were correct and were designed to eliminate the "boom or bust" situations which had operated in primary industry for the past 23 years? If so, what is the situation in regard to primary industries?

Answer:—

"I have read the report referred to by the Honourable Member. I would be very pleased if the Present Federal Government did devise means of ensuring a satisfactory and steady income for primary producers. However, decisions made by that Government to date have, in my opinion, contributed more bust than boom."

DEAGON RACECOURSE

Mr. Marginson for **Mr. Dean**, pursuant to notice, asked The Minister for Lands,—

In view of the lack of sufficient areas in the Sandgate Electorate to cater for the needs of the increasing population, will his department undertake a survey of the area known as Deagon Racecourse with a view to negotiating with the present owners for the land to be acquired for public purposes, such as junior sports?

Answer:—

"This freehold property is owned by the trustees of the Brisbane Amateur Turf Club and is within the metropolitan area of Brisbane. My Department has no funds with which to negotiate acquisition of the area and therefore does not intend to undertake any survey in that regard. If the Brisbane City Council considers that the land is required for a public purpose such as recreation, it may, as a constructing authority under the *Acquisition of Land Act 1967-1969*, see fit to acquire the area for such purpose."

LECTURES TO POLICE ACADEMY TRAINEES
ON CRUELTY TO ANIMALS

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

To ensure the continuity of good liaison between officers of the Royal Queensland Society for the Prevention of Cruelty and police constables, will he consider making provision for an experienced officer of the society to lecture trainees at the Police

Academy on the importance of the prevention of cruelty to animals and the role and co-operation offered by the society?

Answer:—

"At present the limited four months' probationary course of training does not have any periods which could be utilized for this purpose without sacrificing some other, equally important, aspect of their training. However, serious consideration is being given to extending the length of the course and when that occurs, every endeavour will be made to include in the syllabus an opportunity for such a lecture."

ILYA LODGE UNITS, HAMILTON

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

Has the Builders' Registration Board instituted proceedings under the Act against Ferro Enterprises Pty. Ltd. or Ferro Constructions Pty. Ltd. in relation to the Ilya Court units, Rossiter Parade, Hamilton? If so, for what offence or offences, and what stage have these proceedings reached?

Answer:—

"Ferro Enterprises Pty. Ltd. is not registered as a builder. Therefore, no proceedings can be taken against that company by the Builders' Registration Board of Queensland unless it is building as an unregistered builder. The Board has no knowledge of such activity. In regard to Ilya Lodge, an order was issued on March 15, 1974, by the Board on Ferro Constructions Pty. Ltd. to rectify unsatisfactory work on the units. The matter is still under consideration by the Board. On March 12, 1974, the Board ordered Ferro Constructions Pty. Ltd., to remedy the faulty and unsatisfactory building work regarding a wall situated approximately along the property alignment of Lot 1 on RP 131240A, Parish of Toombul, County of Stanley and Killara Avenue, Hamilton. The builder exercised his right of appeal and appealed to the Court against the Order. The matter was set down for hearing on August 22, 1974, and was adjourned until November 14, 1974."

KITCHEN EXTENSIONS FOR UNIVERSITY
OF QUEENSLAND STUDENTS' UNION

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

(1) What is the estimated cost of completion of the University of Queensland Students' Union refectory kitchen extensions?

(2) What was the original estimated cost of the current building programme?

(3) When were the kitchens originally scheduled for completion?

(4) How much has the Commonwealth Government contributed towards the cost of the kitchens?

(5) In the light of the current galloping inflation problems, what representations have been made for and on behalf of the University of Queensland Students' Union for assistance in the financing of its current refectory kitchen extensions?

Answers:—

(1) "\$458,000 as advised by the Acting Secretary of the University of Queensland Union on March 26, 1974."

(2) "I understand that the original estimated cost of the kitchen extensions and equipment was \$110,000."

(3) "Not known."

(4) "\$40,000. The State Government also contributed \$40,000 in 1972."

(5) "I did discuss the Union's problem regarding the financing of this project with the Acting Secretary of the University of Queensland Union on April 18, 1974 when I told him the history of the State Government financing of the Queensland University. The matter is one now for the Students Union to take up with the Australian Universities Commission."

DISTURBANCE AT BRISBANE PRISON

Mr. Davis, pursuant to notice, asked The Minister for Tourism,—

With reference to the reported disturbance at the Brisbane Prison on September 10—

(1) How many prisoners were involved?

(2) What was the extent of damage to the prison and what is the estimated cost of repairs?

(3) Was gunfire actually used to help quell the riot?

(4) Were any inmates or prison officers injured?

(5) Were any terms of settlement agreed to by the administrator and the inmates involved? If so, what were they?

(6) How many inmates cannot be gainfully employed in the prison complex and why are they classed as unemployable?

(7) How many prisoners (a) are housed at the Brisbane Prison at the present time and (b) were housed at the corresponding time in 1973?

Answers:—

(1) "30. Only 18 prisoners were actually offending, the remainder did not take part but remained in the yards because of possible intimidation by the prisoners involved."

(2) "Six toilet pedestals and fittings, some water piping, plumbing fittings, three ablution troughs, two shelter lean-to sheds, one wooden partition and windows in "B" Tower were damaged and broken. The estimated cost of repairs is \$1,500."

(3) "Yes, two warning shots were fired in the air."

(4) "No."

(5) "A list of grievances was submitted by the prisoners and the prisoners were advised that grievances previously submitted had been investigated and, where possible, answers had been given. They were advised that others were still under review."

(6) "In addition to remand prisoners, 205 prisoners cannot be gainfully employed in the prison complex. Some of these are not prepared to work, but it is anticipated with the completion of further workshops, additional prisoners will be employed."

(7) "(a) 610 males, 18 females; (b) 678 males, 23 females."

T.A.B. PAYMENTS TO RACE CLUBS AND INTEREST ON LOANS

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

(1) Is he aware that a number of racing clubs, particularly those in country areas, are going to have heavy financial problems owing to the alleged cut-back in the T.A.B. distribution? If so, has he any plans to assist these clubs?

(2) Is he also aware that the T.A.B. has increased the interest rates for loans for racetrack improvements in the past months from 3.25 per cent. to 5 per cent., to the present 7.25 per cent.?

(3) Why has the T.A.B. increased the rate of interest?

(4) What are the highest and lowest interest rates received by the T.A.B. from its loans to business and other interests?

Answers:—

(1) "I refer the Honourable Member to my answer to the question by the Honourable Member for Townsville earlier today."

(2 and 3) "I refer the Honourable Member to the relevant section of the Racing and Betting Act."

(4) "It is not my practice to disclose confidential information relating to business transactions between a Government agency and its clients."

WATER POLLUTION, BREAKFAST AND ENOGGERA CREEKS

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

(1) Have Campbell Bros. Ltd., Campbell Street, Bowen Hills, applied for a permit to discharge into a waterway?

(2) Has the company received such a permit and, if so, what are the conditions with regard to the levels of pollutants permitted to be discharged?

(3) How many reported complaints of water pollution has the Water Quality Council received from the public since January 1?

(4) How many of the complaints have concerned Campbell Bros. Ltd.?

(5) What action has been taken regarding the complaints about this company?

(6) Has the Water Quality Council issued any permits to firms or persons to discharge wastes into Breakfast or Enoggera Creeks?

Answers:—

(1) "The wastes from the premises of Campbell Bros. Ltd. at Bowen Hills are discharged into Brisbane City Council sewerage. The company has applied under the *Clean Waters Act 1971* for a license for an overflow pipe from its pumping station to discharge into Breakfast Creek."

(2) "A license has been issued for the overflow drain, a condition of the license being that the overflow drain shall only operate in case of power failure."

(3) "No record is kept of the number of complaints received."

(4) "Several complaints have been received concerning Campbell Bros. premises."

(5) "Following investigations of complaints by the Water Quality Council, the company agreed to instal more adequate pumping capacity to ensure that all wastes are discharged to the Brisbane City Council sewerage."

(6) "Yes. It is the intention, however, that wherever possible, wastes will be discharged to the Brisbane City Council sewerage."

SOYBEAN PROTEIN EXTENDERS

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

Have soybean protein extenders, such as are used in the U.S.A. to reduce fish, crab and prawn product costs by up to 40 per cent., been imported into Australia and, if so, does such import represent a serious threat to the local fishing industry?

Answer:—

"I understand that limited quantities of soybean vegetable protein for use as extenders are being imported into Australia, but their impact here so far has been negligible. Since fish, prawn and crab products are sold, in the main, in an unprocessed state in Queensland, no real threat to the local fishing industry presently exists. So-called protein extenders are being used to a limited extent in a number of animal and fish products overseas, but so far price has been the major bar to their extensive use. However, if meat and/or fish prices should rise to very high levels, there is the distinct possibility that some substitution could take place. My Department is very concerned about the possible long run effects of the use of such products on our animal and fishing industries and we are keeping a close watch on the situation."

AMOEBC ORGANISM TESTS OF IMPORTED MUSHROOMS

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

(1) In view of a news report of a Health Department statement that 10,000 food tests are carried out per year, how many tests were carried out for amoebic organisms in imported foods of Asian origin in the 12 months referred to?

(2) Are imported mushrooms subject to amoebic organism tests by any Australian authority before processing or repacking by the importer?

(3) Are Australian processors required by State health regulations to state the country of origin on packages of imported mushrooms or whether they are of mixed origin? If not, how can imported mushrooms be identified for consumer preference or departmental attention?

Answer:—

(1 to 3) "During recent months the Food Inspectorial staff has submitted for examination 51 separate samples of such foods. The analyses of 34 samples have been completed and the results show that no coliform organisms which are indicators of faecal contamination have been isolated. I am advised that a negative result for coliform organisms indicates that no amoebic organisms would be present. A specific search in a number of samples for amoebic organisms was also negative. Seventeen samples are still being examined. The Queensland Food and Drug Regulations require the name and business address of the manufacturer or importer

or vendor or packer not being a post office address to be declared on the label of every package containing any food or drug for sale in Queensland. Where the name appearing on the label is not that of the manufacturer or packer there will be included in such label in addition a mark or brand whereby the manufacturer or packer can be identified. A person whose name appears on such label shall disclose to the Director-General or to an inspector the mark or brand and the name and address of the manufacturer or packer. On the labels of all the 51 samples referred to above the country of origin was declared. The Honourable Member will realise that the matter of imports is the responsibility of the Commonwealth Government. The Director-General is taking the matter up with the National Health and Medical Research Council."

QUESTIONS WITHOUT NOTICE

EQUAL PAY FOR ABORIGINES

Mr. TUCKER: I ask the Minister for Conservation, Marine and Aboriginal Affairs: Will he confirm the truth of the statement of the State president of the National Party (Mr. Sparkes) that Aboriginal workers receive the same rate of pay as white workers? If he can, does that mean that labourers, teachers, stockmen, office staff and policemen on mainland and island communities will receive the same rate of pay as their white counterparts?

Mr. N. T. E. HEWITT: I did not read the article attributed to Mr. Sparkes. However, I may say that most of the payments made to people on our Aboriginal and island reserves are training allowances.

Mr. Marginson interjected.

Mr. N. T. E. HEWITT: If the honourable member for Wolston has something to say, let him make his own speech.

For many years I have taken a very keen interest in the Department of Aboriginal and Island Affairs. The department has on its stations throughout Queensland some 30,000 head of cattle. Recently I referred to Cabinet a submission to allow Oscar Munns, the overseer and head stockman at Woorabinda, an extension of employment from 68 to 70 years of age to enable him to act as a stockman. There was an example—there are plenty—of an opportunity for a young Aboriginal worker to take over. We would be delighted to have them. We have tried to train them, but they have not been willing to accept training. As a result, we have to retain Oscar Munns until he is 70 years of age. We must attempt conscientiously to improve the position.

Before I entered Parliament, I took a keen interest in Aborigines. A person named Ike Williams—I am prepared to mention his name—was droving for a person named Hock Mazlin. It suited me to try to help this Aborigine.

Mr. Bromley interjected.

Mr. N. T. E. HEWITT: The honourable member for South Brisbane would not know an Aborigine if he saw one. If he wants a fight, then he can have one. When I entered this House—

Mr. Bromley interjected.

Mr. SPEAKER: Order! I will deal with the honourable member for South Brisbane if he continues to interject.

Mr. N. T. E. HEWITT: I lifted Ike Williams from having nothing to owning his own home with a stereogram and everything that goes to make a comfortable home. He owned 90 or 100 horses. He did not owe a penny to anybody. He had a credit of £682 with Australian Estates. I had not been a member of this House for more than 12 months when I was telephoned by Bill Kenney of Australian Estates, who said, "Would you have time to come down and talk to us about Ike Williams?" At that time he had a debt of £240.

If honourable members opposite believe they have achieved anything, very well. They claim to be great supporters of the Aborigine. But let us be honest about it. In the past I have been prepared to back these people. I will continue to do so. This morning I have had phone calls from several Aboriginal people expressing appreciation for my assistance over the years.

Mr. Marginson interjected.

Mr. N. T. E. HEWITT: I think the Premier has made his position clear in regard to the statement by Neville Bonner, too. If that is what the honourable member for Wolston wants, then let him get out amongst the Aborigines. He and his ilk should go out amongst them. They are the do-gooders. Let them go out and do something for the Aborigine rather than speak in the House about the problem, in the hope of gaining political capital from it. It is time we joined forces and did something for these people. Look at the Leader of the Opposition. He lives next to Palm Island. What has he done about Palm Island?

Mr. Tucker: Unfortunately, the Minister did not answer my question.

Mr. SPEAKER: Order!

PREMIER'S REFERENCE TO SUPPORTERS OF JOHN CURTIN HOUSE APPEAL

Mr. TUCKER: I ask the Premier: With reference to a disgraceful statement he made in this House, in which he expressed dismay and disgust that prominent Australians

were supporting a memorial to another great Australian, with the clear implication that they might have been blackmailed into doing so, and in view of statements in today's media in which the Premier has attempted to back-track on these remarks, will he explain how he came to give in this House an irresponsible, misleading answer in a considered written reply—and I stress that—to a question on the Business Paper?

Mr. BJELKE-PETERSEN: I stand by every word in the original statement. There has been no backing down on that issue. I drew attention to the fact that the Australian Labor Party is seeking to set up a great national headquarters in Canberra by appealing to, and inveigling, other people and organisations into supporting it. I repeat that I am dismayed and disgusted that in Australia some people who stand for private enterprise are prepared to assist the A.L.P. and, by so doing, put nails into the coffin of their own philosophies. They should realise that they are riding on the back of the tiger. Many of the organisations that are supporting Labor by giving their names to the appeal must be blind, deaf and dumb. Apparently they think they can go one way in this regard and another way in another regard. They cannot safely ride on the back of the A.L.P. socialistic tiger. I stand by all that I said before.

NEW SOUTH WALES PETROL PRICE INCREASE

Mr. AHERN: I ask the Premier: Has his attention been drawn to the proposal by the Premier of New South Wales (Sir Robert Askin) to introduce an excise tax of 6c a gallon on petrol? Has consideration been given to the application of this type of tax in Queensland?

Mr. BJELKE-PETERSEN: No. The Government has not given any thought to the introduction of a tax of this nature. Because of the Treasurer's very careful and thorough budgeting, our State is in a much more fortunate position than other States.

The Australian Government reaps 22c out of the price of each gallon of petrol and takes out of this State at least \$10,000,000 a month. The Leader of the Opposition has tried to get his Canberra colleagues off the hook by suggesting that the people of Brisbane should pay an extra 1c a gallon. He is tax-happy and he goes along with anything put forward by his colleagues in Canberra. He suggests a tax additional to the \$10,000,000 a month Canberra takes from Queensland—and Queensland gets only a part of it back. The Treasurer and I do not want a double tax applied to petrol to get either the Commonwealth Government or the Leader of the Opposition off the hook.

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

PAY-ROLL TAX ACT AMENDMENT BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer): I move—

“That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Pay-roll Tax Act 1971–1973 in a certain particular.”

Motion agreed to.

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.14 p.m.): I move—

“That a Bill be introduced to amend the Pay-roll Tax Act 1971–1973 in a certain particular.”

The provisions of this Bill are very brief, but their effect is of importance to the finances of this State. The Bill will increase the rate of pay-roll tax payable on taxable wages from the present rate of 4½ per cent to 5 per cent as from 1 September this year.

The need to amend the Act in the manner indicated has been brought about directly by the failure of the Commonwealth Government to provide sufficient additional general revenue assistance to the States to meet rapidly escalating costs. For the second year in succession, the States were denied a just share of the income and excise tax cake sufficient to carry out their allotted functions and responsibilities, and for the second year in succession the States have reluctantly found it necessary to increase the rate of pay-roll tax payable to help meet their shortfall.

Premiers and Ministers of all political parties of the six States unanimously decided at the Premiers' Conference in June that an increase of ½ per cent on the pay-roll tax rate would be necessary in the absence of a reasonable increase in the Financial Assistance Grants and that it should apply from 1 September. This was the earliest date that would allow all States to enact the necessary legislation, bearing in mind the desirability of maintaining a uniform approach to pay-roll tax in all of the States. Pay-roll tax returns based on the new rate will start to be lodged by employers in October.

While an increase in pay-roll tax might be considered undesirable from the point of view of its effect on prices, the States have been left with no alternative if rising costs are to be met without a drastic reduction in the level of services.

I commend the motion to the Committee.

Mr. TUCKER (Townsville West—Leader of the Opposition) (12.17 p.m.): I again stress that the Australian Labor Party is

opposed to sectional taxation. Without a shadow of a doubt, pay-roll tax is sectional taxation. It applies only to a certain section of the community, and it hits that section very hard. Even within that section some are affected more adversely than others, because it applies equally to small firms that may be struggling to keep their heads above water and to highly profitable companies.

When I refer to small firms, it should be remembered that pay-roll tax applies to any firm with a pay roll of more than \$400 a week. Taking into account the average adult weekly wage, a firm employing three or more people would now come within the ambit of the Act. With the inflation that is taking place at present, I believe that \$400 is an unreal figure, and many businesses must be brought within the ambit of the Act by the steep increases in wages. It has been suggested that firms are dismissing employees so that their pay roll will drop under \$400. That is not a desirable situation, particularly in country areas.

This is the third increase in pay-roll tax since it was transferred from the Federal Government to the State Governments on 30 September 1971. At that time the tax was 2.5 per cent, but immediately the transfer took place it was increased to 3.5 per cent. There was a further increase to 4.5 per cent on 1 September 1973, and today the Treasurer has given notice that it is to rise to 5 per cent, with effect from 1 September. As I said last year, the increase is in advance of the Budget so that the Treasurer, when preparing the Budget, will be able to take advantage of pay-roll tax receipts for the full period. In three years, there has been a virtual 100 per cent increase in the rate of this obnoxious sectional tax. This demonstrates that, once a tax is levied, its rate never decreases; on the contrary, there is a continuing escalation. Once a tax is accepted, it seems that there is a continual escalation in its rate.

However, we on this side of the Chamber are practical and logical, and we recognise the contribution that pay-roll tax collections make to the State Budget. Last year, pay-roll tax was nearing \$100,000,000. Possibly it would have reached that figure had a number of firms in the course of the year not struck financial difficulties. I think the exact amount collected was \$93,800,000. Although I do not think the Treasurer said what it will amount to this year, I have read statements elsewhere that it is expected to return about \$119,000,000, which represents an increase of 27 per cent on last year's collections. We can thus see that this tax is a greater and greater imposition on companies in Queensland.

It is an insidious type of tax. However, it is fairly obvious that we cannot do without this insidious thing which returns to the State, in round figures, \$120,000,000 a year. In other words, we are hooked on it. We

are unable to get rid of it because, if pay-roll tax were abolished, and the Government tried to do without that \$120,000,000, some other section of the community could be damaged. The Government might be forced to cut back public works, or make a cut-back in some other public sector. Unemployment could occur as a result. Pay-roll tax started off fairly mildly, but it is now part and parcel of the State Budget and, whether we like it or not, we have to accept its imposition. For those reasons the Opposition reluctantly agrees to the proposal before the Committee.

I again call for a review of the application of pay-roll tax. Relief from its payment could be used as an incentive to decentralisation. In the same way, small businesses that are struggling for survival in country areas could be assisted. Within the last few days, the Treasurer said that if small mining companies struck financial trouble in their infancy they would be given a chance, by regulation, to set themselves up by not being heavily hit with royalty payments. He said that consideration would be given to easing the royalty burden in the infancy or struggling stages of certain mining companies. We can all see merit in that. It is obvious that at some stage the Government has to assist by easing the royalty burden.

If that proposal is debated in the Chamber, we on this side will say that there is some merit in it. But if there is merit in easing the royalty burden of new mining companies, and if it is a fair and equitable approach to impose lighter royalties on mining companies in difficulties, then it is also right to apply to small businesses, especially in country areas, or companies in difficulties, the same principle relative to pay-roll tax. I believe some sort of tribunal should be set up by the Government to which small firms suffering business difficulties could appeal for at least temporary relief. I repeat that this would be a fair and equitable approach, and I apply to pay-roll tax the argument put forward by the Treasurer in respect of royalties.

I reiterate that the Opposition regards sectional tax as detestable, but we take the broad view of the greatest good for the greatest number and, being responsible in our approach, we must reluctantly accept the legislation brought forward by the Treasurer today.

Mr. W. D. HEWITT (Chatsworth) (12.27 p.m.): I suppose the lamentation of the Leader of the Opposition that he does not like sectional tax is commendable, but it is also shallow, because he is the very gentleman who, only a few days ago, was saying that metropolitan motorists should be taxed disproportionately in order to level out the cost of petrol throughout the State. If that was not a sectional notion of the application of tax, then I do not know what is.

I will be very brief in my remarks. I enter the debate for two reasons only. Firstly, the Treasurer smiles so benignly when I

speak. I like to see him happy. He has a pleasant countenance and even more so when he smiles.

There is an attitude in this Chamber that when an honourable member floats an original idea he guards it rather jealously and likes to establish that he put that idea forward in the first instance. The Leader of the Opposition paid me a compliment today in repeating almost word for word the very sentiments I recorded in "Hansard" on 18 September last year. Needless to say, I agree with what he said; I believe there should be flexibility in this tax.

Mr. Tucker: You got it from my remarks the year before that.

Mr. W. D. HEWITT: That is not true, because I have read all the speeches and the honourable gentleman never floated the idea before. He should not be so careless with the truth.

This idea of flexibility in the tax is a good one and I do little more today than repeat what I said on that date in September last year.

Mr. Tucker: Now you are jumping on my band-wagon.

Mr. W. D. HEWITT: No, the honourable gentleman is jumping on my band-wagon. Don't be silly! I am prepared to be gracious to him and say it is a good idea. I am glad that he sees the virtue of my ideas. My sentiments today are as they were then, when I said—

"If I have any criticism at all of this tax, it is that it remains stereotype in application. The States are not now answerable to anyone but themselves in this matter, and there are plenty of grounds for having some degree of flexibility. Yet we see that, throughout the Commonwealth, the same rate is applied; there is the same broad application, and the same concessions to the non-business activity of local government seem to flow on in every State.

"It would appear to me that this is an area in which the States could exhibit a separate identity and introduce some degree of flexibility in the application of this tax. For example, there could well be varying rates so that some assistance could flow to primary industries; or there could be some method of giving incentive to decentralised industries. It could well be that, at least temporarily, we could ease the pressure on industries suffering temporary hardship. The Government may also see reasons for applying differential rates to various categories of industry that it would determine for itself. As I say, there is all the room in the world for flexibility in the application of this tax."

In supporting this measure I am pleased to see that the Leader of the Opposition has the flexibility to embrace original ideas put forward in this Chamber.

Mr. HOUSTON (Bulimba) (12.30 p.m.): It is quite common these days for Government members in this Chamber to blame the Commonwealth Government for any increase in any form of taxation. Perhaps they have forgotten that a pay-roll tax Bill was introduced first into this Parliament some three years ago, on 15 September 1971, at a time when a Liberal-Country Party Government held office in Canberra. That Bill was introduced following an arrangement made at that time between the Premiers and Treasurers of the States and the then Federal Government. The States and the Commonwealth agreed that the States would take over from the Commonwealth control of this form of taxation. In fact, when introducing the Pay-roll Tax Bill on 15 September 1971 the Treasurer said—

"The introduction of State pay-roll tax is the outcome of a decision made at the last Premiers' Conference at which the Prime Minister offered to provide for the withdrawal of the Commonwealth from the pay-roll tax field so as to permit the States to collect the tax. The States unanimously accepted the offer, which was designed to give them a means of raising revenue which would automatically bring in more funds in direct relation to the expansion of the economy and increases in the rates of salary and wage payments."

There the Treasurer indicated that the States were anxious to obtain revenue from the improvement in the economic situation and increases in salaries and wages.

The Treasurer concluded his introductory speech by saying—

"For the States, the tax will be a desirable one from the point of view of its simplicity and the quick response of its revenue to changes in the level of the work-force and changes in salaries and wage rates."

It is obvious that the Treasurer used pay-roll tax purely and simply as a means of obtaining more money from the community.

He has laid the blame for having to increase the rate of pay-roll tax from 4½ to 5 per cent at the feet of the present Commonwealth Government. By contrast, in 1971 he did not blame the then Liberal-Country Party Commonwealth Government for an increase in the rate from 2½ to 3 per cent. In the intervening period the rate of pay-roll tax has been increased on more than one occasion. In fact, in 1971 I forecast that over a period of time the rate would escalate in line with expansion of the economy. Government members contradicted me.

When the States were given control of pay-roll tax, the Queensland Treasurer said that he realised it was a means of obtaining revenue quickly from industry and employers, who, in his view, could afford to provide that revenue. Today, apparently, the Treasurer believes that employers can afford to pay increased pay-roll tax.

I have recorded these matters in "Hansard" because I do not want anyone to gain the impression that pay-roll tax is something new that has been forced on the State Government by a Labor administration in Canberra. As I have indicated, it is nothing of the sort; in fact control of pay-roll tax was sought by the States as far back as 1971.

Mr. JENSEN (Bundaberg) (12.35 p.m.): I rise to support my leader, and the honourable member for Chatsworth, who supported his submission. We have heard frequently how well the State's finances are being managed by the Treasurer and how well off the State is as a result. Somebody has to take the first step to control inflation. The Treasurer could well do that in Queensland. If Queensland's finances are healthy, why should the Treasurer increase the pay-roll tax simply because all other States are doing it? The Treasurer virtually said that because the Commonwealth would not grant the States an increase of more than 10 per cent the Government has to increase the rate of this tax to 5 per cent. The Commonwealth's refusal to grant a larger increase was part of its effort to control inflation.

The Leader of the Opposition said that the Treasurer is not assisting small businesses in country areas because he is not giving them any special rebate. My son-in-law is a partner in a small furnishing business that employs six men and two apprentices. Every increase—even this one-half per cent increase—affects his small business. Many of the contracts entered into, including Government contracts to supply furniture and fittings for libraries and schools, do not contain rise-and-fall clauses. Small firms are affected by every increase in wages and taxes. They submit what they think are reasonable quotes to return a fair profit to find later that they make only wages.

Many people believe that the Commonwealth Government should make the first move against inflation. In my opinion it did that when it limited to 10 per cent the increase granted to the States. The State Treasurer could well then say, "I am taking the first step by not increasing this tax this year. I will see how the Budget works out. We will get an extra \$37,000,000 in royalties and therefore will not have to impose this additional tax." It should be remembered that the Treasurer agreed to impose his increase before there was any sign of increased royalties. I should think that the \$37,000,000 is at least equal to the return from the increase in pay-roll tax. The Treasurer should say, "I will not impose this extra duty. I will look after the people of Queensland by trying to prevent further increases in the cost of living." He should come down to earth and say, "I intend to take this first step in the fight against inflation in Australia."

Mr. HARVEY (Stafford) (12.39 p.m.): As we approved the Appropriation Bill last week, we now have to find the money. It should

be noted that, according to the Queensland Government Gazette, in the nine months ended 31 March 1972, this tax yielded \$13,000,000; in the corresponding nine months the following year it yielded \$44,800,000, while in the corresponding period ended 31 March this year it yielded \$67,200,000. From 1972 to 1974 the amount collected increased from \$13,000,000 to \$67,200,000. We know that the Treasurer increased the percentage during that period, but on the basis of the return from this tax in the light of wage escalation, budgetary needs from this field should be adequately met.

The greater the taxes and charges imposed on the community, the less will be the purchasing power of the salary earners. I desire to express my personal views on this matter. I know what amounts of pay-roll tax local authorities in the past have been required to meet. Throughout the State, local government is finding it difficult to obtain adequate funds to meet budgetary commitments. Statements have appeared in the Press recently from the Brisbane City Council, the Pine Rivers Shire Council and many other local authorities reflecting the difficulties they face. If additional moneys have to be expended on pay-roll tax, those amounts will not be available for other activities. It should be remembered that, just as we constitute a public instrumentality, so do they. I urge the Treasurer to give consideration to the alleviation of pay-roll tax for local government, because I know the effect taxes such as pay-roll tax and vehicle registration have on budgetary control.

I acknowledge that earlier the Treasurer reduced State Transport Commission licence fees for the Brisbane City Council to an infinitesimal sum. That had a great impact on the City Council's budget. Pay-roll tax is a matter for ever-increasing concern. I can assure the Committee that local authorities need every cent they can get and cannot afford to have funds taken from them.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.42 p.m.), in reply: Little reply is called for. I appreciate that to a degree this is a sectional tax; I do not deny that. I realise also that it is a tax which the States agreed to accept during the term of office of the previous Federal Government. I have attended Loan Council meetings in Canberra for about 10 years and I am aware of some of the problems that confront Premiers and Treasurers, Prime Ministers and Federal Treasurers, at those meetings. There never seem to be sufficient funds available to meet the States' requests.

In 1971 all political parties agreed that, if the Commonwealth divested itself of the collection of pay-roll tax, the States would accept that responsibility. The basis of the acceptance was a realisation that it would be what is described as a growth tax. On

the other hand, at the same meeting additional funds for the States were discussed, but the Government of the day indicated that it could not provide additional funds. I was one of those who took part in the discussion at which it was agreed that the tax be increased from 2½ to 3½ per cent.

Last year, after the change of Government in Canberra, argument was again put forward for additional funds for the States. When that request was refused (to the extent that what they received was insufficient to meet their requirements), the State Premiers and Treasurers met and agreed that pay-roll tax would have to be increased to provide the extra funds. Consequently, the rate went to 4½ per cent.

This year, following a conference between the Prime Minister and the State Premiers, the same situation arose. Consequently, it was agreed—and I was a party to the agreement—that all States would increase the tax by one-half per cent on an across-the-board basis from 1 September. That is the background of the agreement reached and the reason for my fulfilling my obligation under it.

The Leader of the Opposition indicated that he reluctantly agreed to the increase. All States reluctantly agreed to it. It was not a decision of the Liberal Party, the Country Party, or the Australian Labor Party. All State Governments were reluctant to agree to it but we realised that we needed funds and that this form of growth taxation was one method of obtaining them.

The other issues raised by honourable members in a general way indicated that in their view taxation relief should be given. I should like to be able to give relief in all forms of taxation but, candidly, one must realise the changes that are taking place. I make no secret of the fact that I have arrived at three different answers in the past four weeks on the State Budget.

We were seeking additional funds and received some \$25,000,000 from the Australian Grants Commission. It had hardly been granted when there were two major increases in the State's wage structure and the amount we had gained disappeared. Last week I spoke of the possibility of receiving something like \$30,000,000 in mining royalties in a full year. The ink had scarcely become dry on the paper on which I had written when the wages of nurses were increased. I do not deny them the increase but I point out that it cost \$18,000,000. The following Friday the basic wage was increased by \$1.80. That took another \$7,000,000. So I had lost \$25,000,000 out of the proposed royalties. Yesterday a Federal award increase was granted. That will take another \$9,000,000.

So that, having received \$25,000,000 from the Grants Commission and having anticipated receiving something like \$25,000,000 to \$27,000,000 in royalties in the remainder of this year, I am a little behind scratch

again. That is a clear indication that the inflationary trend is still with us and, as quickly as the State can see its way clear to bring down a reasonable Budget, something occurs a few hours later in the wage structure that calls for a complete revision of figures. I only mention that to give an indication of what is happening.

The South Australian Government brought down a Budget a few nights ago. It was alleged that it contained little increase in taxation. At an appropriate time I shall outline some of the major increases in taxation that have been introduced in South Australia since 1 July. Mr. Dunstan found himself in such a position that he could not possibly wait for the introduction of his Budget but had to immediately increase taxes following the June Premiers' Conference.

So this position does not apply to only one State; it applies right across the board. For that reason, it is necessary for me to honour the undertaking that I gave because the extra money is absolutely essential to meet State needs.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

SELECT COMMITTEE ON PUNISHMENT OF CRIMES OF VIOLENCE

Mr. PORTER (Toowong) (12.50 p.m.): I move—

“That the House take note of the Report of the Select Committee on Punishment of Crimes of Violence in Queensland.”

I believe that the report is noteworthy in a great many respects. I do submit that it is a sensible report, and, of course, it is the first such report considered by the Parliament in over half a century. What is also extremely important is that the report demonstrates that all-party committees can function very successfully.

To me, as chairman, one of the most gratifying aspects of the report—and indeed of the whole operations of the committee—was that members very quickly forgot that they had party roles and rapidly became totally involved in the joint tasks of ascertaining and analysing and arriving at reasoned judgments. So I must say that I found it a remarkable and rewarding experience. It was also very hard work—certainly much harder than I expected. It involved many long hours of private study, a great amount of burning of midnight oil; and this, of course, was in addition to the hours that the committee spent in its hearings and deliberations.

Honourable members will recognise, I think, that it was inevitable in the area being considered by the select committee that there should be found many deep and fundamental disagreements amongst those who submitted both oral and written testimony. But it is noteworthy that, no matter what else people disagreed about, literally everybody agreed that violent crime was becoming increasingly a matter of public concern and apprehension. They agreed that citizens were entitled to feel secure at home and on the streets, and that, therefore, Parliament had an inescapable obligation to endeavour to achieve this.

I think that paragraphs 8, 9 and 10 of the general section introducing the report summarise the situation. Paragraph 8 says—

“As background to its considerations, the Select Committee had to bear in mind that all Western society is experiencing a frightening upsurge in both the incidence and the degree of savagery of violent crime. In the U.S.A., violent crime (defined as murder, forcible rape, robbery with violence and aggravated assault) has risen by more than 70% in the past fifteen years. In the U.K. violent crime (defined as murder, manslaughter, infanticide, major sex assaults, woundings and assaults) rose in the two decades from 1949 to 1969 from 4,800 to 36,600. Violent crime in Queensland (defined as in the U.K.) in terms of crimes reported rose from 148 in 1949 to 459 in 1973. During the relevant periods, the population growth in the U.S.A., the U.K. and Queensland were approximately 20%, 11% and 65% respectively.”

Of course, the precise meaning of that is that the rate of increase in violent crime in those three countries was from five to ten times the rate of increase in population.

Paragraph 9 says—

“Coincidental with so awesome an increase in violent crime there has been unprecedented attention given to the offender as a subject for healing rather than as someone deserving punishment. The Select Committee necessarily had to consider whether this emphasis was not brought into serious question.”

Paragraph 10 then says—

“The Select Committee learned that the social and behavioural scientists play a large part in today's penological patterns, and many people believe rightly or wrongly that concepts so nurtured have influenced both legislatures and judiciaries. The hard fact that violent crime is still growing in both quantum and degree must be recognised. The Select Committee saw as a part of its responsibility a requirement to assess whether the 'mixture as before' was adequate for today's situations, or whether changes in approach were now required.”

There was very general agreement about the problem, but it was much more difficult to find agreement on what to do about it.

All of us are the prisoners of our own individual conscience, as it were—of our upbringing and accumulated experience. And it was quite inevitable that this tended to determine how different people saw the problems of violent crime and punishment. It was obvious from the outset of the committee's hearings—and it continued throughout—that people therefore saw the whole gamut of cause, effect and cure from two almost directly opposing viewpoints. Paragraph 2 of section 2 puts this in a nutshell. It states—

“The Select Committee therefore found itself necessarily considering all the ground between two strongly opposing lines of advocacy—

that criminals are predominately products of socio-economic factors, therefore they are more sinned against than sinning, and they should not be made scapegoats for society's failures; and that unless real mental illness could be established, then offenders should be held responsible for what they did, and theories of diminished responsibility because of external pressures should be viewed with caution.”

This clash of views showed up in every aspect of our considerations—the purpose, the degree of punishment, the role of parole and whether gaol was for punishment or for cure. Of course, it showed up very markedly on the question of capital punishment. My own strong impression is that markedly different views were expressed by the ordinary man and woman in the street—or in the country, for that matter—and what one might term behavioural scientists of different classifications as to what was required. In this regard paragraph 16 of the general section makes the point—

“The Select Committee early became aware that a marked difference in attitude towards punishment for violent crime existed as between 'lay' people (citizens not claiming specialist experience or academic expertise in the area) and some academic, church and professional specialists. In general, the former took a sterner view than the latter regarding the tenet of 'punishment to fit the crime.'”

The House should be reminded that what I am now saying—apart from the direct quotations from the report—are my personal conclusions. I do want to say at this point how much I appreciated the co-operation I received as chairman from my fellow members of the committee. I also wish to express my appreciation of the enormous help given by our secretary, Mr. K. Mackenzie.

Anybody who has read the report and its recommendations must be struck by the very full agreement that has been reached on so much contentious ground. There are only three areas where the committee split. There are only two if one dismisses the single objection of Mr. Aikens regarding trial procedures and judges, because I think that

could well be expected, knowing his long-held views. The only other areas where the committee members were at variance were the content of parole in awarded sentences and, of course, whether the death penalty should be reinstated.

It is not possible in 30 minutes or so to encompass an entire report, because a great deal of effort has gone into making 10 pages of a report encapsulate half a million words of oral and written testimony. I think what I can best do is to briefly indicate to this Parliament where I think the main thrusts of the committee's experience and findings extend, that is, to identify those areas where I certainly believe a Parliament must make substantial changes in order to give a community any real hope that it is going to reduce and control this cancerous growth of savage, violent crime.

Clearly, for me, the overwhelming majority of evidence and all the unhappy statistical facts suggested that violent crime, especially rape, was increasingly becoming the province of ever-younger offenders. Of course this means that we must be grievously failing our children. Unfortunately it seems to be obvious that too many of them are growing up coarse, callous and selfish, with very little sense of obligation either to themselves or to the community of which they are a part.

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

Mr. PORTER: Four major influences were suggested as the background of the tragic growth of juvenile violent crime. The first was urbanisation with all its gross, dehumanising pressures; the second was the breakdown of family influences; the third was educational processes that tend to denigrate discipline and responsibility; and the fourth was the constant visual and printed incitement to extravagance, violence and sexual licence.

No-one would suggest that we could provide a quick panacea for the ills of urbanisation but equally no-one would doubt that Government at all levels has to do much more in the future than it has done in the past to reduce the worst effects of urbanisation.

The matter of the declining influence of the family was singularly covered in recommendation 10 of the committee, which says—

"It is felt that Governments should pursue such policies as would truly buttress the family unit, encourage parent involvement in child activities, and sustain useful local community patterns (particularly in socially deprived areas) by providing financial aid and physical expertise for club and other organised activities; with all such policies directly aimed at combatting the 'aimlessness' now clearly part of the juvenile delinquency syndrome."

So I believe that we as a Parliament—and certainly we on this side as a Government—have an inescapable obligation to help our children to develop their inner resources, to put, as it were, spiritual muscle into their character-building, because without this no child can ever hope to grow into a truly mature person.

In this regard, the report of the select committee makes these further recommendations—

"The Education Department should move to augment present systems designed to identify and assist the child with learning difficulties, with a view to preventing his feeling isolated or inferior to the extent that he becomes a personality problem."

I am pleased to know that, to some degree, this is being done, but more yet needs to be done. The report goes on to say—

"The Education syllabus should include material designed to inculcate in children from an early age a respect for accepted basic moral values, with a recognition that responsibilities rank equally with rights.

"The Select Committee believes that our young people are entitled to protection against today's massive commercial accent on sex and violence through material (including some advertising) which, whilst not so extreme as to be obviously pornographic or obscene, is blatantly vulgar, lurid and titillating and promotes aberrance as a norm.

"One move to this end should include the imposition of standards and procedures on T.V., Theatre and Cinema, and control of the distribution of some printed material, in order to provide the impressionable young with the opportunity for avoidance that most parents want and are entitled to expect."

It is my view that where the Government can act it should act, and it should act quickly and firmly. School curriculums at all levels must be so adapted as to aim deliberately at training children from the earliest age in both self-respect and mutual respect, that is, respect for others in the community. We must certainly end the system whereby so many who are involved in the training of our student teachers are persuading impressionable young men and women that restraint, moderation and any respect at all for the existing order are old hat. When they get through the course those student teachers pass on to children the philosophy that they do not owe anybody anything, but that they should grab all they can for themselves.

Mr. Baldwin: Do you blame the teachers for that?

Mr. PORTER: I blame the system that permits teachers to become what many of them are. If we as a society contribute in this

way to our own destruction, then we are both witless and gutless. Anybody who listened to the evidence given before the committee—and the honourable member for Redlands should read it—will realise that what I have said calls for some action.

Mr. Baldwin: I spent 20 years in the teaching service. That's more than you did.

Mr. PORTER: They might have been 20 lost years, and the honourable member should make up for them.

If through timidity or indecision, we act as though we want our educators to produce a race of social barbarians, we should not be shocked or surprised when some members of the community act accordingly. The hope for the future is that only a few will do so and that most will survive reasonably intact the conditioning processes to which they have been subjected over recent years.

Another major thrust of the committee's recommendations was in the area of crime prevention. Clearly all of us agree that we need a bigger and better Police Force. However, it isn't enough just to agree; the community must place this higher on its list of priorities and recognise that if we spend more money on police we spend less somewhere else.

With greater police capacity must come closer police identification with people, because quite clearly one of the great problems that confront us today, and the reason why crime prevention is made more difficult, is the steady decline in the standing of the police. These days the policeman is hardly anybody's friend; nobody wants to assist him, he is in the eyes of so many people a pig. The policeman and the fabric of restraint and order that he symbolises have unfortunately become the very nadir of anathema as seen by the counter-culture that is being spawned by our schools, our colleges and universities. This is, of course, utterly wrong and totally destructive.

Hand in hand with a larger and more community-oriented police role should go changed court systems. Obviously justice delayed is justice denied. There must be radical reviews to ensure that undue delays are avoided, that all those who should be involved in court work are in fact involved and operating, and that procedures are streamlined, consonant, of course, with the needs of justice for all. I refuse to believe that many reforms cannot be effected.

Certainly there must be some changes in court procedures for rape cases. The present situation is intolerable and clearly encourages—I am sure it doesn't inhibit—this detestable area of violent crime. I believe that long-term damage is done to the victim's psyche, which means that she and those close to her suffer down through the years and perhaps even for a lifetime. Not enough is done in the way of reforming court procedures to ease the burden. It must be done if our society is to endure.

The committee's recommendations on rape show this very well. They include—

“Existing procedures should be reviewed by a competent body to ascertain if, consonant with maintaining the essential safeguards for the accused, the present undue strain imposed on a victim could be reduced through more expeditious and less repetitious pre-trial and trial requirements including—

(i) presence whenever possible of a Policewoman at all Police questioning;”

I might interpolate here that other places use special police teams for rape reports, and the adoption of this practice might be worth consideration. They continue—

“(ii) considering whether the Magistrate's Court determination (on a case to answer) could not be on affidavit without personal appearance;

(iii) ensuring minimal delay between the decision that there is a case to answer, and hearing of the case before a judge and jury;

(iv) precluding the accused from making statements from the dock (not on oath) that are not subject to the test of cross-examination;”—

this means a dreadful ordeal for the victim—

“(v) empowering the trial judge to withhold from publication in the victim's interest (but always having in mind the paramount public interest) some areas of evidence.”

In a different area of the prevention of violent crime are the problems involving mental illness. Many expert witnesses suggested to the committee that much could be done to prevent the quite awful and horrible crimes that are committed by those whose actions were such as could have been quite reasonably foreseen. The recommendations of the committee in this area warrant the closest study and consideration.

There was also the matter of the special vulnerability of people living in rural isolation. This was stressed heavily upon the committee. The very isolation which was once the safeguard of remote country dwellers has now made them most vulnerable. The long Outback tradition of unhesitating hospitality to callers has gone. Now there is suspicion, fear and terror of the casual caller. Useful recommendations are made here and these, too, I believe, warrant immediate consideration.

This brings me to the next point, and perhaps the most important encompassed by the committee, namely, what is punishment all about. Here the conflict between lay people and specialists was very evident. That is perhaps best expressed in section 4 of the introductory part of the report, under the heading “The purpose of punishment”, in these terms—

“There were those holding with varying degrees of emphasis that offenders were largely society's victims, that punishment was primitive and counter-productive,

and that imprisonment and its primary aim should be rehabilitative so that the offender can be successfully returned to society.

"There were also those holding with equal variation of conviction that because of undue concern with the offender's future, the scales of justice had been excessively tilted towards the perpetrator and away from the victim. This was seen as manifestly wrong, being injurious to society and unjust to the victim. Those of this view held that punishment should be seen primarily on the basis of what the crime deserved, with any therapeutic concept relegated to a minor role."

Clearly involved in this area of what punishment should be about were the problems that arose with sentencing. In my view it was strongly demonstrated that the community was dissatisfied with the great majority of sentences for violent crime. Most people felt that offenders were getting off too easily, and that sentences that were too lenient gave the impression that, even if crime did not pay, it certainly did not seem to involve much back-load of debt.

Inevitably, in all that was expressed about punishment—whether the punishment should fit the nature and severity of the crime, and whether regard should be had to the degree to which the offender could be healed—there was much consideration of the vexed question of parole. Again, the conflicting between advocates of punishment as being properly considered in terms of just deserts for wrongs done and those seeing it as a means of improving or recycling the offender, if I might put it that way, and returning him to society as good as new, showed up very clearly. This is covered in the introductory part of the report under the heading, "The Role of Parole", in these terms—

"Lay witnesses tended to reject the proposition that for any reason the granting of parole should so truncate a deserved sentence as seemingly to negate proper justice. This view was consistently expressed in regard to what people understand are 'life' sentences but which (the Select Committee was informed) average in fact less than fourteen years, in terms of prisoners actually released. Most people were not aware that a life sentence could only be terminated by the Governor-in-Council.

"There was agreement that in most cases a long-term sentence should have a content of Parole, but those taking a sterner

line on violent crime and punishment felt that certainly more than just half a sentence should be served before Parole operated. The proposition that Parole should be available once imprisonment commenced (as applies in some other places) was not a majority expression to the Select Committee."

I personally hold that the community is entitled to believe that a prisoner will, in fact, serve the bulk of the sentence imposed upon him for an offence. I think citizens are justly outraged to discover that a sentence of five, seven or 10 years for violent crime—which they might regard in itself as too lenient—is reduced to a 2½, 3½ or 5-year gaol term. That view was expressed in the minority section of the report on parole to which I subscribe. It said—

"We disagree with the select committee's recommendations on the role of parole, but only to the extent of wishing to introduce a proviso stipulating the minimum quantum of an awarded sentence that should be served in prison before parole operates.

"We were impressed with considerable testimony to the select committee indicating that people found the serving in prison of often little more than half a sentence as incompatible with their concept of justice being done and being seen to be done. If sentences in prison are intended to be much less, then the medium of parole should not be used to secure this result.

"We therefore would add to the select committee's recommendations in this area the following:—

"Parole consideration should commence only after a prisoner has served in prison a minimum three-fifths of the awarded sentence."

By inevitable progression, Mr. Speaker, I come to the matter of the ultimate penalty, namely, capital punishment. Should there be a death penalty or should this be eschewed—no matter how atrocious, how vile, how hideous or how coldly planned the crime? Here, perhaps more than in any other area of the select committee's considerations, as I said earlier, people are the prisoners of their own background and their experience. If we hold that human life is totally sacrosanct under each and every circumstance, then it is difficult for us to accept that there can ever be any justification at all for a death penalty. I do not subscribe to this. I cannot see anything in the name

of common justice or the Christian ethic of mercy that supports it. On the contrary, I see much that not only warrants a death penalty but also requires it.

Certainly I reject the proposition (which of course is never supported and, in my view, is totally unsupportable) that there is something inherently good and civilised in being against capital punishment and something inherently bad and uncivilised in being for it. In my own view, the weight of evidence before the select committee was overwhelmingly for capital punishment. It is worthy of note that all public opinion polls taken over the years have shown approximately a steady 60 per cent for it and 40 per cent against it. I believe that, with the fearsome escalation over recent years in premeditated and atrocious murder, there would be at least two to one in favour of a capital penalty at the present time. Certainly, no-one can say that there is any answer other than a death penalty to the rapidly growing problems of political terrorism and international hijacking. I am quite convinced that, as surely as day follows night, countries that retreated from the death penalty will have to put it back on their statute books. This is already happening in many cases.

Since the issue of capital punishment is another area in which the members of the committee were at variance—and it is an area which arouses great depths of feeling—I think it is proper to repeat here the minority attitude—an attitude to which I subscribe. It was—

“We cannot accept the Select Committee's majority Recommendation on Capital Punishment. Both its terms and its conclusion run contrary to what we saw as the clear weight of testimony heard by us.

“We disagree entirely with the convenient dismissal of a deterrent element in Capital Punishment on the basis of statistical information which, at best, must be seen as suppositious and incomplete. The dissenting Members reject as specious the argument against Capital Punishment on the ground that human life is sacred. As we see it, this connotes that the victim's life was not sacred and that, being dead, he or she should then be largely forgotten.

“We find this proposition untenable on any ethical ground, as also is the absurd implication that those who stand for punishment that is just deserts are ignoble

and barbaric, whilst those whose concern for the murderer's life excludes the ultimate concern for the victim's life, are necessarily noble and civilised.

“We therefore submit the following three Recommendations on Capital Punishment:—

“1. Consideration should be given to provision of a Death Penalty in cases of heinous murder, which might be broadly classified as those crimes involving premeditated murder with related atrocious aspects.

“2. As this consideration is a matter of grave public concern affecting deeply held convictions, a referendum should be conducted to ascertain a broad community attitude that might guide (but not direct) the Parliament's consideration.

“3. In such consideration attention should be specifically directed towards provision of a Death Penalty for crimes involving acts of political terrorism and international hijacking.”

I for one strongly urge upon the Government those three courses of action.

I conclude by speaking briefly about the problem of rape because here, undoubtedly, is the most—how shall I put it?—proliferating and worsening area of modern crime. Rape, and particularly pack rape, best exemplify all the horrid aspects of modern violent criminality. It is in this area that violent crime has shown and is still showing its most frightening growth in quantity and degree as well as, of course, the tendency of so much of violent crime to be taken over by ever-younger offenders. Certainly it is that crime—especially in terms of pack rape—that to me points most directly to our inability to train children and young people in ways that are conducive to self-respect, self-discipline and compassion.

The paragraphs on rape in the introductory section of the report should properly be included because they paint the picture in better words than I could use at this later stage. They read—

“These problems are highlighted by the opinion of several expert witnesses that probably no more than three in ten rape attacks are reported, and of those actually reported substantially less than half eventually culminated in a conviction. Potential offenders in this area of crime must therefore be much encouraged by a reasonable expectation that they will not be required to expiate their offence.

"The Select Committee was told by a number of witnesses that a major ingredient in this unsatisfactory situation was the victim's dread of a traumatic protracted Court ordeal (with its attendant publicity). Repeated cross-examination, particularly in the case of pack-rape, was directed towards destroying the victim's reputation for virtue, and meant an almost unbearable repetition of details of gross physical abuse.

"There was some broad agreement amongst different witnesses as to the general background to pack rape, whose committers are largely in a different category from that occupied by individual rapists (who may have clear psychopathic tendencies). From information supplied, it would appear that pack rapists are mainly in the 15 to 27 years age group (with the 17 to 21 years age group predominant) and usually are unskilled or unspecialised workers. Early and ready access to alcohol is another part of the pattern, as also is an inadequate family influence leading to anti-social attitudes and youthful promiscuity.

"The constant media promotion to young people of sex and violence, in a general context of indiscipline and amorality with the inevitable corollary of a lack of self-respect, was seen by a number of expert witnesses as a potent factor contributing to sexual violent crime."

There has been some tendency to minimise the crime of rape. It is a very dangerous crime. It is said that girls dress provocatively and that some girls ask for it. It is true that all women—particularly young women—should be prudent, but most certainly not all rape victims provoked the attack. Many of them did nothing at all to promote it or incite it.

Those who feel that rape should not attract general revulsion in the community (and therefore heavy punishment) would do well to find out the details of some mass rapes—the revolting abuses that are perpetrated on the girl, the vile things she is made to do and the physical hurt itself that often needs surgery. These are awful and even unspeakable, yet under our present court procedures they must be spoken of at the trial over and over again. This lends weight to what I said earlier—that we urgently need some changes in court procedures.

In this context, the select committee mentioned the motor-car. All the inquiries on rape—especially pack rape—here, in New South Wales, in Victoria and now in South Australia stress the role that the motor-car

plays in this as it does in other areas of juvenile violent crime. It was because of this that the committee drew particular attention to the essential accessory role played by the motor-car and, hence, the necessity to devise some procedures which might reduce the role of the vehicle. The committee therefore made recommendations which in some quarters might be regarded as controversial, and also might well be regarded as limiting to some degree individual freedom. But what is society to do? Accept the evil and pretend that it can do nothing?

It is never possible to find any easy or painless way out of hard and threatening situations. I say that people should think a little more about the offenders who were persuaded into this vile offence and, therefore, have to spend long wasted years in prison; and certainly think more of the victims, who become introverted, neurotic and nightmare-ridden because they cannot ever forget the gross abuse of their person.

Mr. Speaker, the report is a large one. As I say, it covers an enormous field and a vitally important field, and it does attempt to identify some of the broad aspects of the scourge of the growth of violent crime that threatens to overwhelm an organised society. All recognise that something must be done. Even if we argue over the "what" and the "how much", surely nobody can argue about the "when". The time for action in this direction is long overdue, and my own firm conviction is that whatever is done must be done in the interests of all the community, not just in the interests of a few of its misguided members. In other words, I believe that virtuous people are more deserving of proper attention than are wicked people. Certainly, all of us must be enabled to see that the scales of justice are in fact in balance and not excessively tilted, as clearly so many people do believe, towards the criminal and away from the innocent victim.

Mr. NEWTON (Belmont) (2.42 p.m.): I second the motion moved by the honourable member for Toowong, "That the House take note of the Report of the Select Committee on Punishment of Crimes of Violence in Queensland."

Members of the select committee appreciate the task performed by the chairman during the course of the committee's hearings and its other involvements right through to the report that is now to be considered by Parliament. It is true, as the honourable

members for Toowong said, that members of the committee worked very hard during its meetings and also had to study many matters outside the formal sittings, because of the large volume of submissions forwarded by organisations and persons, whether or not they wished to appear before the committee. Of course, one must also keep in mind the additional sacrifices made by country members of the select committee, who not only were away from their electorates but also had to spend a considerable amount of time in travelling to and from committee meetings.

The committee endeavoured to put at ease the groups of persons or individual persons who appeared before it in support of their written submissions. It was noticeable that some of those who appeared before the committee were tense, and it was necessary to try to ease that tension because, in almost every instance in which there was a personal appearance before the committee in support of written submissions, very searching questions were asked and inquiries made.

Many differences of opinion amongst the members of the committee had to be ironed out while individual persons or representatives of organisations were appearing before the committee, and most of those differences of opinion were again debated after those persons withdrew and before further oral submissions were heard. That in itself indicates quite clearly in my view that committee members approached the task they had been called upon to perform with an open mind.

Early in its sittings the committee realised that the terms of reference were not wide enough. As this was the first select committee in Queensland for more than 50 years, we were faced with the need to ensure that it paved the way for future select committees in this State.

Some oral and written submissions on many matters directly associated with crimes of violence and punishment for crimes could not be discussed in full as the points were outside the terms of reference. However, notice was taken of such matters, and some were raised on a number of occasions.

I feel that I must say something about the period in which the committee had to make its inquiries and report back to Parliament. We felt that we had too tight a schedule to deal with all the important areas covered by the terms of reference. In my opinion the committee should have been given ample time to visit the major provincial cities for hearings, and to inspect gaols and other institutions referred to in submissions.

That individual persons and representatives of organisations came from far distant parts of the State to appear before the committee

was very much appreciated, because the committee's report and recommendations to this Parliament had to relate to the whole of the State.

The committee greatly appreciated the work done by the secretary, Mr. Mackenzie, who was made available by the Crown Law Office. He was of great assistance to the committee in handling a very large volume of work, including advice and research that was needed throughout the sittings and right up to the time of the tabling of the report in the House. At all times he worked in close liaison with the chairman.

To deal with all the aspects of the various submissions it was necessary to call on the services of experts in all fields to clarify areas of doubt. We also found it necessary to call on the heads of Government departments to appear before the committee, submit reports and clarify some of the matters raised. Let me say that these persons, too, gave valuable assistance to the committee.

In supporting the committee's report and recommendations, let me say that I was very concerned at the number of organisations and individuals appearing before the committee who had very little knowledge of the operation of our judicial system or even of court procedures in this State. That was most noticeable, and from time to time the secretary, through the chairman, was able to assist these people and so make sure that they understood exactly what they were submitting and were fully aware of the true situation.

Concern was expressed about the sentences and fines imposed by courts, as well as about parole in the three categories to which it applies. Again it was evident that the situation was being questioned because the public was not fully aware of the true position. The committee's recommendations on these aspects should be taken notice of, although, admittedly, the Justice Department, through the Minister for Justice, has over a period put out some very good leaflets dealing with these matters. Some of them may come under the jurisdiction of other Ministers but, whatever the jurisdiction, there is no doubt in my mind, on the oral and written submissions made, that people need to know much more about the judiciary in this State—from the lowest court to the highest. This lack of knowledge was especially noticeable in reference to the sentences that can be handed down by our courts, the recommendations that can be made about the length of time to be served, the fines that can be imposed and, of course, the question of parole. We found that in those particular areas people were not fully aware of the situation.

Quite a number of people who are concerned about the situation facing children in this State raised the question of Children's

Court procedure. Many queries were received about the follow-up action that is taken after these unfortunate children have appeared before this court, to prevent some of them, later on in their lives, having to face the higher courts in the State.

Most of the individuals and organisations from the Far West showed great concern about the safety of women and children in those areas. They were particularly emotional about the shocking Morse murder that had occurred just prior to the commencement of our sittings.

Many shocking crimes have been committed in remote areas, and, unfortunately, as indicated by the honourable member for Toowong, the use of motor vehicles enables the perpetrators to escape from the scene of the crime very quickly. This is an alarming state of affairs.

Dr. Scott-Young: It places a terrific burden on the police to apprehend them.

Mr. NEWTON: I shall deal with that aspect later. Country people, particularly those in remote areas, asked for greater police protection as well as for more up-to-date means of communication.

The reintroduction of capital punishment was opposed by the majority of the committee, but some of those who made submissions agreed without hesitation to it. They were in the minority; most witnesses were opposed to the reintroduction of capital punishment. Some who favoured it at first changed their minds when the aspect of near or direct family relationships was brought to their attention.

Capital punishment was one of the most important matters that was considered by the committee. We examined it in great depth to ascertain the true feeling of those who had tendered written submissions and those who appeared before us.

I think it appropriate to quote the comments of the majority of the committee, as they appear on pages 7 and 8 of the report, as follows:—

“The Select Committee lent close attention to Capital Punishment and the suggestion that it should be reintroduced into Queensland. It was apparent that there is a strong opinion in favour of such a measure, but in the main it was founded on the belief that such punishment would act as an effective deterrent against violent crime.

“It became necessary therefore to test this proposition to as full an extent as was possible.

“There is a lack of substantive evidence showing that the death penalty is a deterrent to crimes of violence and it has

not been demonstrated sufficiently that the presence or otherwise of Capital Punishment on the statute books has affected the prevalence of violent acts.

“The Select Committee believes that the State has no right to take the life of an offender regardless of the crime, especially because of the ever present element of error. Besides providing no deterrent, Capital Punishment in fact further brutalises the society and the Select Committee recommends against its reintroduction.”

That was the decision arrived at after taking all factors into consideration.

Another aspect discussed by the committee was the use of the lash, or corporal punishment. It is important that Parliament should know that none of these things were treated lightly or bypassed by the committee without trying to get opinions from the people who appeared before us. I can only say that this colonial-type of punishment was not supported by the majority of people who appeared before us.

Mutilation for certain crimes was raised by some who appeared before us and also by members of the committee to test public feeling on the subject. Most witnesses did not favour this form of punishment.

My colleagues in the Opposition and some Government members on the committee support the majority decisions on these three very important points. These matters were discussed by the committee and our views were made quite clear.

When dealing with life imprisonment for murder, we found that confusion existed. Most members of the public who appeared before us did not fully understand what a life sentence meant except when the words “Never to be released” were used. I could speak for quite some time on this. It was evident that many people in Queensland are not clear about the position when a sentence is imposed for murder. The committee spent quite some time asking questions of witnesses and explaining the position to them.

The committee dealt specifically with crimes of violence in which the victim was maimed or permanently injured. Many witnesses referred to this type of crime in their submissions, and some victims appeared before the committee. They pointed out that often the sentences imposed left a lot to be desired. At the same time they said quite forcefully that steps should be taken to pay compensation to victims of crimes of violence who sustained permanent injury.

How does one give effect to the recommendations? Naturally, that is for the Parliament to decide. I urge honourable members to consider carefully what the select committee found. Those who made submissions on this aspect were of the opinion

that, when crimes of violence are committed and injuries are inflicted on the victims, the prisoner, in addition to being sentenced, should be put to work to earn money from which compensation could be paid to the victim. It was suggested also and stressed that compensation be considered by judges and magistrates when handing down sentences. As Queensland already has provision for prisoners to be released to work, and the trade-union movement has no objection, the committee felt that an opinion should be sought from the Trades and Labor Council about a prisoner's having to work to pay compensation, if such an order were included in the sentence.

It was found by us throughout the hearings that many people, including prisoners we interviewed, felt that, once a person was sentenced by a court to imprisonment, that of itself was punishment enough. That opinion was expressed on numerous occasions, and not only by prisoners. Naturally, prisoners felt that being taken out of society and imprisoned was punishment enough.

The trade-union movement considered this very important matter and forwarded a letter to the committee stating quite openly that at the present time, though it had agreed to the release-to-work provisions, it was of the opinion that close attention would have to be paid to any suggestion that a prisoner be released to work in order that compensation be paid to a victim. It was of the opinion that a sentence of imprisonment should be the only punishment meted out by a court. It is true, of course, that over the years other penalties have been imposed on a prisoner by the person handing down the sentence.

The people who appeared before the select committee expressed concern at the various types of rape. The committee considered quite a number of submissions on both rape and pack rape. The written and oral submissions dealt to some extent with the part that motor vehicles played in the commission of this crime and it is appropriate that I record in "Hansard" the recommendation on page 7, which reads—

"As the motor-car plays a major role in the commission of crime (especially with pack rape) an investigation should be made of the authority of the police as to their power in doubtful circumstances to order vehicles and their occupants home."

That is a pretty strong statement and the reason behind it is that it was clearly indicated that pack rape was being committed in station wagons closed in with

blinds or curtains. The select committee felt that some mention should be made of those submissions and that police powers should be looked at—

Mr. Frawley: Why didn't you vote for a decent punishment for rape? You voted against capital punishment.

Mr. NEWTON: Let me make it quite clear on behalf of the Opposition, and in seconding the motion on behalf of the select committee, that nobody is playing politics with this important issue.

Mr. Frawley: Of course you are.

Mr. SPEAKER: Order! The honourable member for Murrumba will have his opportunity to speak to the motion later.

Mr. NEWTON: If the honourable member for Murrumba wants to carry on that way, Mr. Speaker, let him. He is not upsetting me in the least. My sincerity and that of my colleagues on this side of the House is substantiated by the majority recommendations of the select committee.

The committee was concerned about the rapist who is also a sadist and seems to derive pleasure from inflicting pain or wounds upon his victim or even endeavouring to take her life. The severity of the penalties imposed by the court determining those cases was questioned. The committee had the opportunity of visiting gaols and talking to prisoners who had committed all types of crime. They themselves questioned the sentences being handed down and were at a loss to understand the difference—

Mr. Davis: Between the two.

Mr. NEWTON: That is right; the difference in two particular cases where the periods of imprisonment to be served differed. This was raised in connection with a number of other crimes, too.

As the honourable member for Toowong indicated—and I want to record this in "Hansard"—all of the people who appeared before the select committee, particularly those from the West or the Outback, referred, as all honourable members have in this House from time to time, to the lack of policemen in the State. They believed that the task of the Police Force was more to prevent crime than to solve it.

On page 6 of the report, these recommendations are made—

"11. The Select Committee recommends that relative priority in Government spending be given to providing a bigger and better equipped Police Force.

"12. The techniques used in other places to more directly relate the Police to the citizen, i.e. more Police on the beat and assignment of a Police Officer to a local community in order to make and maintain contact with families and community activities, should be considered. The old-fashioned image of the neighbourhood policeman could have merit."

The suggestion in the last sentence of paragraph 12 was supported very strongly by organisations and persons who appeared before the committee, particularly those from remote areas of the State.

No-one criticised the system of communication now being used by the Police Force. But representatives of women's organisations who appeared before the select committee stressed the types of crime being committed in isolated areas and the dangers that women faced when their husbands and other men were away from the homesteads. They suggested that the means of communication between homesteads and the local police station and the range of communication coverage of areas surrounding the police station should be considered thoroughly.

In addition—and this is a matter about which all honourable members have been concerned—they raised the question of the staffing of police stations. Although the system in the Brisbane metropolitan area is being modernised with the use of patrol cars, it is important that in distant areas of the State police stations should be kept at full strength at all times. If a police officer is away on annual leave, his place should be taken by another policeman.

Mr. Bromley: Many policemen have to do miscellaneous duties not really connected with police work.

Mr. NEWTON: I am pleased that the honourable member for South Brisbane has mentioned that while the Minister in charge of police is in the House. Members of the Police Force have been trying to get relief from these duties, and honourable members have attempted to ensure that additional staff are appointed to carry them out.

As I indicated earlier, certain matters were raised which did not come within the terms of reference of the committee. Because of their importance, the committee noted them. I wish to have recorded what the

committee said relative to firearms, and I draw the attention of honourable members to paragraph 19 on page 7 of the report—

"The Select Committee did not see consideration of any licensing of or restriction on the use of firearms as part of its task, but it is bound to comment on the considerable amount of testimony provided suggesting that easy availability of firearms was a substantial contributant to some areas of violent crime."

There is no doubt about that. Questioning by members of the committee showed that even members of the Police Force recognised the difficulties arising, particularly in rural and remote areas of the State, because people with high-powered fire-arms and other means of bringing about instant death are able to move about quickly in modern means of transport. It was made clear that the Act relating to fire-arms should be tidied up, not only to assist police to carry out their duties more effectively when a crime has been committed or to prevent persons from committing crimes but also to enable police to learn where the fire-arms have been obtained, how they have been used, and other necessary information. Banks, hotels and others that handle large amounts of money must be very concerned about the present-day easy access to fire-arms. Big hotels in the metropolitan area handle large sums of money daily and they must be very concerned about the easy access to fire-arms.

I do not want to indulge in tedious repetition. I have endeavoured to cover some points that were not covered by the chairman of the select committee.

(Time expired.)

Dr. SCOTT-YOUNG (Townsville) (3.21 p.m.): I congratulate the chairman of the select committee on the excellent report. It is obvious from it that the committee conducted inquiries in depth and had a considerable amount of material submitted to it.

I should like to discuss briefly the subject of parole. As I see it, parole seems to be improperly understood in this State. It is not uniform throughout Australia. When the original legislation was debated in 1937 in this Chamber, the then members did not understand the meaning of parole and had difficulty in differentiating between the old bond system and the new proposed parole system.

The basic ideals behind parole are, firstly, to exercise post-release control, in other words, to help the discharged prisoner to

rehabilitate himself, and to guide his footsteps by not allowing him to consort with other criminals. Under the old bond system a man had to commit another crime before he was apprehended and brought before the courts. Under the parole system it was suggested that, if a discharged prisoner consorted or did not act in accordance with the instructions of his parole officer, he could be apprehended and brought to account, or even returned to gaol. Secondly, the idea of the parole system is to assist the prisoner in managing during the period of transition from the atmosphere of gaol to civilian life. That is very important. The third basic ideal is the rehabilitation of the discharged prisoner in civilian life.

As I said before, the parole system is not uniform throughout Australia. Actually the word "parole" has little meaning. Its prime role appears to be a process or procedure that is formally entered into in order to reduce the number of inmates in our prisons. It even appears to be a cost-reducer rather than a rehabilitation scheme.

Australian parole supervision is almost non-existent. Parole boards are supposed to submit an annual report to the Minister for tabling in Parliament. Unfortunately the reports are more like the documents of a secret society. They give no details of denials or revocations of parole periods. In many cases reports tabled show only figures. Those statistics conceal the actual activities of the boards. In Australia everyone has deluded himself into believing that the parole system works.

Mr. Wright: You don't know what you're talking about.

Dr. SCOTT-YOUNG: I am referring not only to the parole boards themselves, but to courts, politicians and the public.

Mr. Wright interjected.

Mr. SPEAKER: Order! The honourable member is entitled to be heard in silence. I remind all honourable members of this.

Dr. SCOTT-YOUNG: At the time the parole system was introduced into Australia it was under careful scrutiny in America, because it was obviously not working there. The figures from America prove that parole has not reduced crime and has not helped rehabilitation. These are facts.

One should look at page 1, part 1, paragraph 8 of the report of this committee to see exactly how the figures for crime have escalated throughout the world, and in America especially, where the parole system was introduced long before it was adopted in Australia. If these figures do not prove that the parole system has failed, then the honourable member for Rockhampton should

hold another committee of his own to reorganise all of the civil processes. The figures are there and are indisputable.

We in Australia should also be studying the parole system in depth, and I hope that the report of this committee will stimulate such a study. We have the figures before us and I think they would be sufficient to stimulate further study of this system. In America the system is again under deep study by various social workers, prison authorities and the Justice Department.

Up until 1971, the authority to release on parole was shared between the Parole Board and the sentencer. Since 1971 the Parole Board has been the only body that can grant parole in this State, and it is interesting to note that since that time there has been a great increase in the number of parolees. The Queensland figure for the year ended 30 June, 1973 was 135.

Despite the shortcomings of the parole system, I believe it is a most necessary instrument of procedure in our social and penal systems, because the majority of individuals—not only humans but birds and animals as well—who are restricted or confined for any length of time in a prison, a P.O.W. camp, an institution, a hospital or a cage, lose their initiative. And with humans, this will be found to be the case even in a socialist State. People subjected to the close confines of a gaol will be found to have lost their ability to make a decision. They are thus receptive to suggestion; they are easily led.

This is probably the original idea on which parole was based. It is much better than the bond system, but under the parole system people have to be fed with correct suggestions. They have to be directed along the correct lines so they can rehabilitate themselves in society and thus avoid coming into conflict with society again. They must be gradually taught to make their own decisions and not to become dependent on the authority of someone else. They must have the ability to think for themselves and make their own way in life.

It is rather interesting to note that prisoners with a proclivity to crime need longer and more carefully planned post-release assistance. These are usually the people who do not get parole; they serve out their long sentences and are immediately thrown out into civil life. Yet these are the people who really need parole.

Another interesting fact about parole in Australia is that it is a voluntary arrangement and experienced criminals need not take it if they do not wish to. Many experienced criminals consider it is a bit of a bore to have someone breathing down their necks and supervising their immediate post-release period, so they do not take it. If it is not mandatory, then it is not considered essential

or important by certain criminal elements. If we are to persist with the parole system, I consider that parole should not be made to appear a punitive trap. If it is, parolees will come to fear and distrust it and will not accept it. Parole should be supervised by experienced, educated and well-trained officers and, at the present time, I do not think there are sufficient trained, educated officers doing parole supervision. They should be carefully selected and their number increased. However, I cannot see in the committee's report any recommendation that their number be increased.

I agree with the committee that a prisoner who is sentenced to a short term of imprisonment should not be allowed out on parole. A criminal who is sentenced to a long term of imprisonment should have to serve at least three-fifths of his sentence before he is allowed out on parole. It is not so much the parole system as the sentences that call for an in-depth study.

The committee also dealt with rape. Having been the medical officer who examined the victims in a large number of rape cases, particularly instances of pack rape, I am of the opinion that crimes of this type are looked upon far too lightly by the community. In many cases the rapists have been acquitted and have gone scot-free. In fact, recently in Cairns a gang of brutal fellows subjected a woman to bashing and pack rape for two hours, with the result that she died. The charge, however, was not murder but rape, and the offenders got off scot-free. It is shocking that such a state of affairs can arise in our community. In the eyes of the law, apparently, no-one raped her and no-one murdered her.

Usually a considerable degree of physical violence is associated with pack rape. Quite often the victim is an innocent young girl with no previous sexual experience. The majority of men who commit pack rape are young—usually under the age of 30 years and mostly below the age of 21 years—and are under the influence of alcohol at the time of the commission of the offence. And in the vast majority of cases they own motor vehicles. Alcoholism is no excuse for violence, but unfortunately the justices appear to believe that a man who is drunk is entitled to rape any woman or bash anyone.

In pack-rape cases the victim is usually brutally assaulted, often made pregnant and sometimes infected with venereal disease. In nearly every case she is damaged psychologically. On top of all this she is dragged into court, usually a long time after the commission of the crime, and subjected to cross-examination by lawyers whose main purpose seems to be the vilification and denigration of the victim's character. By the time the trial is concluded she crawls out

of court with the feeling that she and not the pack of villains standing in the dock is the wrongdoer.

In the committee's report I see no recommendations in relation to pack rape, so I shall put forward certain suggestions. The first is that all rape cases, particularly those involving pack rape, be held in special courts, closed to the public, with policewomen, female social workers and a medical officer in attendance. The results, of course, should be made public.

I do not go along with the present practice of trying individually each accused involved in a pack rape. The outcome is that the victim appears in court as many as 10 or 12 times. I believe that all the accused should be tried jointly.

For the rapist who repeats his crime the punishment should be castration. Some men are what I will term repeated multiple rapists. In fact a man named Leonard Lawson recently assaulted and physically damaged a girl entertainer in the prison in which he was serving a term of life imprisonment for having committed rape and murder. Anything short of castration in a case such as that is not good enough.

A minimum term of 10 years, without parole, should be set for anyone who is convicted of having been involved in a pack rape. By that I mean not only those fellows who actually have intercourse but also the bystanders who hold the girl while the offences are committed. In many instances they are allowed to go scot-free.

An Honourable Member interjected.

Dr. SCOTT-YOUNG: I would like to hear the honourable member's comments if his daughter was raped by a pack of men. I have seen many victims of such a crime. They will never get over the psychological trauma. Many victims who consequently become pregnant have to turn against their religious teachings and have an abortion. For the rest of their days they carry the terrible spectre of rape and abortion. Yet some people want to treat lightly the animals responsible. There should be mandatory lashing for rapists, castration for repeated rape, and a minimum sentence of 10 years without parole for anyone associated with the crime of rape, whether he has intercourse or not, plus the lash.

Mr. DAVIS (Brisbane) (3.36 p.m.): I believe that the chairman of the select committee and the Leader of the Opposition have covered most aspects of the report. I am a little concerned about the contribution of the honourable member for Townsville. Some of the submissions that the select committee received were similar to his comments.

One witness who appeared before us submitted that the lash should be reintroduced. When we asked him why he thought it should be the lash and not the cat-o-nine-tails he said he preferred the lash as it left a deeper scar and the prisoner would be disfigured for life. We heard an enlightened medical practitioner, the honourable member for Townsville, suggest punishment that belongs more to a Moslemic or Islamic country. When we sought the view of the Bar Association on mutilation and disfigurement eyebrows were raised and we were told that this concept properly belonged to backward Middle East countries. Yet the honourable member for Townsville, a supposedly enlightened medical practitioner—

Mr. K. W. Hooper. He has seen the other side of it.

Mr. DAVIS: I do not care what he has seen. We are living in the 20th century and we should not seek to return to the 17th century. The honourable member for Townsville advocated castration. Holy mackerel! Words fail me when I think what might have happened if we had had people like him on the committee.

Government Members interjected.

Mr. DAVIS: We are discussing a very serious matter. The committee met for about five weeks, without any charge to the State, to discuss on a non-political basis the very important matter of punishment of violent crime, yet the honourable members for Merthyr and Murrumba make stupid, facetious remarks. I honestly cannot understand their muddle-headed thinking.

I place on record my appreciation and that of the committee for the wonderful support we received from the secretary of the committee, Mr. Mackenzie. I am sure that every member of the committee agrees that he did an excellent job in furnishing us with so many statistics and reports, and in helping us on so many legal aspects for the compilation of our report. Whether the submissions of the witnesses were way out or to the liking of some committee members, they were addressed at all times courteously by committee members. We had the benefit of opinions of a good cross-section of the community. As the honourable members for Toowong and Belmont said, the committee faced a serious shortage of time in presenting its report. That meant that we engaged in hasty discussion. If further time

had been available to us to digest reports and visit other institutions, it would have been more in keeping with the importance of the report that was compiled.

The next aspect I wish to deal with—and it was discussed a moment ago by the member for Townsville—is that a large proportion of the general public do not understand the parole system. This was made clear in the submissions we received. I think that the man in the street believes that most prisoners sentenced to life imprisonment are released after 15 years or even a shorter period. However, the facts do not support this belief. A great many prisoners presently in our gaols have been there for 20 years, 25 years or more. Many will never be released. I feel—and this suggestion was made to the Parole Board—that that fact should be highlighted in some way by the board.

Moreover, when a prisoner is released on parole he is still under sentence. Members of the public generally feel that, when a prisoner is released on parole after serving 10, 12 or 15 years' imprisonment, he has served his sentence. That is not correct. He is on parole till the period of his sentence has expired. This applies equally to a murderer released after 15 years and to a person sentenced to three years' imprisonment who is released after serving one year.

Many of the submissions put forward, particularly from country areas, had in the background the heinous crime that was committed against Mrs. Morse. It could be felt throughout the committee's hearings that that case had a great bearing on some of the submissions. Country members seemed to mirror it, and no doubt other committee members agreed with it.

The committee visited three prisons. I repeat that we did not have sufficient time for complete inspections. The three prisons visited were Brisbane, Wacol and the special hospital at Wacol for the criminally insane. I know that some of the committee members who have never been to a prison before were enlightened by the conditions they saw in those institutions. One factor that comes readily to mind was that at the Brisbane Prison many of the inmates had no work available when they were released. In answer to a question this morning, the Minister said that they were either unemployable or they did not want to work.

Even though the committee was not dealing with prisons as such, it is one aspect that was touched on. It may be that the

complete prison system could be the subject of investigation by another select committee. Perhaps I could conclude this section of my remarks by suggesting the setting up of a joint committee to investigate all aspects of parole, especially comparison with other States.

The entire Parole Board appeared before the select committee. I know that some members of the committee were no better off after receiving answers to their questions than they were after reading the Parole Board's report. I believe that the Parole Board itself as well as parole in general should be the subject of a further investigation and could entail a complete parliamentary inquiry.

I now wish to deal with two sections of the committee's report that have received some publicity—rape and the motor-car. The honourable member for Belmont touched on them. The problem is not easy to solve even though it is known that the availability of transport plays a prominent role, particularly in the incidence of pack rape. One section of our recommendations, which we hope will be acted on by the Ministers concerned, is that dealing with "lifts" in motor vehicles. We said—

"There should be opportunity provided within the school scene for young people to be informed, in appropriate terms and at an appropriate age, what constitutes in law both sexual assault and rape and also the penalties these crimes can earn."

It is fair to say that in past years a female rarely hitch-hiked alone and even when she did it was mostly on a tourist road such as to the Gold Coast. I think every honourable member would agree that this mode of travelling has now become the norm rather than the unusual. The respective Ministers should investigate whether the problem can be overcome by publicity through the media or by legislation. I believe the Traffic Act prohibits hitch-hiking from the road but not from the footpath.

Consideration should be given to the separate parts of the report, particularly prisons and parole. The committee had to separate violent crime from crime, which was very hard to do because some submissions dealt purely and simply with petty crime.

Mr. Bromley: A lot of violent crimes are committed on impulse.

Mr. DAVIS: That is right. They are crimes of passion, and in some cases we could not consider them.

I enjoyed the comradeship of the committee members. When I was approached to become a member of the committee, I accepted with a little trepidation; I thought it could be a political rather than a constructive move. But all committee members worked well together. We received a tremendous volume of written submissions and reports and a lot of detailed information which, unfortunately, are not available to other parliamentarians.

Mr. Bromley: I think that the committee should be congratulated on the standard of its work throughout.

Mr. DAVIS: That is right. All committee members worked exceedingly hard and produced a report which could serve as an example for future parliamentary committees. There was a good deal of talk in the hallways of this building that joint parliamentary committees would not get off the ground. I think that the success of this committee stems from the conduct of all members. Whether the Government does anything about its report is another matter. I hope that this committee will be the forerunner of others.

Mr. W. D. HEWITT (Chatsworth) (3.48 p.m.): I, too, express my gratitude for the opportunity to serve on the select committee. I feel certain that all of those who participated learnt a good deal, came to respect each other's point of view a little better and, importantly, recognised the true value of select committees. It has already been mentioned that this was the first select committee of this Parliament to sit for 50 years. I endorse the sentiment that it should be the forerunner of others. It would be a great pity if this were kept in isolation and members from both sides of the House did not have an opportunity to serve on further committees.

In subjects such as the one to which we applied ourselves there are no politics. Every person of good will desires a reduction in the incidence of violent crime and we all share the hope that the amount of violent crime will be lessened in the State. Committees such as this one lend themselves to the application of the expertise of members on both sides of the House. This has proved the great value of select committees and I look forward to the appointment of more in the fullness of time.

The remarkable thing that has come from the recommendations is not the divergence of points of view on parole and capital punishment but rather the unanimity on most of the issues. On the significant matters the committee was as one. We recognised shortcomings in our legal processes; we recognised action that had to be taken. I believe that every member of the committee, without exception, strove to give of his best and attempted to accommodate every point of view.

I give an example of how the committee worked. There were, of course, two minority reports. But there was another occasion on which I felt rather strongly about a particular issue and I thought it was necessary to test the feeling of the committee. I asked the chairman to do just that, and it was very interesting to note that the honourable member for Landsborough (a National Party member), the honourable member for Brisbane (a Labor Party member) and I were the only three who shared a particular point of view and that all the other members of the committee took the contrary view. That indicates clearly that, in the committee's deliberations, it was possible to push political points of view aside. My good friend the very sturdy member for South Coast will certainly agree with that sentiment.

Mr. Bromley: He put a lot of weight behind it.

Mr. W. D. HEWITT: He certainly did!

I pay a particular compliment to the chairman, the honourable member for Toowong. He had no precedent to guide him. There were no former proceedings of a standing committee in recent years to which he could refer to establish his guide-lines. To a very great extent the committee was dependent upon his interpretations, his firmness, his decisions on relevance, and his generally high quality of chairmanship, and they were all beyond reproach. The committee, and indeed the Parliament, is indebted to the honourable member for Toowong for the way in which he piloted the committee through its deliberations.

Mr. Bromley: I think that the people of Queensland are indebted to all members of the committee.

Mr. W. D. HEWITT: The honourable member for South Brisbane says that the people of Queensland should be indebted to all members of the committee. Who am I to disagree with that?

I also endorse the kind remarks that have been made about Mr. Ken Mackenzie, who was seconded from the Crown Law Office to act in the capacity of secretary. He

fulfilled his obligations with great distinction. The committee was very heavily dependent upon him, and he kept members constantly briefed on legal aspects that required to be brought to their attention. His contribution also was of the highest order.

The significant area in which the committee found disagreement was the question of capital punishment. It will be noted that, by majority decision, the committee recommended against the reintroduction of capital punishment; but there was a significant minority report which stated that in certain circumstances it should be reintroduced.

Although we disagreed, we certainly respected the point of view of our colleagues, as I am sure that they, in their turn, respected our point of view. They would not disagree with me when I say that those who are opposed to capital punishment are no less humane and no less horror-stricken when these dreadful and repugnant crimes are committed. We arrived at our conclusion because we did not believe that the weight of evidence that we heard sustained the argument in favour of the reintroduction of capital punishment. Indeed, I could find little evidence to show that capital punishment has any deterrent effect.

The question has been tested on numerous occasions before a number of royal commissions in many countries, and as a result of the weight of evidence that has flowed from those commissions, capital punishment has been phased out in many countries. I suppose one could cite the example—it has been cited on many other occasions—that when the crime of pickpocketing was a capital offence in the United Kingdom and punishment was carried out in public, very often pickpockets were operating among those who were assembled to watch a pickpocket being hanged. My own reservation about the effectiveness of capital punishment as a deterrent has always been on that basis.

I believe that the threat of that ultimate punishment can compound a crime. It was mentioned to us frequently that a rapist could conceivably murder his victim if he felt that the crime of rape itself was punishable by capital punishment. One could point out that a criminal, knowing that his offence was going to be punished by hanging, could well take more extreme measures in avoiding apprehension, and thus could cause further loss of life. It is well recognised that there is sometimes a reluctance on the part of a jury to bring in a guilty verdict when they know that they may be sending a man to the gallows.

Of course, the overriding consideration is the totally irreversible nature of the punishment. It is too late five or 10 years later—or, indeed, two years later—to say, "In the face of fresh evidence we now believe the man was innocent", if he has been sent

once and for all to the gallows. For those and other substantial reasons I fell against the suggestion that capital punishment should be reintroduced.

The important fact that flowed from the evidence we heard was that the rate of violent crime in the community is in direct proportion to the rate of apprehension. We firmly believe that the higher the level of apprehension, the lower will be the incidence not only of violent crime but, indeed, all crime.

To that end the suggestions that the Police Force must be further strengthened and reinforced, and that the money Vote must be higher, met with our unanimous support. The Minister who is presently in charge of the House (Mr. Hodges) should know that any measures he introduces to further strengthen the force will have the particular support of those members who served on this select committee.

It was pointed out to us consistently that there is an increasing incidence of crime in heavily populated urban areas; in other words, the greater the density of population, the greater will be the incidence of crime. We were told about London, New York, Paris and other great cities of the world. Significantly, one city alone stands out from that broad generalisation—the city of Tokyo.

We were told that in Tokyo the police have a defined precinct which they have to canvass and they have to canvass it to such an extent that the policemen must physically call at every household in that precinct something like three times a year. The demands upon man-power would be enormous, and I would be the last to minimise them. Demands in terms of man-power and cost would be staggering, but the Tokyo experience must prove something. Tokyo is one of the largest cities of the world in terms of population, yet the statistics flow against all of the other established statistics from the other great cities of the world. I thought that matter was of such interest that I should put it into the record.

A number of honourable members have already spoken about imprisonment, its effect, and how it should be applied. We were constantly confronted with the argument: when a person is sent to prison is he sent there as punishment or for punishment? I suppose, on judgment, it would be a combination of them both. I should think that the mere loss of freedom is itself a pretty terrible punishment. Notwithstanding the comments of some people that the prisoners are now living in motel situations, I was happy enough to get out of Wacol after our visit and breathe the free air once again. It has a cloistered atmosphere that raises feelings of some repugnance. I believe that loss of freedom in itself is a pretty terrible thing.

Notwithstanding those comments, I believe that we should look closely at the use of prisoners in the prisons. The trade shops that we saw met with our commendation. We were pleased to see prisoners being employed usefully and gainfully in the workshops. One would hope that not only are they making a product while they are inside but also are learning a trade for the day when they are released. Our discussions with some prisoners suggested that this may well be so. Where we saw prisoners being employed, they were being employed usefully, and one can do little more than applaud the prison authorities for that. It is a soul-destroying experience to see dozens and dozens of men locked in a small compound doing absolutely nothing except walking the length and breadth of the compound, with their hands behind their backs, to get some form of exercise.

I know that some prisoners refuse to work. I understand that they have the option; they do not have to work. I believe that there should be some compulsion. Employment should be available and acceptance of employment should be taken into account when remission of sentence or parole is being considered. In other words, even though a prisoner is on his best behaviour all the time, if he does not do anything useful in the prison, that fact should be taken into account when he seeks to have his sentence shortened a little. There are enormous possibilities for the better use of prisoners, and I know that this programme is very much in the mind of those who are presently looking to expansion of the prisons. I hope that this will be kept very much in mind with the building of the prison for young offenders at Woodford.

One of the recommendations that I particularly enthuse about is section 7 under the heading "Reparation Proposals". In very succinct fashion it says—

"Consideration should be given to establishing some form of Criminal Injuries Compensation Board, with provision of a more realistic and comprehensive compensation coverage for victims of violent crime than is currently available."

One can view that in two ways. I am certain that it means that the innocent victim of a crime must be able to look for greater compensation from the State. But it should also mean that compensation should be forthcoming from the perpetrator of the crime; that the prisoner, while he is locked away, should be working in a productive fashion so that the benefit of his income is flowing to the victim. And if need be, when he is released, there should be some continuing obligation on him to compensate the victim, because there is no reason why the State should accept the total obligation if the person who committed the crime is capable of making some contribution. I particularly commend that recommendation in the hope that the Government might act upon it.

The report has already received a fairly thorough analysis by the spokesmen who have preceded me, but one aspect that up to this moment has received scant notice is the recommendation on the prevention of violent crime by the mentally ill that every endeavour should be made to identify those who are mentally unstable and who, potentially, could be dangerous. I do not play down the difficulties of this. First of all, if we can take away the stigma of mental illness, I would say that we are making some progress. It is only 10 or 15 years since we spoke about cancer in hushed tones. We never liked to say that a relative or friend had cancer. It was something we muttered about amongst ourselves; we felt that people who contracted cancer were a little unclean. Happily we have moved into more enlightened times. It is now regarded as an illness and no more than that.

In the same way, mental illness must be similarly viewed. If we can get an enlightened attitude to it, then people who demonstrate instability, particularly of a violent nature, should be reported and treatment sought for them. I feel strongly about this matter because of very pertinent evidence that was given to us by a very distinguished barrister in this city. In his submission he told us about a man who had been diagnosed as mentally unstable and potentially dangerous. The recommendation was that he should be given some treatment forthwith. It was unfortunate that that point of view was not sustained by other medical practitioners and no treatment was forthcoming.

The barrister then presented to the committee two photographs of this man's wife. The first showed her terribly beaten. Her eyes were puffed; her nose was twice its usual size; her lips were swollen, and it was obvious that she had been subjected to a dreadful beating by her husband. The second photograph was also of the woman—dead, with dreadful stab wounds all over her body. In the opinion of the man who gave this evidence to us, that was a crime that could have been prevented had there been early diagnosis.

The problems of this suggestion are immediately apparent; nevertheless I hope that the Government will take some cognisance of it, because I think it is one measure by which the incidence of violent crime can be reduced.

Most previous speakers have referred to the incidence of rape and the detection of those who commit it. I would do little more

than say that anything that can take away from the victim the pressure to which she is subjected in court and can facilitate proceedings, thereby minimising the distress she has to undergo when giving evidence, is a movement in the right direction. I must say that this proposal, too, is fraught with immense difficulties, because the proper processes of the law, such as the right to examine and cross-examine, must be preserved. However, I hope we can arrive at a situation in which appearance in court can be a less harrowing experience. If this can be brought about, I am quite sure that many rape cases that would otherwise be unreported will be brought to the notice of the police. Hopefully the outcome will be a substantial lessening in the incidence of this crime.

The honourable member for Toowong rightly made reference to parental control and the family unit. Like him, I, too, believe that young girls of immature years who are the victims of rape often fall into the plight in which they find themselves because insufficient interest is taken in them by their parents. I am strongly of the view that parents must exercise a greater degree of responsibility.

We have only flirted with the subject at a committee level, but I am of the opinion that one of these days we must consider the aspect of parental culpability. In other words, when children become delinquents or when young girls become rape victims, the State should ask what contributing part the parents played. It should ask: Was the parent fulfilling his proper obligation as a guardian? Did he know what his child's movements were? Did he know exactly what his child was about? If he cannot answer in all truth that he did know what his child was about, maybe a case of parental culpability could be established against him. This is new ground; nevertheless one of these days the Legislature should examine it.

My colleague from Toowong spoke about the main thrust of the committee's recommendations. He referred to the problems of urbanisation, the disintegration of the family unit and the assaults that are made upon it. There is no disagreement with what he says, because if we can solve these problems of urbanisation and lay greater emphasis on the integrity of the family unit I am sure we will reduce the incidence of violent crime.

Finally I would break new ground by suggesting that the incidence of violent crime could be reduced by the establishment of a

fingerprinting bureau. The committee paid no attention to this matter, and I confess that we did not think about it. It is remarkable that the one characteristic of the human anatomy that remains unchanged from the cradle to the grave is the fingerprint. How often is it that at the scene of a crime there is no clue other than a set of fingerprints? In these computerised days the establishment of such a bureau would allow comparisons to be made very easily so that a person who had been at the scene of the crime could be identified. The creation of such a bureau would be very difficult, and there may be substantial civic-right arguments against it. I raise the matter, nevertheless, because I believe it is a subject that could well be canvassed and debated publicly.

Mr. Lane: Are you advocating universal fingerprinting?

Mr. W. D. HEWITT: I am saying it is a matter that could well be discussed by the community so that the Legislature could be given the public's view upon it. I believe that the establishment of such a bureau would lead to a higher rate of detection. Having said that, I again express my appreciation for having had the opportunity of being a member of the select committee.

Mr. WRIGHT (Rockhampton) (4.9 p.m.): It has been said often that one learns from experiences and from mistakes. This is true not only of individuals but also of this Parliament and any committees that it might set up. Certainly it is true of the Select Committee on Punishment of Crimes of Violence.

The honourable members for Toowong, Belmont and Brisbane referred to the difficulties that the committee experienced in sticking to its terms of reference. Once we became involved in the committee, on the many days we sat we quickly found a need to delve into related areas what might be called the factors and issues complementary to violent crime. That came as no surprise to Opposition members.

Honourable members will recall that, on 5 April, by way of amendment, we on this side tried to widen the terms of reference. The crux of the amendment was to include in the terms of reference the subject of rehabilitation. Members of the select committee will recall that the rehabilitation came up time and time again. I do not want to say, "We told you so." It is easy to look

back and say that we were right, and that this facet should have been included in the original terms of reference. But let us learn from the mistake and ensure that the terms of reference of any future committee are broad enough to cover all the factors pertaining to the issue under study.

While select committees are established to consider specific issues, their terms of reference should have the necessary elasticity to permit full in-depth investigation. The terms of this select committee, the first in many years, could have restricted our deliberations unnecessarily but for the willingness of the chairman and members to widen discussion. I think we gained tremendously by that. While we realised that we had somewhat narrow terms of reference we all agreed that it was important that we should consider other aspects and factors. Of course, the recommendations had to be kept within the terms of reference. It is understandable, therefore, that they are somewhat narrow because they pertain only to the area officially under review.

Select committees are joint party in nature. I therefore suggest that next time much will be gained if, when drawing up the terms of reference, the decision on them is joint party in nature—that is, with all members of this Assembly playing a part in drafting the terms initially. It is important that these committees should remain non-political. By that I mean not only non-political when the committee gets under way, but non-political in the party sense from the outset. Much could be gained from allowing all honourable members to have a say so that we might not have a similar instance arising again.

I agree with the view expressed by committee members that more time was needed to permit the committee to carry out its investigations. I think all honourable members will agree that the committee did a mighty job in the short time available. We were a sort of guinea-pig committee, and I think we were successful in that role. We achieved what we set out to do. Committee members worked very hard and it will be noted from the report that there was a very high attendance by committee members. It is quite obvious from the recommendations that there was excellent participation by members. It is worth noting that there was an absence of ideological bias. No doubt members went in as representatives of political parties—although they

represented this Parliament—but that was not the way the committee worked. They did not wave the A.L.P., the Liberal or any other flag. There was always a willingness to co-operate. In the light of that experience I believe we were a successful guinea pig.

I hope that matters will not be left there. I hope it will not be said, "We have met the wishes of members who have been calling so long for select committees; we have had one, and that is the end of it." I should hate to think that the Premier, who is not very keen on select committees, will say, "We have done what you wanted." I hope that this will be the beginning, not the end. I think we should all realise as a Parliament that there is much to be gained and that, in fact, we made a very valuable contribution on this select committee.

The validity of what I am saying is shown by the advantage to the community as a whole. This was probably the first time that so many thousands of people—so many organisations—had the opportunity to have a say in what could happen in the Parliament. I know that when legislation is being considered Ministers obtain the views of various groups. However, in this instance we received 75 submissions and heard evidence from 44 witnesses. Thousands of people throughout the State were directly or indirectly involved. They came from all sorts of organisations—some from the far-flung areas of Queensland—representing women, service clubs, and political parties. The witnesses were representative of these groups. The groups made many of the submissions. Therefore, in actual fact, thousands of people were involved, indirectly, in the submissions presented to us.

However, that was not the only advantage of the committee. The hearings gave members a chance to discuss sensitive areas of administration with top public servants. It is said that the opportunity is often given to Government members. I do not know whether it is or not, but certainly it is not available often enough for members of the Opposition. From the report, members will see the personnel who attended before us as witnesses. We had the Director of Children's Services, the Comptroller-General of Prisons, the Commissioner of Police—all types of people. It was not just a matter of asking them what they might have wanted us to ask. We were able to delve rather deeply, questioning their administrative decisions and asking them to give us facts and figures relating to what might have happened and what could happen if certain things were done.

This was my first experience of that, and I believe I gained tremendously from it. I believe that all members would gain if at times we could meet departmental heads,

because one of the greatest problems confronting us today is the growth of bureaucracy, which I believe is undermining the democratic institutions of Parliament. It is no-one's fault, I suppose. I realise that administrative decisions have to be made and that Ministers cannot be expected to make every one of them; hence some decisions are made by subordinates. But the Parliament lacks control over those public servants and there is a need for that control. There is need to check decisions that are being made. I am sure the select committee whose report we are now discussing showed that it is an ideal way of achieving just that.

Another advantage I found was that members were able to meet experts. We had access to expert information from psychologists, psychiatrists, social workers, legal practitioners, and even a judge. We questioned people of wide community experience, including ministers of religion. All came forward and had something to say. They made their submissions, from which we could glean many valuable points.

In addition, the committee gave members of Parliament an opportunity to approach an issue objectively. Unfortunately, too often in this Chamber the tendency is to play politics in an effort to score off the opponent. However, in this instance there was no party politics. It was simply an opportunity to sit down and ask, "What is the problem? What can we as statesmen—not just politicians, but civic leaders or State leaders—do about it?" There was much to be gained.

Therefore, Mr. Speaker, I suggest there is tremendous value in extending the use of select committees. It will have the double advantage of providing a check on the decisions of public servants, which as I said is urgently required, and of enabling members of Parliament to check what is happening in this State.

Mr. Row: What about Aboriginal and island affairs?

Mr. WRIGHT: Yes, I would accept that. In fact, I have it included on a list here. I have suggested that there be select committees inquiring into road safety, actual penalties for crime, Aboriginal and island affairs, consumer protection, and commercial malpractice, combining corporate affairs.

Mr. Frawley: You would have a committee every second day.

Mr. WRIGHT: I don't think that matters. We have 82 members of Parliament. If the Ministers are excluded, we have 60 or 70 members left who I believe would be willing to participate in committees and who would gain much for themselves and for the community by taking part. It is only necessary

for members to speak to the nine members who took part in this committee to learn the advantages. We gained a lot; I think that is the quickest way of putting it. We gained a tremendous amount by being on this committee—for ourselves, for our parties and, I believe, for the State.

Let us appoint as many committees as we need. Let us delve into these issues and move as many of them as possible out of the realm of party politics. Let us deal with them objectively. Let us call all the experts in the State and hear what they have to say. Then we can come back to the Parliament with recommendations as we did on this occasion.

Mr. Frawley: Why don't you be genuine in this matter?

Mr. WRIGHT: I am completely genuine.

I suggest that we do not leave it at the appointment of select committees on issues such as this one but that we extend it to the appointment of standing committees.

Mr. SPEAKER: Order! The honourable member is getting away from the matter before the House, which is the report. I ask him to keep to that matter.

Mr. WRIGHT: I accept that, Mr. Speaker, but I also point out that the problems with select committees and the reasons for the appointment of this committee are an important area of debate, so that, in passing, I make the point that we should extend into the area of appointing standing committees. I will not go into the matter any further than to say that they should be appointed to look at subordinate legislation, regulations, public accounts, and public works and that possibly there is a need for a legislation committee.

It is clear to everybody that work has been done by this committee. I only hope that this will not be the end of the report. I hope that this will not be where the committee's work ends. The onus is now on Parliament to do something about the recommendations and, I hope, to act on most of them. The committee has exposed the problems. They are clearly outlined for all honourable members and the public to see. We now have to find the solutions.

We all realise that many factors influence violent crime. Many of them can be handled. We could say that we have to reduce the density of population in urban areas. We know of the problems that urbanisation can cause. These could take many years to overcome. We know of the need to check the mental capacity of people. Again, this could take a long time, as the eradication of problems such as tuberculosis did. They

are long-term projects. However, some immediate short-term projects simply require an administrative or legislative decision.

One was ably raised by the honourable member for Belmont when he spoke of the police. Surely that can be resolved in this Parliament. It became very clear to me, and I am sure all other members, that what is needed most is an increase in the numbers, availability and standard of the Police Force. By "standard" I mean a better-equipped force. This need not take years. It can be done with one stroke of the pen. I agree completely with the honourable member for Belmont that this matter should be given top priority.

The advantage of having a neighbourhood police force has been stressed. Previously criticism has been levelled at the closing down of many suburban police stations. It became clear to me that we need neighbourhood police forces. It is vital that we have policemen as part of the community and that they be accepted by the community. They should be involved deeply in the community. Honourable members who represent country areas realise that one of the greatest advantages the country policeman has is that he knows everybody and everybody knows him. If someone comes into town, he knows who he is or wants to know what he is doing there. As a result, crime is kept to a minimum. That is what is necessary here.

One submission pointed out that in Japan police regularly visit houses—I think twice a year. It is not an exercise in police snooping. The aim is to check and get to know the people. If a new family moves in, the police go and welcome them. The police know all the young people and have close contact or close liaison with all of the people living in their area. This can be considered by this Parliament.

Mr. Newton: You can remember how they remembered the honourable member for Merthyr in Mt. Isa last week-end.

Mr. WRIGHT: Yes, I accept that.

Whilst it would take time, one aspect that calls for administrative decision is the education of the public. Some of the submissions stressed that many violent crimes occur in the home. It was stressed, too, that homes should be better protected. This could be done by an education programme to tell people what they can do to protect their houses and themselves.

Another matter mentioned was the danger of hitch-hiking. Surely an education programme is needed to stress to young girls the dangers they face in hitch-hiking. Everybody can help in this. Last night on television I saw a commercial for a bank which was advocating the saving of money.

The next moment on the screen I saw a young lass standing on the roadside hitch-hiking, as if this were the done thing or a perfectly acceptable practice. If a select committee appointed to investigate crime and punishment and the Minister for Works and Housing and other honourable members stress the dangers of hitch-hiking, we do not want a bank commercial on television depicting hitch-hiking as a desirable and acceptable practice. I believe there is a responsibility on the media, as has been expressed in the report, to make sure that they do not propagate or put forward ideas that do not assist in overcoming violent crimes and the problems of violence in the community.

We could also overcome the existing problems of the administration of the law, and I cite specifically here those pertaining to rape. Evidence was presented which stressed the fears and difficulties that women face when they have to report rape, and the traumatic experience that they go through in the court, and it was suggested that we have a responsibility to overcome these problems.

I know, too, from some of the statistics I have gathered since the committee's hearings, that rape is a growing crime in Australia. In 1970 there were 416 rape cases, but last year the number had grown to almost 600. I hate to think what the figure might be this year. It should be kept in mind that that is only a fraction of the actual number of rape cases that occur, because only a fraction of the number are ever made known to the police.

One point made in an article in "The Bulletin" that I read recently was the frightening ordeal that a person goes through when being raped. I do not think anyone would argue about that. The article went on to outline the frightening ordeal that a person goes through to report rape. It referred to the harsh police questioning. No doubt that is necessary to ensure that justice is done, but it is clear that harsh police questioning does take place. It referred to the humiliation of the medical examination, and it went on to mention the indignities of the trial. Surely there must be some way in which we can protect the victim from these experiences.

There is an answer, and it has been put forward by a man named Greg Woods, who is a criminologist at the Sydney University. He suggested—and I agree with him—that

a flying squad should be established, particularly in the built-up areas, and it should include a policewoman and a trained nurse, and that these expert personnel should be available whenever a rape case is reported. I think that is very necessary, because the average policeman might have to deal with only one rape case a year—perhaps not even that—and I suppose it is a rather difficult problem for him to contend with.

If in the main headquarters there was a flying squad such as I have suggested, the moment a rape was reported the squad could head out to the suburban police station or wherever it might be needed. A trained nurse would be able to give the medical advice required, and a policewoman with wide experience in dealing with girls and women would be present to ask the questions and tell the victim of her legal rights and responsibilities.

In America, the problem has become so great that rape crisis centres have been established all over the country. They are available on a 24-hour telephone service. A girl who has been raped or been involved in attempted rape can immediately ring the crisis centre. The moment that happens, people go out, meet her, talk to her, and advise her what to do.

An organisation has been set up known as W.O.A.R.—Women Organise Against Rape. I do not know the significance of the letters, but the task of representatives of that organisation is to attend police questioning and ensure that no harsh questioning takes place, to give the ready advice that is required, and to explain to the victim why certain procedures are necessary. But that organisation does not leave it to the individual. It believes in prevention rather than cure. It holds rape conferences, and it explains to women and women's organisations throughout the U.S. how women can defend themselves. It runs self-defence classes. It publishes pamphlets explaining how not to get raped.

The pamphlet stresses, for instance, that better locks on doors are needed. The organisation has published statistics showing that 50 per cent of rapes occur in the victim's own home. Rape is not something that happens in the park, in some shady spot, or in a dark, gloomy lane. Fifty per cent of rapes—one in two; half the rapes that take place—occur in the victim's own home. So it is very important that homes have the necessary protection.

The organisation stresses that young girls and women alone should watch out for dark corners and dark streets, and they should never get into a car without first checking in the back. Apparently over there it is a trick of the would-be rapist to get into the back seat of a girl's car and wait there with a knife, a gun or something else until she returns. Then he forces her to drive to a certain spot. It is suggested that females carry whistles or some other means of alerting others to what is happening. They are urged to avoid public transport after dark.

These are probably common-sense things, but I had not thought of them all until I read the article. It is the sort of thing we ought to be getting across to young girls today. It is something we can do in this Assembly. We can have our own education programme to warn young people of what can happen, and how they can protect themselves.

We need to ask the experts available in this State to come up with some effective defence weapon. It was suggested to the select committee that women could carry weapons. It was suggested that perhaps they could use a hat-pin. That might be one desirable weapon, but personally I do not think so. I wonder if we could get our scientists—the people who really understand such things—to come up with some type of spray that could be carried on the woman's person so that if she was attacked she could whip it out and spray it into her attacker's eyes. At least this would have a delaying effect so that she could get away.

Mr. Lickiss: That is available overseas now. It will completely incapacitate a person for a quarter of an hour without any harmful after-effects.

Mr. WRIGHT: I did not know that. I have heard of some sort of vegetable spray that had been used. I accept that interjection; it is worth-while comment. I should like to see that followed up here. With something like 600 rapes in 1973, and with the prospect of having many more this year, we should look into what was said by the honourable member for Mt. Coot-tha.

Mr. Lickiss interjected.

Mr. WRIGHT: The point has been well taken. What the honourable member has said seems to fit in with what I am suggesting.

We need some type of delaying weapon—something that is not permanent, and which does not maim but will delay would-be rapists in the carrying-out of their intentions.

We have to start on further studies. We have had a pretty important study, but it has been a very general one. We came up with many problems, but not the solutions to them. I feel that we need to study single and pack rapes. We should go through the incidents that have taken place over many years and look into the personality of the people involved. Where do they come from? What sort of backgrounds do they have? How can we educate that type of person? How can we eliminate that type of behaviour? How can we deter that type of person from carrying out such atrocities?

It was suggested in another article in "The Bulletin" headed "Rape—Fact or Fancy" that sexual aggressiveness is part of the male make-up. It cited what happened when armies have moved into towns, and instanced Bangladesh where something like 200,000 women were raped. It suggested that this is normal, and that the trait comes out even more during war-time.

Is this a trait of the male personality? If so, let us question it. Let us see if we can overcome this growing problem in Australia with the knowledge we have. It is a problem area. It is one that requires serious and deep consideration. I suggest that we do not leave the matter here. We should not just accept the fact that the Crime and Punishment Committee came up with it. We should go further. We should follow some of the suggestions that have been made. We should investigate what the honourable member for Mt. Coot-tha said about a weapon.

There are other areas I wish to comment quickly on. Again the Legislature has power here. I refer particularly to consideration of the quantum of the various sentences. I have listed the offences of grievous bodily harm, wounding and indecent assault. I will speak briefly about indecent assault. The penalty in Queensland is only two years' imprisonment. The case was cited to me, and probably other members of the committee, of a fellow who attacked a young girl; he did not rape her, but instead forced her into an indecent act. I will not go into the details because no doubt "Hansard" will be read by school-children, and it is not supposed to be a pornographic booklet. The act was filthy—the sort of thing that turns

one up. He pulled this girl onto him. All he got was two years! Rather than be subjected to that indecent assault, she may have been better off if she had been sexually assaulted. These are areas we have to look at. We are not experts; we do not have all the answers, but I believe this is one.

Wounding is another offence that must be looked at. Let us get the Law Reform Commission or other legal experts involved; let us get the judges involved. They may come up with some answers and advise this Legislature on how we can increase these penalties. Two years is certainly not long enough and I think this was the feeling of all members of the committee.

Finally, I wish to comment on aspects of parole because I feel that the contribution made by the honourable member for Townsville this afternoon destroys something of the work that is being done in this State. I am not waving the flag for the Government, but good work has been done—by the administration, anyway—in the area of parole. If people read what the honourable member said they would start to believe that the parole system has broken down.

Statistics on parole were given to all members of the committee and, regardless of what the honourable member for Townsville had to say, it is clear that of the 557 people who were released on parole 417 completed their parole without breach. Approximately only 25 per cent breached their parole. If that is not success, I do not know what is, and I think it is dangerous, when we are dealing with the serious problem of crime, for people like the honourable member to make such ridiculous statements. At the moment, people have the wrong ideas about the penalties for murder and for rape. We have a hard enough task as it is in trying to educate people, particularly in view of the way some of our newspapers blow up certain incidents, without allegedly responsible members getting up and criticising the parole system as the honourable member did.

Mr. Davis: Of that 25 per cent, many were placed on minor charges.

Mr. WRIGHT: That is a very good point made by the honourable member for Brisbane. Of that 25 per cent, which represents only about 140 breaches, 48 were charged with breaking and entering and stealing and 18 with house-breaking—not violent crimes, one would think. Of the committals for violent crimes, something in the vicinity of only 3 per cent were sex offences and I think only 5 per cent other violent offences. So we are not talking about a breakdown of the parole system.

I went into the committee believing that things were wrong but, after speaking to those who knew and those involved in parole, I

found that this was not so; and I should hate to think that we would do away with the parole system. I believe that everybody deserves a second chance. It has been proved that 75 per cent of people accept that second chance and become responsible citizens. We do not want this stupid type of remark being made, or policy being adopted, whereby people will be put into gaol and left there.

Similar comments have been made about probation. I think probation is one of the most successful systems we have ever adopted in this State. Those placed on probation rarely, if ever, break the trust placed in them. Statistics prove that. Here again we are saving ourselves many thousands of dollars in the prison system and, at the same time, saving people—citizens—by not forcing them to live in some of the gaols that we have today. I think it is wrong for members of Parliament to stand up here as the honourable member for Townsville did, without a full knowledge of the situation, and make the remarks that he did.

Mr. R. E. Moore: You would be an expert and he would not.

Mr. WRIGHT: I am not. But after being on this committee I would know twice as much as the honourable member for Windsor.

Mr. R. E. Moore: A five-minute apprenticeship!

Mr. WRIGHT: We expect that sort of remark from the honourable member. He was the gentleman who went to Japan and was down as the electronics expert. He went all over Japan as an electronics expert. How would one be! He is a two-bit electrician—and a very poor one at that, I am told.

Mr. R. E. MOORE: I rise to a point of order. The honourable member for Rockhampton could not know what happened in Japan because he was not there. Apart from that, I do not hold myself up as an expert in any area. I find his remarks offensive and ask him to withdraw them.

Mr. SPEAKER: Order! I ask the honourable member to withdraw.

Mr. WRIGHT: If they are offensive, I do, Mr. Speaker, but the information that he was an electronics expert was on the document presented to all the people who met his party. He is a disgrace to the electrical trade.

Mr. R. E. MOORE: I rise to a point of order. I expected the honourable member for Rockhampton to withdraw his remark, but

instead he continued on in lying fashion. I am not calling him a liar; I am stating that he spoke in a lying fashion.

Mr. SPEAKER: Order! It is unparliamentary for one honourable member to say that another is carrying on in a lying fashion. I ask the honourable member for Windsor to withdraw that remark.

Mr. R. E. MOORE: I withdraw it, Mr. Speaker, but the honourable member for Rockhampton must know that if he claims to be honourable he would not make up this fabrication solely for the purpose of rubbishing another member. I ask him to withdraw it.

Mr. WRIGHT: I withdraw it. In conclusion I ask that this Parliament do more about the recommendations than merely take note of them. We should look closely at the background of crimes of violence and at the preventive measures that could be adopted. I know I speak for all Opposition members when I say that we cannot leave the report at this point; we must go ahead and act on it. Only by doing so will the committee be rewarded for the tremendous amount of work that was done by it.

Mr. FRAWLEY (Murrumba) (4.41 p.m.): Firstly, I am sick and tired of the unwarranted, filthy, vitriolic attacks that are made on members of this Parliament.

Mr. SPEAKER: Order! The honourable member for Murrumba will address his remarks to the report of the select committee. I suggest that he recommence his speech.

Mr. FRAWLEY: I will speak to the report, because it is obvious that some members of the Opposition are frightened that I will speak as I wish to. (Opposition laughter.)

I advise members of the Opposition to remain silent, because I will give them some interesting facts.

The report contains some worth-while recommendations, and I sincerely hope that all honourable members will endeavour to see that they are implemented. The committee's contribution was, over all, a useful one. There are, however, certain comments made by the committee with which I do not agree.

The incidence of violent crime is on the increase. It is climbing because drugs and alcohol are easy to obtain, and the penalties that are imposed for certain offences are not severe enough to act as a deterrent.

Mr. Davis: What about the tow-truck racket?

Mr. FRAWLEY: The honourable member for Brisbane should be quiet, because my later comments will refer to him.

Many hotel licensees do not care how they obtain their money. I am excluding the honourable member for Port Curtis from these remarks, and I do not want him to take exception to them. Some licensees are quite content to sell liquor to persons who are obviously below drinking age. Instead of increasing the penalties imposed upon under-age drinkers, we should increase those imposed upon hotel-keepers who supply under-age drinkers with liquor. Even harsher penalties should be imposed upon those who supply drugs to either teenagers or adults. A pusher should be made to serve a term of imprisonment; he should not be allowed to go free with any lesser penalty. If I had my way, he would be flogged with a lash.

I am disappointed at the failure of the committee to recommend the reintroduction of capital punishment in Queensland. Capital punishment would act as a deterrent to many persons who would otherwise commit rape and murder. I do not, of course, advocate capital punishment for all crimes; in my opinion, only murder and rape that causes death should attract such a severe penalty.

I have no doubt that those who are opposed to capital punishment believe in the sanctity of human life. But have they forgotten the human lives that are snuffed out so callously by the perpetrators of these heinous crimes? I am sure that a great number of persons who were about to commit such a rotten crime would have second thoughts about it if they realised that, by proceeding to commit the crime, they were likely to forfeit their lives.

It seems that many people in the community care more for the perpetrator of a crime than for the victim. Quite often we hear pleas such as, "He did not know what he was doing; he was drunk," or "He was under the influence of drugs." What a lot of rot! Alcohol and drugs should not be accepted as excuses for committing crimes. After all, people are not forced to take drugs or consume liquor.

It is shocking to think, in the light of all this, that the conference of the Young Labor organisation last week-end resolved that the State Government should legalise, grow and sell marijuana to the public. What a shocking indictment of the A.L.P. that members of the Young Labor Party should carry on like that! I am quite certain that all mothers and fathers of young children are on my side when I speak about this rotten, filthy tactic adopted by the Young Labor conference in trying to get marijuana introduced to Queensland.

Mr. Leese: The Young Country Party carried that six months ago.

Mr. FRAWLEY: What a lot of rubbish!

I believe that capital punishment should be introduced for crimes of murder, and certainly for those in which death is caused by rape. Public opinion favours overwhelmingly, at least in my electorate, the reintroduction of capital punishment. It may now be appropriate to remind honourable members that I presented a petition last year from 10,000 women in my electorate pleading with this Parliament to reintroduce capital punishment. There are 10,000 women in the electorate of Murrumba who want capital punishment, and no-one can tell me that we should not have it. Contrary to the belief of some people, it will act as a deterrent to violent crime. If a criminal knows that he or she—

Mr. O'Donnell: Do you think it would be cheaper to reintroduce capital punishment or to reintroduce Christianity?

Mr. FRAWLEY: I certainly wish that the A.L.P. would reintroduce Christianity. So far as I am concerned, all the things that are good and pure in this country have gone by the board since the Whitlam Communist-dominated Government has been in power. I do not think there are too many Christians on the Opposition side of the House.

Mr. SPEAKER: Order! I ask the honourable member for Murrumba to confine his remarks to the report.

Mr. FRAWLEY: Mr. Speaker, I am being provoked and I am easily provoked.

Mr. SPEAKER: Order! The honourable member will stick to the report.

Mr. FRAWLEY: I am answering some—

Mr. SPEAKER: Order!

Mr. Bromley: That's the trouble with you bigots.

Mr. SPEAKER: Order!

Opposition Members interjected.

Mr. FRAWLEY: If the honourable member for Rockhampton starts this business he will really get it. I will not let anyone call me a homosexual and get away with it.

Mr. SPEAKER: Order!

Mr. FRAWLEY: Before I am finished I will say some nasty things about him that will be pretty true, too, so he had better keep his mouth shut.

Mr. SPEAKER: Order! I remind the honourable member for Murrumba that he must speak to the report. I assure him that if he does not do so, he will not be saying many more words.

Mr. FRAWLEY: I shall try to confine my remarks to the report.

Mr. Bromley interjected.

Mr. SPEAKER: Order! If the honourable member for South Brisbane continues to interject, I shall deal with him under Standing Order 123A.

Mr. FRAWLEY: Rape in any form is a heinous crime. Punishment for rape not causing death should at least be in the form of flogging with the cat-o'-nine-tails, and the sooner we introduce that punishment for this crime, the better it will be. When a mother whose child has been raped comes to me and says, "Don't punish the perpetrator of the crime; forgive him and don't flog him.", I will have second thoughts about the matter. Until then, I shall certainly advocate the reintroduction of capital punishment and flogging for certain crimes.

Mr. Bromley: Yes, but you are mad.

Mr. FRAWLEY: It is quite possible that I am, but at least the gins at Manhattan Walk are not frightened of me when I go over there at night-time.

Country women and children are more susceptible to attack and rape than people in the more closely settled areas.

Mr. Bromley interjected.

Mr. SPEAKER: Order! I now warn the honourable member for South Brisbane under Standing Order 123A.

Mr. FRAWLEY: In country areas, many women go about daily in fear for their safety and that of their children. I do not care how many policemen are available; unless a suitable deterrent exists in the form of capital punishment or flogging, crimes of violence will be committed.

Bashing is another favourite sport and again I feel that the punishment presently inflicted for this crime is not severe enough. I can speak from personal experience about bashing. In October 1970, when I was nine days out of hospital after a stomach operation—the stitches had just been taken out—I was bashed at Lang Park by a well-known

thug. He broke my zygoma, which is the upper facial bone. Anyone who has suffered the pain of a broken cheekbone, lying in hospital vomiting and trying to suck food through a straw, knows how I felt.

Mr. Houston: What did you say to start him off?

Mr. FRAWLEY: I did not say a word. I did not even know him. He mistook me for someone else. I was not in a fit state to defend myself, being only nine days out of hospital. I know what it is like to be bashed.

Mr. Bromley: He probably thought you were the Premier.

Mr. SPEAKER: Order!

Mr. FRAWLEY: I had to undergo an operation on the side of my head to have the bone in my face lifted back into position. I could not eat properly for at least three days. I will admit that, when I was lying in the hospital suffering from that pain, I was tempted to commit a crime of violence against this thug at the first opportunity. However, common sense prevailed, and I allowed the law to take its course. My attacker was sentenced to three years' imprisonment, but he was released on a good-behaviour bond. At the time, that did not appear to be a very fitting punishment, as the police had told me that he had twice previously committed a similar offence. Each time he had escaped punishment because his victims would not press charges.

The honourable member for Brisbane made the point that one person who appeared before the committee suggested that criminals be flogged with a lash instead of with a cat-o'-nine-tails because the lash would leave a deeper scar. I do not know whether or not that is true. I have had no experience in that field. The honourable member for Brisbane said that he was shocked at the mere thought of such a suggestion. That further emphasises what I have previously said: we seem to care too much about the scars of the criminal and too little about the scars of the victim.

The report deals with violent crime only. My remarks have been directed to crimes of violence and not to crimes, shall I say, of a more gentle nature.

I am a firm believer in parole for some types of crime, with the parolee making restitution and accepting a form of punishment that fits the crime. It is far better

that gaols be kept free of petty criminals. Prisons should be for vicious criminals rather than for those who may be better off on parole.

When the proposal was made that a select committee be appointed to inquire into punishment of crimes of violence in Queensland, I was not in favour of including any members of the Opposition. However, against my better judgment I voted for their inclusion, in the hope that at least one of the three would show a little backbone and vote in accordance with his conscience rather than in accordance with any direction.

I draw the attention of the House to the voting on capital punishment. The three members of the Opposition voted against reinstating the death penalty. Anyone conversant with the A.L.P. knows that its party platform is opposed to capital punishment. Its members must sign an agreement to abide by the platform of the party, so it is obvious that members of the A.L.P. who were on the committee could not possibly approach the matter of capital punishment with an open mind. They knew how they would vote on it prior to hearing the evidence. Before any evidence was heard by the committee, the three Opposition members on it were committed to vote against capital punishment, regardless of the submissions that were to be made.

Perhaps one could be forgiven for doubting the sincerity of the Opposition members who served on the committee. In fact, to my mind a select committee comprising members from both sides of the House is of rather doubtful value. I will be thinking twice before I again vote for the inclusion of members of the Opposition in any such committee.

Mr. N. F. JONES (Everton) (4.53 p.m.): After listening to the remarks that have followed the presentation of the report by the committee on punishment of crimes of violence, I believe that most members in this Assembly have taken a reasonable view of the ability of the committee to consider the propositions put before it. It is my belief that most members agree that the committee has, within its terms of reference, done a reasonable job.

I recall that, when the proposal to set up this committee was put before the Assembly, I drew attention to the fact, as did other members on this side of the Chamber, that the terms of reference were too

narrow. I reiterate that contention. On reading the committee's report, I believe that a broadening of the terms of reference would have permitted the committee to cover a wider field. However, the members of the committee (from both sides of the House) applied themselves in a worth-while manner to their committee work, and to bringing before the House a very comprehensive report.

I desire to deal with one small section of the committee's report, namely, section 6, which deals with the role of parole, about which there have been some conflicting points of view expressed in this debate. One member claimed that the parole system was not working. Our shadow Minister for Justice (Mr. Wright) clearly showed, I believe, that the parole system in Queensland has produced worth-while results.

Section 6 of the report is headed "The Role of Parole". The first paragraph reads—

"The problem of parole being effective in cases of short sentences was placed before the Select Committee and consideration should be given to this aspect."

I place before the House information that I have received from one of the leading parole officers in London. The view in England is that the courts should be given an alternative to gaoling.

Mr. R. E. Moore: Hang them up by the feet.

Mr. N. F. JONES: That is the sort of interjection I would expect from the bald-headed old man from Windsor.

The British Parliament passed legislation to allow magistrates to consider an alternative to imprisonment. If a person who was brought before the court had been before the court previously for committing a similar crime, the parole board could decide that he should be given the opportunity to have some type of assessment made of him. The legislation allows a magistrate to decide whether to gaol the person or send him for assessment.

In the latter case, the prisoner is put on remand for three weeks and is sent to an assessment centre which has the assistance of his parole officers, a psychiatrist, and people involved in the English system of crime and punishment. The centre decides whether or not the prisoner will respond to some other type of treatment. It is reported to the magistrate if it is felt that there is a reasonable chance that the prisoner will respond to some other form of treatment or punishment. The magistrate then directs that he be sent to the alternative to prison which, in London, is a day training centre.

Before outlining how the centre deals with people referred to it, I should point out that if a person had previously been in prison, or

some other sort of institution, for a long period—or a short period, for that matter—and committed another misdemeanour, the magistrate would be asked whether he believed that a further sentence of imprisonment, or term in an institution, would improve or change that person's attitude to the commission of crimes, or to the society in which he resides. If there was a reasonable doubt that he could be rehabilitated, and if imprisonment had not worked in the past, it could be decided, following assessment, that he should be sent to a day training centre. This would be the alternative to a prison sentence and the possibility of parole.

It is believed in London that contact between the parole officer and the prisoner (or client, as he is called) is not constant enough; that once or twice a fortnight, or twice a week, is not sufficient. This produces a breakdown in the relationship between the prisoner and the parole officer, and in the help that the parole officer can give him. A decision was therefore made by the British Parliament—and I believe it is a worth-while decision that should be considered in this State—to set up day training centres on an experimental basis.

Mr. W. D. Hewitt: Those attending would be going home each night and at week-ends?

Mr. N. F. JONES: That is correct. They would attend a training centre as if they were attending their place of employment. If they had a job when they committed the offence, they would have to give up that job. They would be paid an allowance by the Government, and they would have to attend for a minimum period of 60 days.

At this stage the first report has not been brought before the British Parliament, because the first people sent to the training centre have not completed their training. The centre will take only 25 people at a time, and 25 people were assessed as being eligible to go to the centre. A group of eight people in each area will be looked after by officers of the training centre (they are not called parole officers).

Of course, there had to be some education of magistrates to get them to accept that there may be some result from assessment, and also that there may be a reasonable result from a person's going to the training centre. It was believed in Britain that a person committed a crime not only because he had an opportunity to do so but also because he had some maladjustment to society, or for some other reason. For example, he may have had a problem of excessive drinking; there may have been problems at home; there may have been pressures at work; he may not have been able to cope with the situation in which he was placed after being released on parole after committing his first, or perhaps second, offence. It was believed that, by sending

such a person to a training centre, the problem from which he had been suffering could be established, and he could then be given an opportunity to provide a reasonable living for himself and, if a family was involved, for his family.

The proposal for the establishment of a day training centre in London read—

“Magistrates and Probation Officers are often faced with a person who has re-offended after other forms of treatment have been tried, or for whom other treatment does not seem appropriate. At this stage such a person would be sentenced to a short term of imprisonment—more as a punishment than as a necessary measure to protect society by limiting the freedom of the offender. It has often been felt that if a wider variety of non-custodial alternatives were available to the Courts and to the Probation Service, a number of offenders could be dealt with in ways which would more positively work towards their rehabilitation than would a custodial sentence.

“The Criminal Justice Act, 1972, proposes important new alternatives. Sections 20 and 53 of the Act authorise the setting up of a Day Training Centre. Accordingly, a Probation Order may be made, with the offender's agreement . . .”

I think that is one of the important requirements. The offender has to indicate, after his assessment, that he believes that by allowing himself to be sent to the training centre there may be some opportunity for him to rehabilitate himself. He must then attend a day training centre or elsewhere for a maximum of 60 days, according to the instructions of the responsible probation officer. Secondly, he must comply with the instructions given by, or under the authority of, the person in charge of the centre. There is therefore some authority at the centre, but a person is allowed to try to adjust under a set of circumstances different from those that he would face if he were simply locked in a cell for committing a crime.

The proposal continued—

“The Secretary of State may make rules for regulating the training given, in particular regulating the hours of attendance, providing for records to be kept and requiring that appointment of centre supervisors shall be subject to his approval.”

I think that is a reasonable safeguard.

The centre will take up to 25 trainees at any one time. With a maximum of 25, the intake will be in groups of about eight every four weeks (60 days' attendance during five days a week, or a span of 12 weeks). This is important. One of the problems of people who have committed minor offences is that after they talk to their parole officer they go back again into the wide, cruel

world, with the same problem they had prior to committing offences. No attempt is made under our system to try to assist these persons to overcome their problem.

The proposal further stated—

“After the period of training, supervision will be continued, as part of the Probation Order, by an officer from the Centre normally for a period of up to three months. The order will then be transferred to an outside probation officer as appropriate. In any case it is not envisaged that a centre officer will hold supervision for a total period of more than six months from the date of the order.”

When one visits that training centre in London, it is very difficult to determine who are prisoners, or “clients”, as the prisoners on remand who are attending that centre are called. The only way one can determine who is a client and who is a staff member is to discuss with him what he is doing and why he is there. This is reasonable. It allows a person under a different set of circumstances, with assistance, to try to find out for himself why he has been continually committing misdemeanours. The proposal continues—

“It is important that a Day Training Centre is seen by the public as a viable alternative to imprisonment.”

That is a point that should be made here today. I believe that a training centre does allow magistrates, in some cases, to permit “clients”—prisoners or persons on remand—to go for assessment, and to have some alternative to sending them back to gaol.

One of the main reasons it was decided to set up the training centre in England was that it was believed that the parole system broke down because of the lapse of time between visits of the offender to his parole officer. In this period of time in which the offender was on his own, temptation was put in his way and, because he could not cope, he committed a further offence.

The value of the training centre is best summed up in the words of those who have had some real say in its establishment. Dealing with the reason the centre was established, they said it was—

“To help the trainee to learn more about himself. To help him examine areas of conflict, confusion and frustration. To be able to meet his bodily, emotional and mental needs through improving sensory awareness and perception, and learning better co-ordination of mind and body so that he will be better equipped to deal with life to provide him with opportunities for increasing self-confidence and self-esteem through being able to express himself in ways he regards as positive and constructive.”

I ask that consideration be given to the establishment of a training centre on an experimental basis in this State.

Dr. EDWARDS (Ipswich) (5.10 p.m.): First of all I should like to extend my congratulations to the members of the select committee for the way they undertook the task set before them. I, too, am pleased to associate myself with some of the recommendations that have been made by that committee. From the few observations I had of the committee in session, I felt that each member played his part very well and that the evidence given to the committee indicated a keen interest by the community generally, members of certain organisations and specialists in various fields. This committee, the first set up for many years by this Parliament, has certainly played a very worth-while part and I congratulate its members, especially the chairman, the honourable member for Toowong, who played such an outstanding role in its conduct.

There were a number of factors, however, that were touched on by the committee and many witnesses, on which I feel I should like to comment during this debate. Firstly, it was very significant to me that emphasis was placed on the effect of alcohol as the basis or cause of many of the criminal offences in society. I am sure that honourable members are well aware of my convictions on this very important matter. Alcohol has had a very devastating effect upon the lives of many people and has, of course, changed the character and personality of many people in our society.

In many criminal offences the blame has been placed on the use of alcohol. We read in the Press and in criminal reports that people who have committed crimes have blamed the fact that they have had too much to drink and, as a result, committed the crimes. It seems to me that the courts have often accepted this almost as an excuse rather than a contributing factor. Efforts must be made to warn the community as a whole that alcohol is at the root of many criminal offences. It is the basis of many road accidents, which we have stressed here on a number of occasions. It is the basis of broken homes and, as well, has caused many tragic happenings which, I am sure, in retrospect have been regretted by the people involved.

As one who has been in general medical practice for many years, I can honestly say that I have seen from my own experience the heartbreak that has been caused by excessive interest in alcohol and activities associated with its use.

I was interested to read that the recommendations include one that courts should be reluctant to accept the taking of alcohol as a mitigating factor and that the committee did not consider it to be an acceptable excuse.

I also fully support the recommendation that harsh penalties should be applied to those facilitating the access of people under 18 years to alcohol. I think it is important to note the real meaning of this recommendation, which is that harsh penalties should be imposed on those who make it easy for young people under the age of 18 to acquire alcohol or have access to it. I cannot agree, however, that the answer necessarily lies completely in harsh penalties. It comes more from a responsible attitude to alcohol by families and the community generally. We cannot continue to allow young people the freedom of access to alcohol that we see today. The police have a responsibility; the legislators have a responsibility; and the community has a responsibility. Those who have worked with young people or have been associated with them will know the need for a very responsible attitude towards alcohol, because many unfortunate situations in which young people have found themselves can be attributed to alcohol, and have been proven to be attributable to it.

I could not see any recommendations—and I think the honourable member for Rockhampton mentioned this—urging the authorities to undertake wider education programmes on responsibility in the use of alcohol. No doubt this was because the terms of reference did not include rehabilitation and recommendations on that subject. This is rather disappointing to me because I feel that this aspect should be investigated and recommendations made. Perhaps this could well be the subject of investigation by another select committee in the near future.

I was also interested to note the references to mentally ill people. I believe that we, as legislators, medical practitioners or ordinary members of the community, must be well aware of the effects of mental illness on the family and on crime in general. I do not think I need to mention this any further.

Another matter mentioned in the report is the breakdown of the family unit. I was particularly interested in the section on page 3 which reads—

“As regards juvenile violent crime the the Select Committee was consistently advised that—”.

I repeat those words—

“ . . . was consistently advised that a secure family situation where sensible discipline was exerted, based on love and concern, provided the surest defence against juveniles lapsing into criminality. The worst situation is lack of parental concern, and some expert witnesses believed that in certain circumstances parents should be held punishable for child misbehaviour.”

I feel rather strongly that this is probably one of the most important factors referred to in the report. If members of the family have respect for each other and for the family unit in general, there is no doubt that many of the problems that arise today would not occur. These days too many parents do not know, and furthermore do not care, where their early teenage children are; nor do they care what they are doing at a particular time. Too many children have never been taught to be part of the family unit, with mutual respect and understanding for the whole family circle. No doubt this is a price that modern society has to pay for urbanisation and modern developments, and, in some cases, a change in attitude within the community.

It is essential that we as a Government and the community in general adopt a more responsible attitude towards the importance of the family unit within our society. If we do this as a result of the recommendations of the committee, it will rightly be said to have played an important role, which will go down in the annals of the State's history.

I was also interested to read the recommendation that the Education Department move to augment present systems designed to identify and assist the child with learning difficulties. Unfortunately, in the past—and to a lesser degree today—children with learning difficulties have often been misdiagnosed and regarded as difficult, dull, awkward children who just cannot cope with school-work or the day-to-day occurrences in their school-lives. Because of this these children become frustrated and distressed, and, as stated in the report, develop personality problems that can often, in the first instance, lead to the commission of minor offences and later to the commission of more serious crimes.

It is very sad to realise that many crimes may well not have been committed if a child with a specific learning difficulty could have been diagnosed and managed at an earlier stage. As well, of course, the loss to society by the child's failure to reach normal intellectual standards cannot be calculated.

I realise that the various Governments throughout the nation and the Queensland Education Department have been actively engaged in research along these lines. Organisations such as SPELD have played their part in endeavouring to identify these children as early as possible and to take appropriate action. I believe this committee would have us take greater note of these children at risk within our society.

As to the report on capital punishment, I support the views of the committee. I cannot find any substantial evidence to indicate that capital punishment acts as a deterrent.

I cannot agree with my colleague the honourable member for Townsville, who has urged castration for sex offenders. I appreciate his conviction on this matter, but he and I agree to disagree. I cannot see that such a procedure will do anything for our society. It is like closing the proverbial stable door after the horse has bolted.

The honourable member for Rockhampton mentioned a spray that is available overseas. By way of interjection the honourable member for Mt. Coot-tha also referred to it. In fact it has been shown to certain members of this Assembly. However, we are informed that in this State its use is illegal. I have grave doubts about the value of such a spray, because it could be used as a weapon in attacking a person or in robbing stores, banks or cashiers. It could also be used for other purposes, for example, in schools, and it could have serious effects upon the person on whom it is used. I do not know of any medical long-term ill-effects that result from the use of the gas exuded by this spray; nevertheless it could be used for wrong purposes. In any event, very rarely would a victim of a crime have time to use such a spray.

When this spray was shown to me I felt that it may have some value in the prevention of crime. However, having discussed it with many people and having examined overseas literature on its use, I am not convinced that it will be of any benefit to society.

Mr. LICKISS: It could have the reverse effect.

Dr. EDWARDS: It certainly could.

I associate myself with the recommendations of the committee and congratulate its members on having achieved such a great deal. I sincerely hope that its findings will be studied and will be implemented.

Mr. LEESE (Pine Rivers) (5.20 p.m.): I congratulate members of the select committee on their obvious hard work and the many trying days they spent listening to submissions so that they could formulate this report. As is to be expected, although the report makes many fine recommendations, it does not provide all the answers. It would be impossible for any report after such a short period to provide all the answers.

I think that, for a start, we should try to strike a balance in the sentences imposed, particularly by magistrates in the lower courts. Recently, in the Caboolture court, a

case was heard concerning a fatal accident that occurred about 18 months ago in which a young wife lost her life and the husband was left with one child. The person in charge of the other car was found to have a blood alcohol level of over .1 per cent. In other words, he was drunk and incapable. For some reason it was ruled that the evidence concerning blood-alcohol content was not admissible, and the defendant escaped with a measly fine. A fortnight ago he was charged in the Caboolture court with drink-driving. Although he had had a blood-alcohol level of over .1 per cent and had been involved in a fatal accident, he was fined only \$80, without any suspension of licence. When members of the public see such sentences meted out they wonder where justice begins and ends.

I do not advocate excessive punishment but we have all heard today that many good women believe it is not safe for them to walk on the streets. It has been suggested that they could be armed with weapons, spray gases and so on, but I am inclined to agree with the honourable member for Ipswich that those weapons could be turned against the victim.

I hope that the Government is looking closely into increasing the strength of the Police Force. We must not say to the women of Queensland, "Here is a weapon; this is what to do when you are attacked." As leaders in the community we must make the streets and homes safe again for our womenfolk. The answer does not lie in penalties, or in castrating offenders as has been suggested.

Mr. W. D. Hewitt: It lies in apprehension.

Mr. LEESE: That is so, and in providing sufficient police on the beat.

I firmly believe that we should get back to the idea of a community police force—in other words, a policeman living in a police house in a suburb, a policeman who knows everyone in the vicinity. If a stranger comes to the district, he is the first to know about it. In this way people start to think of him as one of the neighbours, not as a police officer. They come into contact with him at times other than when a crime is committed. As other honourable members have said, I believe that, whatever the cost, the Government should first ensure that the Police Force has a sufficient number of officers.

Queensland has some very efficient police officers. In Petrie, in my own electorate, the officers are first-class. The C.I.B. men could not be better. However, problems result from their working short-staffed.

In my electorate serious crime is not a great problem. The problem of law enforcement springs from vandalism, which is committed mainly by youngsters. What is to be done about it? In many instances of vandalism and other minor crimes, where the youngsters travel about in motor vehicles, the courts should consider taking their wheels away from them—not just from the driver but from everyone who is in the vehicle.

Where a crime committed by a youngster up to the age of 18 years is such that punishment is necessary, long-term sentences are not required. Possibly no prison sentence at all is called for. Much community work needs to be done in all areas. The honourable member for Everton touched a little on what is happening in the U.K. I believe that many offenders could be put to a type of work that would be good for them and also benefit the community, whose members would know why the work was being undertaken. It would thus act as a great deterrent.

Far too often these days parents shirk their responsibilities. Often a parent attends court with his child and says that he did not know what Johnny or Mary was doing; but Johnny or Mary was allowed to stay out late at night, well after dark—and perhaps well after midnight. Obviously, when a child stayed out as late as that, a conscientious parent would be suspicious and ascertain where the child had been. If any progress is to be made in preventing juvenile crime, Queensland parents must accept greater responsibility.

We must revert to the alleged old-fashioned idea of the mother and father having a say in where their children go after dark. They would be helped in their task if in the high schools a trained person could counsel young people and make them aware of the many problems to be encountered. Many young people would more readily discuss some matters with a stranger, so to speak, who had their confidence than with their own parents.

I return to my opening comment that the best way to reduce crime is to increase the strength of the Police Force, put the police officer back into the suburbs, and put him

back onto the beat. I do not believe that the imposition of more severe sentences will necessarily be a deterrent. The emphasis should be on rehabilitation. Probation should be used more often, and in that field we can look to other parts of the world to ascertain the advantages to be derived.

We should also be considering the type of cities being planned. Recently I read an article about a current problem in Edinburgh, Scotland. It concerns high-rise buildings containing flats. The situation in one particular block, which houses 2,000 people, is such that the residents dare not go out onto their landings. Because they fear attack, women go in twos and threes to the shops, which, it seems, are housed in the basement. Even children of seven mug children of three for as little as 10p. Our town planners must take problems of this type into account when considering proposals for high-rise dwellings.

I again congratulate the committee. Like other speakers I feel that the ambit of the terms of reference could have been much wider and that possibly the time could have been extended so that the committee could have come up with far more recommendations. I hope that the Government and public servants take due cognisance of the recommendations and that some definite, positive steps will be taken in line with them.

Mr. HINZE (South Coast) (5.32 p.m.): I have pleasure in joining in this debate on the motion, "That the House take note of the report of the Select Committee on Punishment of Crimes of Violence in Queensland." I do not intend to go into a long argument on whether we should support or oppose capital punishment or the other recommendations contained in the report. We should take note of the report and, as previous speakers have said, if the Minister for Justice, with his committee, and the Government give consideration to the report in full, legislation will be brought before this House for enactment. This was the purpose in setting up the committee.

I am proud that I was selected as one of the Government representatives on the committee and I am very pleased with its findings. Like other members of the committee, I commend and congratulate the chairman (the honourable member for Toowoong) for his great interest in the formation of the committee, the work involved, the numerous reports and his handling of the people who appeared before the committee. He tried to protect everyone's rights, and did an excellent job.

It was the first joint-party committee for 50 years, and the system, as it were, was on trial. The committee could have been a complete failure. I suppose we could have made many mistakes, but now we have the hope that, in the future, other committees will be set up to deal with questions of public interest such as the one we considered. It was possibly one of the most complex, diversified, and controversial ever to come before any Parliament. It was with great pleasure that we presented this report to Parliament, and we now ask that it be taken note of.

The committee was set up because of what was thought to be an upsurge in crime in this State. At Ormeau, Pimpama, the Gold Coast and Beechmont in my electorate, girls had been raped, and two were murdered and thrown down an embankment. At that time there was a spate of very bad murder and rape cases. I suppose that this set the people off and they demanded that Parliament consider this problem and do something about it. I have no doubt that Parliament will take note of the recommendations in the report.

What do we do? As members of Parliament, we are all responsible. It is no use blaming one political party or the other. I think it must be admitted that in society today one can find many reasons for the upsurge in crime in this State and throughout the Commonwealth of Australia, and indeed throughout the world. In the debate today honourable members have quite clearly blamed alcohol, the permissive society and television shows. I suppose all these could be said to have contributed to the upsurge in crime.

I must admit that I received quite a number of surprises during the sittings of the committee and at the various places we visited. Members of the committee took the opportunity of visiting prisons in Queensland, and I congratulate the Minister for Tourism, Sport and Welfare Services for the work being done there. Those who had not previously visited prisons in this State must have been proud of what is being achieved, particularly at Wacol, which must be one of the best prisons in Queensland.

Mrs. Jordan: In Australia.

Mr. HINZE: I agree. That was one of the surprises I received.

Another surprise was the low I.Q. of the inmates of the prisons. I think there are about 600 in Boggo Road and 200 in Wacol. When I talked to men at Boggo

Road, in particular, I found that they had a very low I.Q. Perhaps that is one of the reasons why there is a criminal element in the community. The inmates of the prisons have not the intelligence needed to cope with the many trials and tribulations of modern society.

At Boggo Road we met some of the lifers. That is where I had the experience of meeting Stuart and seeing him inside a cage. At Wacol we saw young fellows of the same type who have no chance in life. They have nowhere to go.

The committee found itself split down the centre, five members believing that the committee should recommend the reintroduction of capital punishment and the other four taking the opposite view. Strangely enough, it is a fact that not one person who came onto the committee with a certain view changed his mind. I am not saying that members of the committee did not have the ability to change their minds; I am saying that each of us had certain definite thoughts on the subject.

If any of the statistics that were put before us or any of the work that we did during those weeks had convinced me that I was on the wrong track, I would have been prepared to change my mind. But when I saw fellows such as Stuart locked up in cages, I thought that the most Christian thing that could be done for them was to reintroduce capital punishment. That is one of the arguments in favour of capital punishment that come to my mind immediately, quite apart from any deterrent effect it may have. There are no statistics that convince me that capital punishment should not be introduced in the State of Queensland. However, the majority decision of the committee was such that it is not necessary for Parliament to consider the question at this time.

An editorial in "The Courier-Mail" said that we were saved by one from taking a step backwards. I think members of the committee knew before they began their task that that would be the decision.

Another thing that surprised me was the different age groups of members of the committee. In the younger age group were the honourable members for Brisbane, Chatsworth, Rockhampton and Landsborough. Then there was the honourable member for Belmont, the honourable member for Roma, the honourable member for Toowong and myself—a 20-year age gap. Perhaps the fact

that we older members of the committee had an extra 20 years of experience made the difference. It may well have had some effect. Certainly we found that the group of younger people was thinking in a different way from us.

I did get a surprise when I heard about the leniency extended to the young fellow, Church, who raped a girl at Beechmont. She was lucky she was not murdered. When I picked up the "Telegraph" and read "Church 15 years", I thought that society had got what it was entitled to, and that that person was to be put away for 15 years. But then I learnt from the reports that are laid on the table that he would be due for release in about eight or nine years. The public is not aware of the leniency that is extended in such cases.

Mr. Davis: There has been an appeal by the Minister against that.

Mr. HINZE: The honourable member for Brisbane says that there has been an appeal by the Minister against the leniency of the sentence. I hope it is successful.

A Government Member interjected.

Mr. HINZE: Somebody said it was successful. That is the way it should be.

The committee found that there was a majority of opinion in this State in favour of harsher penalties. I whole-heartedly support almost everything that was said by the honourable member for Toowong. Obviously I could not make as good a contribution as he did; but I subscribe to the thoughts expressed by him. Society demands that we take much stronger action against those who commit crimes against the person.

It is strange but true that the inmates of prisons apparently never thought at the time of the commission of their crimes that they might get caught. When they are asked about their reaction on being caught, they always come back with the answer that they never believed they would get caught. I was surprised when I got that sort of reply, but apparently that is the make-up of those people. That was very clearly demonstrated throughout all the discussions we had with prisoners.

There is a demand by psychiatrists, psychologists and some of the clergy for greater freedom for prison inmates. All we do is take away their freedom. That is all that society can take away from them when they commit a crime against their fellow man. Are

we getting too lenient? Are we getting to the stage where we are giving them week-end leave and that sort of thing? Is this what society is going to approve of? Frankly, I believe that we will have to be very cautious. It is all very well to say what is being done in other countries. I have my doubts as to whether we should go too far along those lines.

Mr. Tucker: Surely freedom is a very precious thing. Millions of people have died for it.

Mr. HINZE: Exactly. But the point I am trying to make is that the State demands that we take something away from these people who commit horrible crimes. We take away their freedom but after they have been in goal for six or seven years they have the right to appear before the Parole Board or to be transferred to a prison farm, and later the right to be released to work. In this way we give them back what we took away from them. Some would say, "If they have been good prisoners they have earned that right. It is something that they are entitled to." We must always guard zealously the freedom that the Leader of the Opposition spoke about. We can stop young people from committing these crimes in two ways only—by education or by fear.

Mr. Bromley: But you would control everybody.

Mr. HINZE: I am not trying to control everybody. I am simply trying to make a valuable contribution to this debate by reviewing the hours I sat with fellow parliamentary members around this table trying to provide some improvement for the society we are living in at present, and to give protection to the people who are demanding it. Never in the history of this State have females been as frightened as they are today. Why should females, because of their frail build and inability to stand up to a man, live in fear? And they are not the only ones; their families also are affected.

Mr. D'Arcy: Don't you think there should be females in the Police Force?

Mr. HINZE: I cannot quite get the point being made by the honourable member. He is saying something about females in the Police Force. We have females in the Police Force.

Mr. Bromley: You are saying women are the weaker sex.

Mr. HINZE: They are.

Mr. Bromley: They have more sense than you have.

Mr. HINZE: I am trying to make a sensible contribution to the debate; the honourable members for South Brisbane and Albert are being facetious. They are referring to the fact that we have women in the Police Force. They do not have to get into every scrap that occurs. They are there for a particular purpose. The honourable member is saying that because they are in the Police Force they have to be as strong as he or I. I think it was a stupid interjection. Generally I can take an interjection, but not on this occasion.

I now want to get on to the ordeal that has to be gone through by females who have been unfortunate enough to be involved in a rape case. If any good at all comes out of our deliberations, it would have to do with the court hearings in rape cases where a female has inflicted upon her almost unbearable embarrassment by being subjected to a series of cross-examinations by top-ranking barristers. This is a shocking experience and I hope that, later on, the Minister for Justice will give serious consideration to relieving those involved in this type of situation.

I do not want to take up any more of the time of the House. I thoroughly enjoyed the experience of sitting on this first joint committee. I am very pleased to have been a signatory to the first report of such a committee to this Parliament and I hope that at some future date the Minister for Justice will introduce legislation based on the report that is presented here today for noting.

Mr. BROMLEY (South Brisbane) (5.49 p.m.): I will be brief. As so much has been said about the recommendations of this select committee, I think I too should pay tribute to its members for the hard work they did, and I want to pay tribute also to the many people who were courageous enough to come along and put their points of view before the committee. These days very few people are willing to appear before responsible bodies, so the select committee achieved a good deal in inducing people to come along and put forward their respective ideas. The committee should be grateful to those who had the courage of their convictions to present submissions.

The committee was appointed as a non-political body, and it was pleasing to see that, with one or two exceptions, those speakers who participated in the debate today refrained from indulging in party politics.

Mr. Wright: The honourable member for Murrumba was an exception.

Mr. BROMLEY: Quite so; he made some remarks that did not do justice to this Parliament or to his colleagues who served on the committee. The honourable member for Murrumba disappointed me.

Today's young people live in a world in which there appears to be a dearth of family life, love and understanding. I am one of a family of 10 children—six boys and four girls—and we were brought up with the ideal of loving one another and of loving and respecting our neighbours. We did not need to be taught to love our parents; our parental love was natural. However, these days for some reason—whether the parents are at fault in ignoring their children or the children are at fault in ignoring their parents, I do not know—the young people seem to be seeking something else and trying to express their views and thoughts in a variety of ways. It is difficult to determine whether they are searching for leadership or seeking guidance.

It is a pity that we seem to have got away from the days when children were keen to attend Sunday School and were not afraid to seek advice from their parents, their school-teachers, their church leaders and the police. I have urged many youngsters to look upon policemen and policewomen as their friends. We need to get back to the days of moral, Christian understanding, free from constant sniping and criticism.

I am pleased to see the Minister for Industrial Development in the Chamber. He is a fine type of "parent", who, through the apprenticeship scheme, takes a keen interest in young people. I give him credit for his genuine approach to our younger generation. I am sure that if others followed his example the world would be a better place to live in.

Today we hear a lot of talk about the generation gap and so-called juvenile delinquency. The trouble arises not from a generation gap but from the fact that older people talk down to young people instead of with them. I am involved in many organisations containing large numbers of young people, and I have found it very easy to get to know them and win their respect. I have done this by showing a genuine interest in them and by trying to understand them.

I shall repeat briefly what I said at the farewell party to Inspector Mick McCarthy recently. I said that when I was young we knew the policemen and respected them. In fact, everyone knew the local policemen. There were more stations then because fewer had been closed down. If we were recalcitrant at any time, or played up as young people do, the local policeman, whom we all knew and respected, would give us a swift kick in the pants—not too hard—and we would continue to respect him. Many senior police officers have told me that people have come back to them many years later and thanked them for the treatment they meted out to them as teenagers because it kept them on the strait and narrow. One problem today is the lack of closeness between the police and young people.

Although crime is on the increase, the increase is apparent in all age-groups. The figures released by the Minister for Tourism, Sport and Welfare Services today reveal a big increase in crime among older people, although probably the main increase has taken place in the younger group. Today, young people think seriously about life, while older people seem to be more mature and enlightened.

The honourable member for South Coast in dealing with the differing recommendations of the select committee referred to the difference in their ages and how that affected individual recommendations. I do not know whether age has anything to do with it. In this matter outlook depends on whether the person is enlightened or whether he wishes to return to the 15th, 16th, 17th or 18th century. It is really a matter of believing that we should do the right thing by each other. I cannot understand how the honourable member could imply that people in different age groups on the select committee would make different recommendations. To my mind it depends on whether the problem is approached in a mature way or, perhaps, on the way the person has been brought up. In this age a person must be sufficiently broadminded to realise that we must assist one another. I should not like honourable members to think that I am being too philosophical or delivering a sermon. I am only saying what I believe in all sincerity.

Government Members interjected.

Mr. BROMLEY: Despite the irresponsible interjections of the honourable members for Murrumba and Windsor, I am sincere. I believe this Parliament will take cognisance of some of the recommendations in the report and that Queensland and Australia will be better as a result of the select committee's deliberations.

Dr. CRAWFORD (Wavell) (6 p.m.): Numerous opinions have been canvassed during this debate. That is desirable because, as

has been pointed out, it is essential that all aspects of crime and punishment be examined by the House, both because of the public demand for such examination and because of our individual responsibilities as citizens of this State. Very many problems confront us in the realm of crime in our community.

Dr. CRAWFORD: The escalation in the number of crimes occurring in our community worries all of us excessively. However, I wish to point out to the House one or two facts that have not so far been discussed. One is that a large criminal group in our community emanates from disadvantaged children. Disadvantaged children may, of course, be those who have suffered from overindulgence by their parents, and are therefore given the impression in their early days that they can do as they wish, without any check or balance to their activities. They are allowed to run with free rein.

However, the major group of disadvantaged children comes from those who have suffered brain damage at birth or subsequently, as a result of malnutrition or other difficulty with their environment that has put their parents, and their overall upbringing in the poverty class. If we realise that this group represents an appreciable proportion of the children's community, we will appreciate that we must take very stringent steps to ensure that their condition is diagnosed at the earliest possible time, and that they are treated adequately through the education and health systems in our community.

It has always worried me that in these children diagnoses are very frequently missed because in Queensland, anyway, there is no central co-ordinating committee to which a child can be sent for diagnosis and assessment from any part of the State in which a teacher, parent or social worker is worried about that child's performance. It is absolutely essential that such a condition be diagnosed at the earliest possible time (which means at three, four or five years of age), and that the child be despatched to a centre where he can be assessed by all the experts in a committee—not just seen by one expert, but by medical, educational, sociological and psychological experts. After the assessment is made, he can then be referred without delay to the relevant centre if he needs special treatment.

Remedial teaching is a very significant prerequisite to an adequate education system. In the State school system in Queensland—and the non-State school system, too—there is a large number of remedial teachers. They are of the utmost importance in dealing with those children's deficiencies that need correcting at an early stage.

It has been estimated that between 20 and 30 per cent of children in the primary school system in Queensland—indeed, throughout

Australia—have some degree of difficulty with learning, reading or speech. If these can be corrected at an early stage, there are no further—

Mr. Jensen interjected.

Dr. CRAWFORD: I ask the honourable member to be quiet, for goodness sake.

Mr. Jensen: Where do you get your 20 per cent?

Dr. CRAWFORD: The honourable member knows nothing about it all.

Mr. Jensen: If it was 20 per cent when you went to school, people have gone mad.

Mr. SPEAKER: Order!

Dr. CRAWFORD: Mr. Speaker, if the harping gentleman from Bundaberg will be quiet I will try to teach him something. These are important factors.

Mr. Jensen: Be honest in this.

Dr. CRAWFORD: The large number of children in our community who require diagnosis at any early stage—

Mr. Jensen: Rubbish!

Dr. CRAWFORD: . . . need an Education Department that cares enough to realise that these facilities must be provided. If they are not provided, or if these children are missed, they automatically find themselves giving the game away in the progressive learning systems with which they have to cope. If a child does this at five, six, or seven years of age, by the time he reaches school-leaving age he is in no position whatsoever to cope with life and living in general.

Many young people at that stage—if their diagnosis has been missed, or if they have not received remedial treatment or remedial education treatment—are completely illiterate, and it is surprising that in a well-ordered community children such as those can still go through a well-oriented school system and remain illiterate.

These young people, having found themselves neglected by the system, and in many cases neglected, too, by their parents because they are considered to be backward, useless, or a nuisance in the home, become the basis of the criminal element because they then have a grudge—and it is a real, not an imaginary grudge—against the society into which they have been born. As they find they cannot make normal decisions and cope with the normal stresses of life, they develop a hatred of society. They tolerate violence, and direct their violent behaviour against society as a whole because they are fighting the community.

It is possible, if the facilities that are needed to cope with these people can be provided, that this group can be prevented from developing along those lines. However, a very great deal of effort and care is needed to provide the necessary background and medical research facilities to enable this whole group to be treated at an early stage. If these facilities are not provided, criminal activities, which are the automatic result of neglect in this sphere, come to the fore.

Now, what would the honourable member for Bundaberg like to say?

Mr. Jensen: I want to ask you about that 20 per cent.

Mr. SPEAKER: Order!

Mr. Jensen: He asked me a question.

Mr. SPEAKER: Order! The honourable member for Wavell will address the Chair. He is not obliged to answer interjections.

A Government Member: It was a stupid question.

Mr. Jensen: It wasn't a stupid question. He asked me.

Mr. SPEAKER: Order! Very soon I will deal with the honourable member for Bundaberg under Standing Order 123A. He can take that as a warning.

Mr. N. F. Jones interjected.

Dr. CRAWFORD: I deplore any waiting list, which is one reason I made the point in this particular way. It is of the greatest importance that there be no waiting list, and that facilities be co-ordinated in the best possible manner. I am well aware that there is a waiting list and, under present circumstances, that is an indictment of the whole society. It means that there are not enough doctors and others being trained to cope with a situation that I believe is of major importance.

The end result is that there is an inevitable deterioration in the community because these young people believe that no-one cares about them. They then develop and grow with the complete anti-social attitudes that I have been describing, and senseless violence and brutality are the end result of their activities in the community.

There is another group which represents between 2 per cent and 5 per cent of the community. Because of the way in which

their brain departments have developed, they do not fall into the category of people whose brains have been damaged at birth. They have psychological, psychoneurotic, or pure psychiatric problems. This sort of group exists in every community.

Recent history shows that during the Nazi occupation of Poland, the Germans were able to recruit a very large number of young Jews to act as gaolers and people prepared to brutalise their own people. Eventually they, themselves, were exterminated by the Nazis. During the Hungarian troubles, the Communists were able to find young Hungarians who were prepared to act as murderers and torturers of their own people. In every community there is a percentage of people who are prepared to act in this way.

Mr. K. J. Hooper: You mentioned Hungary. What about the other end of the political spectrum? What about Portugal and South Africa?

Dr. CRAWFORD: I was not speaking about Portugal and South Africa. I was simply making the point that in every community—Portugal, South Africa, Britain, America and Chile—there is a percentage of people who are prepared, because of their abnormal mental equipment, to act in an anti-social fashion, and there is no possibility, in any community, that they can be deterred from acting criminally.

We talk glibly about deterring the community from committing crimes. We talk about capital punishment not deterring people from committing crimes. Capital punishment can, and probably does, deter people with normal mental equipment; but there is no way in the world in which one can deter the group in the community that has abnormal mental equipment from committing crimes. Take a city of the size of Brisbane, with a population of, say, 800,000. Even 2 per cent of that number would be 16,000, and 1 per cent would be 8,000. This means that in our community there are people, many of whom appear normal to outside observers, who would be prepared to commit violent crimes, and no deterrent would prevent them from doing so.

We have not, in my opinion, realised that these people exist in such numbers in the various communities of modern man all over the world. It is only by ensuring that medical facilities are available for the treatment of these people at an early stage that

they can be prevented from committing violent crimes. It is a matter of education to counteract the first group I mentioned and medical assessment and treatment to counteract the second group, and all the talk in the world about deterrents will not make any difference.

I am not a believer in capital punishment. I would not like to see capital punishment reintroduced in the community, because I do not believe it accomplishes anything. But I do abhor and object quite violently to the person who says, "Well, because capital punishment does not deter them, we will automatically remove it for that reason." I do not think we should adopt the negative attitude that we cannot do anything about a crime because a certain type of punishment does not deter people from committing it. We must say to those who argue in that way, "All right, if that particular type of punishment does not deter, you bring forward some answers about the type of punishment or education in the community that does deter." In that respect, I remind the House that I am talking about deterring the commission of crimes by persons whose mental equipment is normal, not by the psychotics and others in the community about whom I have been speaking.

It is of the greatest possible importance, Mr. Speaker, that we realise that these problems are not going to be solved easily. They are not going to be solved by platitudinous arguments about deterring crime. To the people in the community, particularly some of those in the universities who are busy with psychological studies, who say that nothing deters crime, I say, "Work out some method by which we can deter normal people in the community from committing crimes."

Finally, there has been a great deal of talk in this Chamber today about castration. I would put my voice with that of the honourable member for Ipswich in opposing completely the concept of castration. There are several reasons for my doing so, and one of them is a medical reason. It is not medically feasible to assume that because an adult male is castrated, the hormonal level of testosterone in his system will automatically be appreciably decreased. The whole process of sexual function, with primary and secondary sexual characteristics, is a combination of the pituitary gland in the brain with the adrenal glands and the sex glands, and simply removing one of these

glands does not automatically stop a person functioning sexually. A eunuch can be formed with certainty only by castration before puberty. There is no way in the world that the introduction of castration would prevent sex crimes in the community.

Mr. K. J. Hooper: That is the high-pitched-voice type?

Dr. CRAWFORD: Not necessarily. It depends as well on the level of the hormones produced in the other glands I mentioned.

We must approach the problem realistically. If a survey were taken in the community, probably 80 per cent of the people would indicate that they believed that some form of operative treatment should be carried out on sex offenders. But that would not solve the problem. I come back to the original premise that if we are to have a community in which women can walk the streets without being molested we must have a strong and efficient Police Force to ensure that the laws are obeyed, and the criminal element must be contained and prevented from committing further crimes against any member of the community. In order to prevent crime there has to be special education of youngsters with the problems I mentioned, and medical treatment of those members of the community who can be treated and who need treatment because of their psychotic tendencies, with restraint where necessary. At the same time, we cannot afford to be too lenient with any of the offenders against society.

It is to be deplored that a heroin pusher can be allowed to get off scot-free simply because of a legal technicality brought up in court by a smart barrister. Many drug-pushers in the East are treated very simply. If a person entered Persia, for instance, with drugs in his possession and they were found by the Customs, he would be put up against a wall and shot. It is important that we view the whole matter in the right perspective and that we treat those members of the community who need treatment. If these matters are not attended to, the community will suffer.

The rehabilitation of a criminal should include the restitution of the property of his victim. Vandals should be treated severely. They should be required to carry out restorative work on the property they have destroyed. If it can be pointed out to them in that way that what they have done is a crime against the community, we will be

making some progress towards the rehabilitation of the entire community in these very important matters.

Mr. DEAN (Sandgate) (7.33 p.m.): I do not intend to speak at length in this very important debate but I feel impelled to make a few observations because it was my privilege from time to time to sit in on the deliberations of the hard-working select committee that was appointed to look into the very important subject of crime and punishment. I agree wholeheartedly with what was said by my deputy leader when seconding the motion moved by the honourable member for Toowong.

I commend the members of the select committee. I know that they were working very hard whenever I had the opportunity to sit here and listen to the evidence that was taken from all types of people in the community. Indeed, those witnesses made a very valuable contribution. At times I felt like trying to buy into the discussions, but of course that was not possible. The select committee did a very good job.

Over the years I have had certain reservations about the appointment of select committees. I have never been a great believer in them. I know many opinions differ from mine on that subject. On this occasion I did soften my attitude because of the great benefit that could accrue from the deliberations of selected members of Parliament from both sides of the House on such important matters as those covered by the report before us tonight.

I was also impressed by the treatment of the witnesses. During the time I listened to the evidence, I thought that committee members were very humane in their approach and acted with a great deal of common sense in questioning the various witnesses. Many citizens have never had the opportunity to visit this building and a stranger could feel slightly embarrassed in the atmosphere of the Chamber, but, as has already been mentioned, the committee showed great restraint and acted humanely towards the witnesses.

I was impressed with the people who came along to give evidence. One who particularly impressed me was the Director of the Children's Services Department, who is doing a wonderful job in the community. I am sure that the wealth of information he gave the committee helped it to form an opinion and to bring down the very fine report we are discussing tonight.

Mr. Ahern: He gave some of the best evidence we received.

Mr. DEAN: I agree with that observation. His would be certainly among the best evidence the committee heard because it was given by a man of wide experience

in his own department and in many other departments of the Public Service where he has worked over the years.

I have been rather disappointed with some aspects of the punishment meted out to some wrongdoers in the community. I believe that sometimes, in handling wrongdoers we do too much pussyfooting around. I know that sometimes health causes problems, but most crimes represent deliberate breaches of the law and those who commit them are deliberate lawbreakers.

I am sorry that the courts did not come in for some consideration, and the judiciary as well; but they did not. I think that is where most of the trouble lies at the moment. In many cases our approach to these problems is too timid and I do not exclude the Police Force from the criticism. I am not casting any reflection on the Police Force, because they do a wonderful job in the circumstances and conditions under which they are required to work; but I am told that, from time to time, certain interference with the police takes place. I sincerely hope I never witness any of it because, if I do see anyone trying to use undue influence on an officer of the law, I will expose him; and he should be exposed, because a policeman's job is difficult enough without his being subjected to intimidation.

The honourable member for Wavell touched on the very important subject of vandalism. I think that the punishment meted out to some of these offenders does not really constitute punishment at all. Certainly vandals are not made to reimburse people for the damage they do to public and private property. It is a pity that more consideration was not given to that aspect so that the Act could be amended to make vandals restore property where possible and to pay heavily for the damage they do where restoration is not possible.

More consideration should be given to the punishment meted out to the common thief who enters and uses another person's motor-car. I know that the law adopts different views on the punishment provided under this heading. The foolish expression is used that he or she illegally used a motor-car belonging to somebody else. So far as I am concerned, any person who drives another person's motor-car away from where it is parked is a common thief. Never mind about illegally using it! No person has a right to enter another person's motor vehicle without his consent and I think the law should be amended to provide stricter punishment. I believe the law is very weak in this respect. The committee's report covers a very wide field of crime and punishment. I hope the Government will take notice of it and will show it in a tangible way by amending the appropriate legislation in accordance with the recommendations put forward in the report.

I feel that in some respects the recommendations could have been stronger, but I realise that as one sitting on the sideline, as it were, I might have formed opinions different from those held by members of the committee. Perhaps if I had been a member of the committee my view would have coincided with the others. I suggest that stronger recommendations would have pushed the Government harder into amending the laws that relate to the actions of wrongdoers.

Mr. R. E. Moore: Would you hang them?

Mr. DEAN: Most certainly not. I am bitterly opposed to capital punishment, not because my party is against it but because my personal view is that it has nothing whatever to commend it. All it does it remove part of the burden from the taxpayers, who are called upon through their taxes to contribute to the maintenance of a prisoner serving a long term of imprisonment.

Mr. R. E. Moore: Would you just wish them away?

Mr. DEAN: No. If it could be proved that there is something medically wrong with the perpetrator of a crime I would suggest that he be handed over to a medical scientist to see what could be done for him.

Reference has been made to the use of the lash and other forms of corporal punishment. In some cases it may meet the needs of the community; in others I am sure it would not. It certainly has not worked over the years. There is a school of thought that favours the old Mosaic Law of an eye for an eye and a tooth for a tooth. Perhaps the thought of pain and suffering as a form of punishment would deter some people from committing crimes, but who is to judge whether an offender is the type of person who should be punished in such a manner?

I was pleased to have the privilege of listening to some of the deliberations of the committee. Finally, I commend it for the work that it did, and I repeat my sincere hope that the Government will take notice of its recommendations in a tangible way by introducing appropriate legislation to amend certain of our Acts.

Mr. GUNN (Somerset) (7.43 p.m.): It is not my desire to take up a great deal of the time of the House; nevertheless I believe that each honourable member has a duty to express his viewpoint on the report of the select committee. I had the privilege of listening to portion of the proceedings before the committee, and at the outset I congratulate its chairman (Mr. Porter) on the excellent job that he did. This is the first time in 50 years that such a select

committee has been appointed by this Parliament, and for that reason if for no other the members of the committee must receive full marks for their efforts.

The oral submissions that were put to the committee were most interesting. Those persons who presented them are to be commended for having given generously of their time. I thought that some of the witnesses were quite brilliant. Even if we do not agree with all their remarks, we cannot doubt their sincerity.

The magnitude of the task facing the committee required a great deal of intense study on the part of its members. They had to wade through many many pages of both written and oral submissions. I marvel at the fact that in addition to doing all this they were able to look after the interests of their electors. I think it is wrong that they should not have received some remuneration for their services on the committee. I consider that it was unfair to expect them to do their job without some form of recompense.

The views expressed in the evidence given by the various religious organisations were only to be expected. I was not surprised to note that many of them opposed capital punishment. I believe that the seeds of crime are sown at a very early age. Many academics would not agree with the submission that most violent crimes are committed by people who had a very unhappy childhood, and probably saw a lot of violence in their own homes.

The honourable member for South Coast referred to a particularly vicious attack committed on the Gold Coast by a man named Church, who buried a young lady and left her for dead. I have known this man since his childhood. He was a lout of the lowest type, who spent most of his life in and out of caravan parks. He was an itinerant worker, mainly in the Gatton and Lockyer Valleys, who earned money picking potatoes and onions. He spent it in the hotels and was noted for his violent acts in company with a few other young lads. I should say that any of these young lads who knocked around with him were quite capable of committing a similar crime.

Mr. Jensen: They are no good to the community.

Mr. GUNN: They are not worth a crummet to the community. It is horrible to think that the other young fellows are still running around the countryside causing the police as much trouble as possible.

I do not know where the answers to many of these problems lie. I have found that many local boys are extremely proud of their father's exploits. Following in their father's footsteps, they try to outdo them and end in gaol. On the other hand,

children with a good Christian upbringing, who have a happy childhood with a good family life, rarely do anything wrong. Children are great imitators; they usually follow their parents' example and rear their families in the same way.

Mr. Jensen: They are Christians.

Mr. GUNN: In many cases the parents fall down badly by not giving their children a Christian upbringing; most problems can be traced to upbringing. Children raised in institutions suffer disadvantages, although I believe that the main trouble arises when they leave them and are no longer controlled. I pay tribute to the Children's Services Department, which arranges for many children to be fostered in private homes. I am sure that all honourable members know how lads act when they roam in a pack, with one trying to outdo the other.

Mr. Burns: This is in your area.

Mr. GUNN: Unfortunately it happens in every area in Queensland. The problem would not be so bad if it were confined to my area or that of the honourable member for Lytton. If it were, we could handle it quite easily, but it is not as simple as that.

Capital punishment is not the answer to even the most hideous crime. I fully appreciate the feelings expressed by some honourable members who advocated capital punishment, but it has not proved to be a deterrent at any time. The answer lies in loss of freedom and efforts to rehabilitate criminals. If rehabilitation is found to be impossible, they must be kept away from society altogether. Some people are not fit to play a part in it. It is up to us to put them where they will never again have an opportunity to mix in the community. This is more effective than the death penalty. If we reimpose the death penalty, we are lowering ourselves to the level of these people as well as putting the clock back many hundreds of years. It would be most unfortunate, and I am definitely not in favour of it.

We in the isolated areas have a special problem. Much has been said about the murder of Mrs. Morse, which was most unfortunate. I do not know how the commission of such crimes can be prevented in those areas. As desirable as it might seem, it would be absolutely impossible to station police in every area of Queensland. That is all there is to it.

One section in the report of special merit is the suggestion of better communication between stations, which would be of great benefit. We have come a long way by providing our police with fast cars, equipped with two-way radios. That has helped a good deal in crime prevention and detection, but some areas in the State, because of their geographical situation, are very difficult indeed to protect. The fact that women in the Outback are left alone for two or three days at a time is a local problem and must be dealt with by the station people themselves. The women must have somebody with them.

Another aspect of this subject that deserves comment is the violent rape of children. It should be realised that parents have a special role to play. At an early age children must be warned against talking to strangers or accepting anything from them, particularly the acceptance of a ride in a motor vehicle. Children should not be allowed to return home from school alone. Teachers should ensure that children board the bus, or whatever transport is available. It is also necessary that somebody be at home to receive the children on their arrival from school.

Children coming home to an empty house because their mother is working create a special problem. A Government can do very little to help a family in those circumstances. It is at that time that children get into mischief. However, worse than that, they are very vulnerable to sexual attacks.

Films on sex and violence have an adverse effect on people, especially those with mental deficiencies. They must be regarded with grave concern. Some of these films have been shown in Queensland. Anyone who has seen them would realise that they contain no story and are of no benefit to the community. I believe that we have done a great dis-service to the people by allowing these films to be distributed within the State.

Mr. Davis: Why do you go to them?

Mr. GUNN: Unfortunately, very often one finds that the programme consists of a film for general exhibition and an "R" classification film. One can do very little about it. However, I do not think there is anything wrong in viewing the films. They indicate how low the film industry has sunk. I think even the member for Brisbane would realise that they have no educational or entertainment value whatsoever. I believe that we have taken a step in the wrong direction

by allowing these films into the State. Even at the risk of being termed "squares" or whatever else we might be called, we should exclude them.

People committing violent rape come within the animal category, as I mentioned previously. These people should never be let loose in society. Pack rape or the rape of a child is as bad as murder in my book, because the life of the victim is absolutely ruined and he or she ends up a nervous wreck. Any of the children or people who have had this type of crime committed against them could tell us that they suffer for the rest of their lives and probably have to receive psychiatric treatment.

I do not know how many criminals have been released from prison and have committed the same crime again, but I well remember a man named Jeynes who committed murder at Ebenezer near Rosewood. He was later released from prison and committed rape. This is a very serious matter and these cases must be looked at very hard. Release should be approved only in special cases and only after close scrutiny.

The honourable member for Townsville said that not all rape cases are reported to the police. I believe this to be absolutely correct. A psychiatrist claimed that the cross-examination victims have to endure in court in addition to the traumatic experience they suffer as victims of a vicious crime make them reluctant to go to court and undergo more punishment and be reminded of their ordeal. I can fully appreciate that point. We have an excellent system in Queensland but, like any other system, it can be improved.

Mr. R. E. Moore: What would you do if someone murdered one of your kids?

Mr. GUNN: I think I would not be emotional. I think I would sit down, take time, and think. I believe that after a week I would think differently from the way I thought at the point of the crime.

I congratulate the committee on the excellent job it did. If it has come up with anything that will improve the system, its efforts have been well worth while.

Mr. JENSEN (Bundaberg) (7.58 p.m.): I did not intend to enter the debate but after listening to the honourable member for Wavell I consider it my duty to do so. He gave a few facts about the committee. I

believe that the committee tried to do a good job but it is useless in our society because nothing will be done by this Government.

I had hoped that the honourable member for Wavell would be in the Chamber while I was speaking. He mentioned what happened in Arabia and some other countries. Over there they line up prisoners and shoot them. If the honourable member went to Singapore or Taiwan, his hair would be cut off because those countries do not believe people should have long hair. This is the breakdown of our society.

Government Members interjected.

Mr. JENSEN: When we have men coming into this Chamber looking like women, and women wearing men's pants, and when I go out at night—

Mr. SPEAKER: Order! I ask the honourable member to keep to the motion under discussion and I ask honourable members on my right to cease interjecting.

Mr. JENSEN: I was speaking to the principles.

Mr. SPEAKER: Order! I will be the best judge of that.

Mr. JENSEN: The honourable member for Wavell mentioned people being shot for doing certain things and I am speaking about men in our society who look like women.

Mr. SPEAKER: Order! The honourable member will get away from that subject.

Mr. JENSEN: I will let that part of it go.

The honourable member for Townsville said in this Chamber he would be willing to nick anybody who committed rape and I go along with that. The honourable member for Wavell said that it would not do any good. He said brain surgery was required as well. The honourable member for Wavell is one of the best surgeons in this State. I would say, "Let the honourable member for Townsville nick them and let the honourable member for Wavell do the brain surgery."

I believe in what I am saying, and I have always stood by my principles and tried to be honest. I ask any member in this Chamber whether he would be game to stand up and say that, if his daughter or his granddaughter aged, say, 5 or 6 years was raped, he would not want to kill the criminal.

Mr. R. E. Moore: Of course he would.

Mr. JENSEN: I would shoot him, irrespective of the law. If any—I was going to say “bastard”, but I will not say that here—if any bugger did anything like that to my granddaughter, I would not worry about the law. I have had my life, and I would not care about the consequences. The law is an ass, and the select committee has proved that it is an ass. If anybody touched my daughter or my granddaughter, I would kill him. I say that in this House of Parliament.

Anybody who says that he does not believe in capital punishment does not believe in life. Life is something that you live, and you have to die. In earlier days, the Romans threw the Christians to the lions. If members are going to stand up in this Chamber and say that bloody mongrels are going to be allowed to rape and kill people, I will not be in that. I will take the hangman's job.

I do not believe anybody should live in this society if he does not do something for it. The Labor Party does not believe in some of the things that are going on in society, and its policy is designed mainly to remedy those things. What are we living for if we do not believe in the society in which we live?

Mr. Alison: The A.L.P. does not believe in society.

Mr. SPEAKER: Order!

Mr. JENSEN: He would not know, Mr. Speaker; he should not be here. No-one can tell me that society is functioning correctly when certain things that are happening today are allowed to continue. There is no discipline in society, and I believe that society works properly only when discipline is exercised.

As I said earlier, I have children, and I now have grandchildren. Children do what they like while they are playing, but the parent does not allow them to come in at night and thump the television set. I have two lovely grandchildren, and I allow them certain liberties. They can smash their toys and throw them around if they wish to do so. My own children did not do that; in fact, my grandchildren are playing with the toys that my children had. But I say to them, “You can't smash the television set or throw things around in the house.” If they do that, they get a smack on the behind.

Under the system operating today, discipline has been taken away. Discipline has been taken out of the schools. Recently a shaggy long-haired person came to this building to see the Minister for Education. If I had to send my children to school to be taught by somebody looking like Rasputin, I would not allow them to go. I would defy the Education Department.

Mr. SPEAKER: Order! I ask the honourable member to come back to the motion before the House.

Mr. JENSEN: I am dealing with the motion.

Mr. SPEAKER: Order! I will be the judge of that.

Mr. JENSEN: I am dealing with discipline in relation to crime. Crime will increase if there is no discipline in the Community. Today one sees members of the Police Force running all over the place in motor-cars. They do not walk the beat now. In my day, the policemen were great blokes. They trained the hooligans by giving them a boot in the behind. We do not see that any more. Today the education system has no discipline. Unless there is discipline in the education system how the hell can we hope for it in the home?

I think we have gone too far. I think the whole committee was a waste of time, because this Government will do nothing. It can't even discipline its teachers who teach my grandchildren. If a person joins the Police Force, the Army or the Navy, he has to conform in dress. But when a person comes down to Parliament House wearing open thongs on his feet and sporting a beard like Rasputin—well, we know where we're going! I am damned glad my children aren't still being educated, but my grandchildren are. I would not abide by the law we are talking about today. I would shoot any person who criminally attacked my grandchildren.

Mr. SPEAKER: Order! I have heard the honourable member say that before. He is just repeating himself.

Mr. JENSEN: I will say it again, too.

Mr. LANE (Merthyr) (8.7 p.m.): The honourable member for Bundaberg is a hard man to follow, but I will attempt to make a serious contribution to the debate.

I must admit that I had some deep reservations at first when the all-party committee was set up to examine this very contentious problem. It seemed to me then that a party with the discipline—discipline was referred to by the previous speaker—that is applied from outside to A.L.P. members inside this Chamber would not have sufficient freedom of opinion to participate properly in a committee of this sort.

All in all it has been a very interesting exercise. As the honourable member for Rockhampton said, it has been something of a guinea-pig. I am pleased to acknowledge now that it did have marginally more success than I expected it would have in the first instance.

The committee was feeling its way because, after all, it is the first attempt of its kind by this Parliament. I feel that some areas could have been examined which perhaps were overlooked.

I was particularly pleased to see on page 8 of the report in section 9 headed "Rape" a reference to the making of unsworn statements from the dock by accused persons. This is something I have been personally advocating for a number of years. Some years ago I wrote a lengthy report for the Police Union Journal setting out the history of the system of taking evidence in courts, including the historical background to the practice of accused persons' making unsworn statements from the dock in criminal proceedings. It is a hangover from the last century, when accused persons were denied by law the right to speak on their own behalf. They had to have advocacy for them by another person. Towards the latter part of the last century, a change in court procedures allowed accused persons to make a statement. At that stage there was still not the acceptance of an accused person's right to take a position of equality with other witnesses; hence he was merely given the right to make an unsworn statement from the dock. Since then, of course, procedures have been upgraded throughout that part of the world which operates under the British system of justice, and accused persons may now enter the witness-box and give evidence on their own behalf, and be subjected to cross-examination.

But over the whole evolution of our legal system the provision for accused persons to make unsworn statements from the dock was not removed from our statutes and it exists as an additional—and, I believe, unfair—advantage which an accused person has today. It gives him a special opportunity to state his case or to say whatever he likes from the dock. This is in addition to the advocacy of his legal representative.

A statement from the dock, of course, does not have the weight of evidence because it is not given on oath and judges are bound to inform juries to that effect; but it does have greater weight in practical terms than is really attributed to it by law or precedent. I believe it is a provision that should be taken out of our statutes and several times since I entered this Parliament I have personally advocated this in representations to the Minister for Justice.

It can be used by a particularly ruthless defendant to blacken the character of prosecution witnesses—perhaps young girls who have suffered an assault, even rape, or perhaps the investigating officers in the case. An accused may stand in the box and say whatever he wishes under the protection afforded him by the privilege that exists in our courts, and not be subject to the test of cross-examination. He may say anything providing he has rehearsed his story well enough and

is a good speaker—and many of our professional criminals are good speakers these days. He may deliver a tirade of abuse or other arguments from the dock and thereby gain an unfair advantage.

It has long been held that the prosecution is entitled to the same degree of justice as the defence. However, in my opinion, this has not been so in practice. Often I have heard some of our leading prosecutors, including the Chief Crown Prosecutor, Mr. Lloyd Martin, a very eminent lawyer, claim on behalf of the prosecution that he was not receiving the same degree of justice as the defence. He claimed just entitlement under the law. Unfortunately, he is one of the few prosecutors aggressive or forthright enough to do this. So I hope that the Minister for Justice, in studying the report of this select committee, will take this into consideration when framing any amendments to the Criminal Code in future.

In other areas of court proceedings and the facilities surrounding them, I believe there have been serious inadequacies in years gone by. In some places they have been upgraded, but I can well remember being a witness at circuit courts in the West and, with women and children waiting for days on end on an open verandah in westerly winds or in the blaze of the western sun. I do not think that the fact that witnesses are doing their duty and performing a service to the State is properly recognised. In the new court buildings that have been erected since this Government came into power the facilities have been improved and rooms set aside for witnesses to wait in comfort to go into the court and give their evidence.

Mr. Davis: What has this to do with it?

Mr. LANE: The honourable member for Brisbane would not understand.

Mr. SPEAKER: Order! I was just about to ask the question myself, but carry on.

Mr. LANE: Some procedures and rules of thumb seem to be applied by judges either as the result of an informal agreement among them or merely at their whim. They are inclined sometimes to create precedents that react to the detriment of the complainant or of the victim of a crime, and even of the prosecution, and at the same time give the accused an unfair advantage. This seems to occur quite often in cases of violent crime.

It is only in recent years that colour photographs have been admissible in evidence. It is only since the method of reproducing the actual colour of a victim's face or body has been perfected with the aid of photographic techniques that juries as well as witnesses and other involved in trials can be given a true picture of the nature and extent of the violence used on a victim. For many years judges have questioned the shade of the skin colour depicted in colour

photographs and ruled them inadmissible on the ground that they did not portray the true colour of the skin of the victim. In many cases the defence succeeded in submitting that such evidence would inflame the jury. I must say I have never agreed with that contention. Fortunately, in recent years judges have adopted a more realistic outlook. Surely if a jury are to judge a case properly they should be given a true picture in natural colour of the injuries sustained by a victim.

Mr. Davis: That would improve your performance in 75 per cent of the cases.

Mr. LANE: What a twit!

As I do not wish to delay the House any longer I will not deal further with court procedures.

I move now to section 3 of the report—"Preventative Possibilities". This section passes comment on police officers and the best use that can be made of their services. It is necessary to have an efficient Police Force to bring offenders to justice. The prevention and detection of crime, in order to be carried out efficiently, must operate at all levels of the community. It cannot be accomplished merely by the setting up of a one-section Police Force.

I am strongly in favour of retaining the services of local police officers, who have personal knowledge of most of the residents in the area. In the event of the commission of a crime in a particular locality, probably the local policeman could quickly form an opinion as to who would most likely have committed that crime. I certainly do not go along with any intention to reduce the number of local police stations. Such a move would be most undesirable and would only give criminals added opportunities to commit crime.

In order to clamp down on violent crime we must have an effective over-all patrol system covering the entire geographical area of a city, with a central place for records and the exercise of supervision so that senior officers may judge where the real need lies for additional police attention to stamp out any problem.

An essential area of specialisation in stamping out crime is an effective group of investigators, or a criminal investigation branch, which can prepare briefs and other material for eventual presentation in court. Squads must specialise within that branch to deal with particular areas of concern. I advocate

detailing a particular squad to a special project on a temporary basis, if necessary, as a very good method of control. In the event of excessive violence in South Brisbane or Spring Hill by disorderly Aborigines or layabouts, a special group of police officers could be assigned to grapple with the problem until it is overcome. Some years ago a juvenile delinquent squad known as the "bodgie" squad was established, with three men in the Valley, three in the city and three at Woolloongabba, on each of three shifts. The three officers were fit and able to handle the worst of the lout packs around town. I do not know whether this squad still exists. I should be disappointed if it did not. It was really effective in controlling the "bodgies" and preventing a lot of violence.

At a higher level in criminal circles is the area of organised crime, the spectrum in the criminal world in which move people like John Andrew Stuart, the convicted multiple murderer in the Whiskey Au-Go-Go case, and his colleagues. Many other criminals are tied up with interstate organisers of big-time crime and violence. Most of these men are based in Sydney although they occasionally come to the glorious Gold Coast area to cool off. On one occasion the honourable member for South Coast went to the trouble of naming some of them in this Assembly. He put the finger right on them; he put the cleaners through them and did the State a real service.

A special squad of men is required to deal with these people—men with specialised knowledge. In Queensland, this squad has always been the consorting squad, which I had the honour to serve in for five or six years. That was a very interesting activity. Unfortunately the squad no longer does some of the things it used to do. When a particularly violent criminal came to Queensland, was subsequently arrested, served a sentence and then was released from gaol, it was made quite clear to him that he would probably have a happier life if he lived in another State. Usually, if he was told by one of the detectives from the consorting squad, he got the message.

However, it was necessary for that group of detectives to have the specialised knowledge of whom the toughs and the professionals were and how they should be dealt with. It required a good memory. Some of the officers in that squad had photographic memories and were able to recognise in a crowd during the big race carnivals or

lounging in a dimly lit night-club on the Gold Coast the worst of Australia's criminals and were able to avert a problem before it eventuated.

This was supplemented by a system of interchange of detectives. Queensland detectives would be interchanged with Sydney and Melbourne detectives on a regular basis throughout the year so that they would get to know all the people involved. Tough, experienced detectives were required to handle this task.

Although I find much that is praiseworthy in this report, probably my biggest single disappointment with the work carried out by the committee was that it did not delve into organised crime. I notice that one of the witnesses interviewed was Superintendent Bill Taylor, the second-in-charge of the C.I. Branch in Brisbane and a man who would have at his command and under his control quite a bit of information about this stratum of criminal activity, yet there is no mention of it in the report. There is no more violent crime than the activities carried out by some of these men. I do not know of anything more violent than blowing a man's brains out with a pistol or cutting his toes off with a pair of bolt-cutters. However, this is the sort of violence that exists in gang warfare and criminal activity of that type. It was overlooked by the committee, which is a shame. Nevertheless, the committee was an experimental one, and perhaps there will be an opportunity at a later date to explore that area.

Another thing omitted in the report—and I hope it will be forthcoming in the future—was a specific recommendation under particular headings to increase penalties. I would like to know, for example, whether for some crimes under the Criminal Code the committee considered, after hearing witnesses, that the penalties were adequate. Obviously, it did not in some areas. Therefore, I would like to have seen specific recommendations on how terms of imprisonment should have been increased. For example, if an offence under the Criminal Code now attracts a maximum term of seven years' imprisonment with hard labour, I would be interested to know whether the committee thought that it should be increased to 14 years. I would like to see specific recommendations in each instance. I will not go into details tonight, but I would hope that some specific recommendations will flow from the report in this area.

Much has been said about the offence of rape. That subject seemed to develop as a favourite theme for some members. It is a subject that has never fascinated me. In fact, it is probably one of the more boring and tedious types of investigation engaged in by an active detective. It is a crime of violence and I suppose it deserves some comment. The honourable member for Rockhampton criticised the harshness of police questioning of the complainant girl in rape cases. In my experience I have never witnessed any harsh questioning. I have, however, witnessed quite a lot of questioning that was thorough—and necessarily so, because in my experience, for every 10 complainant girls who walk through a police station door alleging that they had been raped, after exacting and quite deliberate questioning and cross-examination by the detectives assigned to the case probably only four complaints would be further investigated. The others would withdraw the complaint because it was found to be nebulous.

An Honourable Member interjected.

Mr. LANE: I do not know why they come in and make false complaints. However, I know of one nursing sister in a country town who claimed she had been raped. It was not until the trial that she broke down in the witness-box and admitted that the complaint was lodged because she had not been in her quarters by midnight and would have got into trouble with the matron. She had gone through the lower court hearing and to the trial in an effort to excuse her breaking some administrative rule at the hospital where she worked.

Mr. Hinze: Do you think she was raped or not?

Mr. LANE: Of course she wasn't raped. The honourable member should follow my remarks more carefully.

Of the four complaints in which investigations are continued, probably only two ever get to trial. A conviction is registered in probably only .5 per cent of the cases that go to trial. I caution some honourable members who seem to be ill-informed and allege that there has been harsh police questioning that special precautions are needed in investigating rape complaints. I suggest to those members that they get information from a practical source on the number of false complaints made to the police, particularly of rape. It is said that there is a very thin line between rape and a happening of another kind. It is quite a serious subject.

It is very important that what are referred to as police offences—offences prescribed under the Vagrants, Gaming and Other Offences Act—which allow police officers to take preventive measures are referred to in general terms in section 3 of the report. These offences include the very important consorting provision, which I do not believe is used sufficiently in this State. In southern States offenders are prosecuted for this offence quite readily and frequently. It is a great deterrent to the professional, organised criminal who invariably commits violent crimes to know that he can be prosecuted if he is booked on a number of occasions in the company of other convicted criminals—particularly habitual criminals. The going number, as it were, at the moment is 11 bookings with nine different criminals over a period of six months. This discourages criminals from gathering together and planning crime.

For example, if a group of criminals came from Sydney to the Gold Coast and were enjoying the night life at that place in the company of people of their own kind, they could be booked, and if they were booked a sufficient number of times for consorting, they could be brought before a magistrate and be liable to imprisonment for a term of up to 12 months.

Another offence prescribed by that Act is being found at night in suspicious circumstances with intent to commit an offence or being found in possession of instruments of housebreaking or of explosives. These police offences are very effective in narrowing down the possibility of violent crime. They are old-fashioned in some terms. Many of them were brought down during the depression years and were a flow-over from the Police Acts in Great Britain in the last century. But they are very necessary and important.

Let me say a word or two on the subject of capital punishment. With my background, I might have been expected to take a particularly harsh or dogmatic view in favour of capital punishment. However, I must confess that one of the reasons why I did not volunteer to serve on the committee was that it might have been suggested that I had made up my mind before I heard the evidence. In fact, I deliberately avoided being a member of the committee although I am a member of the justice committee of the Government parties.

I wish to place on record that I am opposed to capital punishment for any offence. Over the years, I have been attracted to the suggestion that capital punishment be applied in special offences—a murder in which a sexual act is involved, or perhaps the murder of a public official, such as a postal officer, a police officer, or a prison officer, in the course of his duties. In fact, there is quite a weight of opinion in favour of its being applied in certain cases. But in these days of affluence, when apparently

we can afford to keep criminals in confinement for the term of their natural life for the worst crimes of violence such as murder and rape, there is no need for us to take the ultimate vengeance, as it were, and implement capital punishment. So I repeat that I do not support any proposal for capital punishment.

All in all, I believe that the report of the committee was very well prepared and quite easy to follow. It was written in layman's language. There were no lawyers on the committee, and that might have been an advantage. I was much more impressed with it than I thought I would be when originally I opposed the setting up of the committee on the ground that it was not possible to work with members of the Opposition party because they are bound to outside doctrines. My comment at the time was, "If you lie down with dogs, you will get fleas." I do not know whether honourable members on this side of the House got fleas on this occasion, but at least the committee produced a better report than I thought it would.

Hon. W. E. KNOX (Nundah—Minister for Justice) (8.38 p.m.): Probably all honourable members have had some benefit from the debate. Crime and punishment, of course, has been a subject of discussion ever since the beginning of time. Indeed, reference to the first book of the Bible shows very clearly the punishments that were meted out in those very early days. However, with the sophistication of society in the form that we now know it and with evidence that comes before us every day that there is more and more public concern not only about the growth of crime—and it appears to be growing—but also about the range of vicious crimes being perpetrated and the difficulty in comprehending them, it is refreshing that Parliament has given its attention to this subject. Even though the honourable member for Bundaberg is not particularly interested in it, I am sure that the public generally and those who are involved in this area of responsibility in the community would take considerable note of the committee's observations and findings.

In the case of crime and its relevance to punishment, there has, of course, been a change in society in the last 50 years or so, and consideration has been given to punishment not only as a form of vengeance by society but also as a form of deterrence. More latterly Parliaments in the progressive parts of the world have devoted themselves to introducing provisions for probation and parole. That practice has been adopted by this Parliament.

It is very important indeed that the Parliament should express itself on these subjects, thus taking the opportunity of giving some advice and guidance to others who are independent of this Legislature but who depend very heavily upon it in understanding the

background of the various pieces of legislation it passes. It has been traditional for the courts of the land not only to know the law and to have it brought to notice by advocates, but also to understand the intention of the Legislature which designed that law. Quite often from the bench judges have brought it to public attention that whatever the intention of the law might have been in a particular circumstance, it is not achieving that intention. Then, of course, the Parliament must again apply itself to that legislation.

Today we have to do what we have been trying to do for some time; we have to make up our minds whether punishment should have more elements of deterrence in it.

Mr. Jensen: You're an academic. Why don't you speak from the heart?

Mr. KNOX: I am not sure that I know what the honourable member is referring to. I am not regarded as an academic in these matters. In this area perhaps the honourable member is.

Today more than ever there is a feeling abroad in the community that there should be more elements of deterrence in punishment than appears to be the case. I think the committee is to be commended for its efforts in this regard. One of the things that heartens me about its report—even though there are some minority reports attached to it—is that there is no recommendation for the softening of punishment or the softening of the attitude of Parliament towards the criminal in the community.

Mr. Jensen: Why should there be?

Mr. KNOX: There have often been suggestions that Parliaments—

Mr. Jensen interjected.

Mr. SPEAKER: Order! I have been very lenient with the honourable member for Bundaberg tonight. About an hour and a half ago I warned him under Standing Order 123A. I refrained from suspending him because I knew he wanted to speak. The honourable member will now leave the Chamber.

Whereupon the honourable member for Bundaberg withdrew from the Chamber.

Mr. KNOX: It has often been suggested that Parliaments supporting the Westminster system have been tending towards a softening of attitudes in their legislation and in their various efforts in relation to penalties for crimes. Indeed, in certain parts of the world this is evident. In this country suggestions have come from various pressure groups that there should be a softening by the Legislature in these matters. I think that the public and interested groups in the community should note that this Parliament

of Queensland, through a select committee, has not recommended any softening of attitude towards crime in the community.

It is repeated quite often in the report that there is great public concern about the level of crime in the community and, indeed, a fear that it might get out of hand. The growth of it—statistically, anyhow—in recent times is a matter of public alarm. That has been reflected in the debate today. A number of members have expressed this point of view. There is great public concern, and this is shared by those who have the responsibility of administering the law in this State. This has been frequently said by judges from the bench, and of course it is noted.

There is a very peculiar and a very special relationship between the Legislature and the judiciary in this country, as there is in a number of countries that support an independent judiciary. It is proper, and indeed important, that the legislative arm of government should indicate quite clearly to those whose task it is to sit in judgment in courts what is the thinking of the Legislature. The task of the Legislature is to put this in clear terms. I believe that the committee's report does this. Even though there is some conflict of views on certain matters, I think it will be a valuable report for those who serve on the benches of courts in our State. What is even more important is that the number of recommendations and perhaps the observations, indicate certain lines of inquiry and thinking which hitherto have had very little attention. I am quite sure that these will be noted by all who assist in the administration of justice—the police, the people in the Justice Department, the Solicitor-General's Department and the lawyers in our community.

The report makes reference to the problem facing people in the community who are unfortunate to be either unstable or insane. I have often been concerned that quite a number of offences in the community are committed by people who, at a much earlier stage, were found to be unstable and even potentially insane, and for whom very little was done to rehabilitate them, cure them or remove them from situations where they might commit serious crimes.

I think this is perhaps one of the areas in which over the years there has been a softening in the community attitude. So often we find that the most serious and dreadful crimes are committed by people who showed criminal tendencies many years before they reached the stage of committing these crimes. This is something to which I feel that those who have the responsibility—the medical profession; the parents who know the intimate story of some of these people—should give a great deal more attention, so that these unstable and potentially insane people who reveal peculiar habits

or anti-social attitudes will not be allowed to go too far before being apprehended or given help.

The recent event in the United Kingdom where an attempt was made on the life of Princess Anne was the act of a person who was completely unstable and had been so for some time, yet nobody had been in a position to assist him even though some had asked for it on his behalf. Similar situations are arising almost every day in our community. Such people are allowed to roam quite freely and those who are responsible for them or know about their condition do little or nothing to help them. Of course, ultimately they commit crimes of the most dreadful kind.

Mr. Tucker interjected.

Mr. KNOX: Well, there are quite a number. It is happening every week and it is a matter of some concern.

I am glad that the committee once again brought to public attention the culpability of parents in regard to crimes committed by juveniles. Far too often the soft approach is adopted in these cases and parents are let off for some reason or because of some unfortunate circumstances that confronted the juvenile. As children, we have all had our trials and tribulations. We have all had great pressures put on us. Most of us have managed to survive them; but some do not. At the same time, no matter what the circumstances, parents must accept a certain amount of responsibility for their children; they cannot be excused for shrugging off their responsibility. I feel that this aspect must receive much more attention than it has been given in the past.

One of the matters which has caused this Legislature a great deal of concern over the years, and which has been mentioned on a number of occasions in legislation which I have introduced, is justice for the victims of crimes. I am pleased to see in the report of the committee a recommendation that consideration be given to establishing a compensation board. This will be examined with a view to compensating those who have been violated or injured as a result of criminal action. There is a growing feeling in the community that a great deal of attention is given to the rehabilitation of people who commit crimes (and rehabilitation has been very successful), but that very little is done to assist their victims to work their way back into society in a successful and useful way.

Many victims of violent crime have been reduced to the stage where their usefulness in the community is considerably reduced. They can and should be helped—indeed they are being helped through various agencies—to again take their place in society as useful people. After all, in many instances the circumstances that led to their being victims were not of their own making. This is an area in which those people interested in social welfare could pay more attention than has been paid in the past.

I do not intend to canvass all the contributions made in today's debate. What I will do is circulate copies of the select committee's report and of today's debate to the Law Reform Commission, judges, magistrates, senior public servants and lawyers and solicitors. Whilst they will probably be confused by one or two contributions that were made, I feel that they will find the debate a useful guide, whether they serve on the bench, appear in court as advocates, advise litigants, or offer advice to Ministers or this Parliament.

I have no doubt that the members of the committee felt that the preparation of their report was a laborious task, so I assure them that there will be brought forward a lot of new suggestions in relation to both the administration of the law and court procedures, and I promise that there will be some changes in the appropriate legislation.

Motion (Mr. Porter) agreed to.

WINE INDUSTRY ACT AMENDMENT BILL

SECOND READING

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (8.53 p.m.):
I move—

“That the Bill be now read a second time.”

As I indicated during the introductory stage, the Bill is a very simple one designed to correct a minor anomaly. Now that honourable members have had the opportunity to study the Bill, they will have seen that this is so.

I do not propose to speak at any length, because the proposed amendment is so simple. However, I would like to stress that the amendment will only affect holders of a vigneron's licence. Honourable members will recall from the debate on the original Wine Industry Bill earlier this year that the

vigneron licence applies to those wine producers who sell only from their wine-making premises. The vigneron-vintner's licence applies to the larger-scale operator who may sell from another wholesale premises apart from his winery.

The amendment will merely enable certain holders of old section 5(b) permits under the Liquor Act to be granted certificates of registration under the Wine Industry Act. That is all the Bill provides. I am in full agreement with the honourable member for Isis that the development of the Queensland wine industry should be supported. That is why we introduced the wine industry legislation in the first place.

It is unfortunate that one of our oldest producing wineries, Romavilla, apparently may close. I would very much have liked it to continue operations, and I know my colleague the honourable member for Roma fought very hard to achieve this. I would stress, however, that there are several other quite substantial wineries in Queensland. They are in the Stanthorpe area, and I feel sure that the Wine Industry Act will enable them to expand. The legislation was designed to help these people just as much as Romavilla.

Quite apart from legislation aspects, my Department is assisting the wine industry in other ways. We have introduced a substantial number of specialist wine grape varieties, and these have been under trial at our Hermitage research station for several years. The department's food preservation laboratory is carrying out evaluation tests on wine produced from these new varieties. Work of this nature must inevitably take some years to complete, but we are well on the way and the results should start benefiting the wine industry before very long.

I shall now deal briefly with some of the specific matters raised during the introductory stage. The honourable member for Isis sought clarification of the position concerning the buying in of grapes for wine making. There is no limitation imposed by the Wine Industry Act on the buying in of grapes or other fruit for wine making. The only limitations imposed in relation to the fruit used are that, in order to hold registration as a vigneron-vintner, the wine-maker must produce fruit for wine-making from an area of not less than 32 hectares. He must also produce a minimum of 50,000 litres of wine per annum. Subject to meeting these two provisions, he may buy in as much fruit as he likes.

As far as registration as a vigneron is concerned, there were no quantitative limitations under the original Act. The only stipulation was that, by definition, he was required to be a grower of fruit for wine-making. The present amending Bill will remove that requirement and allow him to buy in his whole fruit requirements if he so desires. I would again stress, however, that this only applies in the case of a vigneron licence, not a vigneron-vintner licence.

The honourable member for Roma stressed the need to concentrate on the production of quality wines. I am sure that we all agree with this. If at any time there should be a slackening in demand, then it will be the poorer-quality products which will suffer.

All the work being carried out by my department is geared to assist the production of high-quality wines. I am sure that the developing Queensland wine industry will achieve this end.

The honourable member also sought clarification on the question of wines which may be bought in for blending purposes. The present Bill does not change the position in any way. The original Act provides that up to 30 per cent of the total quantity of wine produced by a vigneron-vintner may comprise wines bought in for blending purposes. This restriction is, of course, necessary to ensure that the winery is genuine, and not merely a front for some other wine-maker.

A similar position exists in relation to the additional wholesale premises allowed a vigneron-vintner. Thirty per cent of his total sales may comprise wine made by him in another State or Territory.

The honourable member for Warrego, whilst supporting the Bill, suggested that the original legislation was solely designed to assist the Romavilla Winery. That is definitely not the case, as he possibly well knows. In fact, the initial stimulus for the introduction of special wine industry legislation came from the Stanthorpe District. Most of the initial studies and research work on the industry by my department were in fact related to the Granite Belt, and the bulk of the work still being done is centred on that district.

The honourable member for Port Curtis is also apparently under the illusion that the initial moves for wine industry legislation were based on the problems at Roma and he will, no doubt, be enlightened by my

earlier remarks. I must say, however, that no matter what area of Queensland is involved, or what rural industry is in trouble, I will always endeavour to assist.

I do not think I need say more. The Bill is a very simple one. It merely tidies up a small anomaly.

Mr. BLAKE (Isis) (8.59 p.m.): When we discussed the original Bill, which subsequently became the Wine Industry Act, the Minister promised me that Bassett's Winery at Roma would be preserved, if necessary, as a tourist attraction only. I am a little sour—that phrase seems in keeping with the Bill under discussion—that it is not to be preserved. I ask the Minister to tell the House, in his good time, whether there is any prospect of the wine industry being developed in the Roma district.

In the presentation of the original Bill, which, as I have said, resulted in the Wine Industry Act, the Minister contended that its purpose was to encourage the production of wine in Queensland. The Act provided for certain percentages of wine to be used only for blending with wines produced in Queensland. Naturally, as its professed intention was the stimulation of the wine industry in Queensland, we expected great use to be made of Queensland-grown grapes.

I confess that I viewed the Bill now before the House with some suspicion when it was brought down, because in the brief time that it took the Minister to introduce it, and the brief time that I had available for studying it before I spoke, it appeared to me that its intention, in amending the Wine Industry Act so recently passed by this Parliament, was very suspect. It seemed even more suspect when the Minister mentioned the intention to amend the definition of a "vigneron" in the Wine Industry Act from—

"a person who grows grapes or other fruits or grapes and other fruits for the making of wine for sale"

to

"a person who makes wine for sale from honey or grapes or other fruits produced or grown within the Commonwealth."

On first impression, it appeared that the requirement to produce grapes or other fruit on 32 ha was to be eliminated before the ink on the Wine Industry Act was dry. However, I admit that from a study of the Bill it appears that it is only the vigneron-vintner whose licence requires him to grow a minimum of 32 ha of grapes and, I think, to produce 50,000 litres of wine in Queensland. So I accept that there is indeed nothing ulterior in the spirit of the proposed amendment.

It is accepted that the purpose is to bring the wine industry into conformity with the requirements of the liquor legislation. Nevertheless, I believe it is a sorry indictment of the Government that it should have

to introduce this legislation almost, as I said, before the ink on the original Act is dry. I find it difficult to believe that the Licensing Commission does not possess sufficient intelligence and ability to have sufficiently advised the Government to cover this aspect when the original legislation was drafted. As it was not covered, I can only assume that the Licensing Commission was not consulted at any stage. That is the only conclusion I can draw. I believe that, if the Licensing Commission had been consulted and its expert knowledge gleaned, the time of the House would not have been wasted tonight.

Mr. DEAN (Sandgate) (9.3 p.m.): At the outset, I make it quite clear that, after studying the Bill, I fully understand the remarks of my colleague the shadow Minister for Primary Industries (Mr. Blake) about its application. The Minister claimed that it was a simple Bill. The Bill itself may be very simple, but I am afraid that in my eyes its application to the outside world will be a very potent one. I am always rather suspicious and alarmed at any amendment of the liquor legislation, whether it be in regard to wine-making or any type of spirit-making, if it will lead to an increase in the consumption of alcohol in the community. I feel that this Bill will have that effect. The very essence of it—and the debate on it so far—has indicated to me that its purpose is to increase the production of wine. Naturally, once production is increased, the vested interests in the community must take the next step of seeing that it is commercially sold. The Bill is merely an extension of the liquor legislation, although it has a different title. If it is not, perhaps I could qualify my statement by saying that it is complementary to that legislation. Whichever way it is put, and no matter what phrase in the English language is used, to me it amounts to the same thing.

I hope that, in the ultimate, it will not result in a reintroduction of wine saloons—those dens of iniquity that existed some years ago in this city and in provincial towns. What shocking dens they were! All that they achieved was an increase in the number of people on Skid Row. The hang-over from those days is the number of poor derelicts in the city today. We are fortunate to have Miss Toogood, and others like her in the community, who try to relieve the pressures on these poor individuals that have been brought about by the consumption of "plonk". So far as I am concerned, that is all it is, no matter how else it is described.

Consumption of alcohol has increased since restaurant drinking laws were liberalised. This is a matter of opinion I suppose, and I am expressing mine. It is claimed that it is all right so long as people eat while drinking, as, by so doing, they will

remain sober for longer. But restaurant drinking has increased teenage drinking in our community, and it has brought some measure of protection for so many teenagers who have developed this habit. I move about the city a good deal, and I go to a lot of functions. I am firmly convinced that the liberalising of liquor consumption in restaurants has provided ready and easy access to liquor by teenagers.

No matter what I say or do, the Bill will be passed. However, I repeat that I view it with great suspicion. I always feel impelled to express my own opinion, and that of the people outside the House who support me, that liquor legislation placed before us—and this Bill is in keeping with previous ones—always liberalises the consumption of alcohol in our community.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (9.8 p.m.), in reply: Apart from desiring clarification of a few points, the honourable member for Isis indicated that the measure is acceptable to the Opposition. He said that, in introducing the original legislation, I gave an assurance that Romavilla would be bought or would survive. I do not think I put it in those words. What I said was that the legislation for the development of the wine industry would help to have Romavilla retained and developed. Some years prior to speaking with Wyndham Wines, who were interested in purchasing Romavilla—this is back in the days when Sir John Row was Minister for Primary Industries—we had discussions with people on the Granite Belt. What I intended to convey was that I believed the legislation would be acceptable to the people who were interested. Whenever a financial deal is involved, not one of us can guarantee that something will take place. People change their minds, and this is what happened in effect.

While some of the Romavilla area has been sold as real estate—my colleague the honourable member for Roma tells me not a lot—some people are still interested in purchasing, maintaining and developing Romavilla. I cannot say that they will do it next week or next year, but at least this legislation will, I believe, attract people in the development of the wine industry, whether it be at Romavilla, Chinchilla, Childers, or down near the Brisbane River. I think that is the explanation required of me.

I have a very high respect for the honourable member for Sandgate. Some of us drink alcohol; some do not. Some of us go to church; some do not. Each individual has the freedom to decide what he will or will not do. I assure the honourable member that the amending legislation will not assist in any way the development of plonk shops or dens of iniquity. Even though I like to have a beer on odd occasions, I was just as shocked as the honourable member for Sandgate by what took place

at plonk shops. I did not frequent them, of course. While I am the Minister in charge of the legislation, it will not be the policy of my department to allow such a situation to develop again.

I am aware that the amendments to the liquor laws over the years have been repugnant to some people, but I believe that they have been of benefit to society generally. The honourable member for Sandgate made the point that they have encouraged teenage drinking. The Government has taken cognisance of that by reducing to 18 years the legal age for drinking. If young people wish to drink wine, it is better that they drink it with their meals. If they cannot do that, they will drink it somewhere else. The honourable member for Port Curtis will agree, I think, that if people drink sanely and sensibly while having food, they wake up much fitter in the morning and are less apt to be a nuisance to the community while they are drinking.

I do not intend to canvass the matter any further. I point out to the honourable member for Sandgate that nearly all of the wine consumed in Queensland is imported either from other Australian States or from overseas. I believe that I have a responsibility to the grape-growing industry and to other fruit-growing industries whose products are manufactured into wines to ensure that legislation is provided under which a wine industry can be developed in Queensland. That is my intention in this instance, and I hope the time will come when Queensland wines are competitive with the wines that are imported into this State.

Motion (Mr. Sullivan) agreed to.

COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Clauses 1 to 3, both inclusive, as read, agreed to.

Bill reported, without amendment.

PRIMARY PRODUCERS' CO-OPERATIVE ASSOCIATIONS ACT AMENDMENT BILL

SECOND READING

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (9.14 p.m.): I move—

“That the Bill be now read a second time.”

As I indicated during the introductory stage, this Bill sets out to do two main things. Firstly, it will ensure that primary producers' co-operative associations are always under the control of supplying shareholders. In order to achieve this, voting rights will be restricted to supplying shareholders. Secondly, it will remove the necessity to hold a second or confirmatory meeting

to endorse special resolutions. Special resolutions are concerned with changes in the rules or the name of a co-operative association.

The remaining matters dealt with in the Bill include updating the maximum rates of dividend and commissions from 5 per cent to 7½ per cent, updating penalties and several purely machinery matters.

The major change envisaged under the Bill is, of course, the provisions which will restrict voting rights to supplying shareholders. As I indicated during the introductory stage, the dairy industry is the industry most affected, because of the substantial decline in numbers of farmers. However, some co-operatives in other industries are in a similar position of having too many "dry" shareholders to enable them to comply with the existing Act. I should like to make it quite clear that the proposed amendments will apply to all co-operative associations registered under the Primary Producers' Co-operative Associations Act.

As I indicated when introducing the Bill, the provision for the Governor in Council to exempt specific associations from the restriction on voting right is retained. This is necessary to cover the position of certain co-operatives such as the Co-operative Cold Stores Federation, which is basically an association of dairy factories which do not all utilise the facilities all the time. There are also co-operatives, a major part of whose business is the supply to members of farm requisites such as fertilizer and chemicals. These, too, will be protected by exemption.

Because of the wide variety of primary producer co-operatives, it is not possible to set down a hard and fast rule for exemption. Each case will have to be considered on its merits.

The main criteria used will be whether exemption from the voting provision is necessary to the continued operation of the co-operative concerned, and whether exemption is in the best interests of members utilising the services provided by the co-operative.

I turn now to some of the matters raised by honourable members during the introductory debate. The honourable member for Isis is in general agreement with the principle of restricting voting rights to supplying shareholders. He appears to consider that "dry" shareholders who may have contributed heavily to a co-operative in the past should have some entitlement to dividends after

they cease to supply. I fully agree with that view. As long as a shareholder has money invested in a co-operative or any other organisation, he should be entitled to some dividend. Under the present Act he is so entitled, and that will not be changed by the present Bill.

However, there needs to be some restraint on excessive dividends. This is in fact provided in the existing Act. The present Bill merely updates the permissible maximum rate of dividend from 5 per cent to 7½ per cent. I believe that is a fair rate in today's situation. A co-operative would, as a rule, have to pay substantially more than that if it had to borrow from other sources.

The honourable member also had some reservations concerning the proposed elimination of the need for a second or confirmatory meeting to pass special resolutions. I should perhaps point out that the original Act was passed in 1923 when transport facilities were not what they are now. In those days it was very difficult to get full attendance at any one meeting, and the confirmatory meeting provision was inserted to ensure that any change in rules had the support of most members. The position today is quite different. Although some members may not go along to ordinary meetings, there is usually no difficulty in getting a large attendance when special resolutions are to be discussed.

The Act provides that any association's rules must make adequate provision for notice of meetings to be given, and notice must be given of all special resolutions. I believe this provides adequate protection.

There is no longer any need for confirmatory meetings, and there is no longer provision for such meetings in the case of companies or co-operative societies.

The honourable member for Burnett put his finger on one of the major problems faced by co-operatives in buying out "dry" shareholders. It is simply a question of finance. When a lot of people are leaving an industry, as has happened with dairying, it is not often possible to raise the required finance to buy out "dry" shareholders. Further, even if a co-operative did buy them all out, it would probably have to raise an equivalent amount of finance elsewhere. In the current economic situation that would be a very costly exercise even if it were possible to raise the necessary money.

The honourable member together with other members also asked what constitutes a "dry" shareholder. Basically a "dry" shareholder is anyone who is not a producer and supplier to the co-operative. Where a grower sells his farm and goes out of production, the position is quite clear cut. It is equally clear cut where a producer sells all his produce to someone other than his co-operative. Some difficulty arises, however, when a producer supplies only part of his produce to a co-operative and sells the rest outside. The determination in such cases must hinge on the rules of the particular association.

It would be quite impracticable to try to set out in the Act specific quantities to be supplied in order to qualify as a supplier. There is such a wide range of industries that what might suit one may not suit another. It is best left to the rules of the particular co-operative.

The honourable member for Burnett also sought information on the basis on which a co-operative can buy back shares from members who are no longer producers. This is fully covered in regulations under the existing Act. In brief an association may accept the surrender of shares at a negotiated price at any time. However, if the association wishes compulsorily to buy back shares, it must pay the amount paid up on such shares plus interest at 5 per cent from the end of the previous financial year. As I indicated earlier, the problem is not the lack of provisions to cover buying back shares from non-suppliers; it is purely one of financial ability to buy back.

The honourable member for Mackay seemed to miss the real point of the Bill and obviously has little knowledge of the problems being faced by many co-operatives. I would refer him to my earlier remarks concerning the buying back of shares. There is no legal impediment, merely a financial one. Certainly a shareholder, "wet" or "dry", who has money invested in an association is entitled to some return on that investment. The real need, however, is to ensure that the control of the association remains in the hands of the actual suppliers. I believe the present Bill will achieve this.

The same honourable member also made reference to the need for financial assistance to co-operatives. A considerable amount of assistance is already given to co-operatives by the Government by way of guarantee, and it is very much appreciated by the

boards of co-operatives. The Act already enables this to be done. Many co-operatives have availed themselves of this in the past and many still do so. The Primary Producers' Co-operative Associations Act, however, is not a finance Act. It is an Act which provides for the organisation of co-operatives and the present Bill simply deals with proposed changes in organisation.

The honourable member for Fassifern indicated that he is fully conversant with the operation of co-operatives and with the need for legislation to be kept up to date with changing needs. I would certainly agree with him that the dividends paid by co-operatives in most cases are regrettably low. However, there is no doubt that without their co-operatives most farmers would be even worse off.

The honourable member for Lytton raised several queries, most of which I have already answered. I do not propose to go over them again. I believe the only two remaining questions concerned the definition of co-operation and the voting position of farming families. I am not surprised at his inability to understand the meaning of "co-operation". It has been all too evident in this Chamber in the past. However, in order to enlighten him, I would suggest that the simplest explanation, as far as primary producers' co-operatives are concerned, is the banding-together of primary producers in an organisation with the object of selling their produce to the best advantage of all of them.

Regarding voting by farming-family members, I would refer him to clause 6 of the Bill, which repeals the old section 22 and replaces it with a new section. Sub-section (2) covers those members of a family who are deemed to be producers and suppliers and thus have a right to vote.

I believe I have covered all the relevant matters raised during the introductory stage, but I will be happy to answer any further queries which may arise during the debate.

Mr. BLAKE (Isis) (9.25 p.m.): Now that the Opposition has studied the implications of the Bill and heard the Minister's explanation, I indicate our broad approval of its provisions.

As I understand the Act, at least three-fifths of the number of shares and of the voting power of the association or corporation shall be both producers and suppliers, and if the percentage falls below that level the association or corporation could not

operate within its registration without exemption granted by the Governor in Council. If the Bill is passed this limitation will be removed and will provide for constitutional operation without such an exemption.

In view of the decline in active supplier numbers in some co-operative associations, the Opposition fully supports this principle. We also whole-heartedly support the principle that voting rights should be limited to producers and suppliers to the co-operative association. Any idea that "dry" or non-supplying shareholders should retain voting rights is completely untenable. After all, it is the supply of the product that makes a co-operative, that is, a supplying co-operative, viable.

Most of us have been aware of co-operatives in which the "dry" shareholders—I could term them as deadheads—have sufficient influence to dictate the operations of the co-operative to the detriment of the suppliers, who justify the existence of that co-operative.

Mr. Bromley: They often have a block vote and can stack meetings.

Mr. BLAKE: I suppose that any meeting could be stacked to some degree, and I assure the honourable member that what I will term little power politics are quite evident in the voting strength of primary-producer co-operatives. I agree that this should have been cleaned up long ago, and as it is being dealt with by the Bill it has our whole-hearted support.

It is regrettable that the people who are not supplying and are therefore not justifying the existence of the co-operative can in fact dictate the operation of a co-operative. I repeat that in voting strength the "dry" shareholders are deadheads and should be disfranchised.

I was quite intrigued by the Minister's definition of a "dry" shareholder. I suggest "dry" shareholders are like dry cows; they are non-suppliers.

Mr. Hanson: They've been bludging on the cream can for years.

Mr. BLAKE: That would be quite true. However, I don't think the cow has been doing that for years.

We were concerned with the aspect of take-over bids. The Minister has explained this matter to some extent. We envisaged a situation in which "dry" shareholders could sell out their shares, as is done in any other company, to someone who wishes to take over. Our concern has, however, been dispelled by certain provisions contained in the Bill.

There is also the possibility that, to use stock exchange jargon, a run on the co-operative by "dry" shareholders who wish to sell out and demand a certain face value for their shares could bankrupt a co-operative that has dwindled to a low number of

suppliers. We are relieved to find that this aspect is covered not in the Bill but in the Co-operative Associations Act.

We were worried because the proposed new section 22 indicates that by Order in Council the Governor in Council can grant voting rights to non-supplying shareholders if he sees fit. That gives cause for concern. If this power was abused the desirable amendment we are discussing could well be made null and void. Of course, we do not expect irresponsible actions, and we discovered that this power is necessary as some co-operative associations use the facilities only part of the time. The Minister referred to this and we accept his explanation.

As to the amendment to abolish the need for a confirmatory meeting to be held not less than 14 days or more than one month after a meeting at which a special resolution has been passed, I note with satisfaction that there is no intention to reduce the majority of three-quarters of eligible voters required to pass a special resolution. We believe that 75 per cent is a fair requirement in relation to a special resolution, and that it should be maintained. We looked very closely at the amendment abolishing the confirmatory meeting. The confirmatory meeting required only a simple majority of eligible voting members to confirm the passing of a special resolution. In our view this was a good safeguard. Apparently this provision was intended to be an inbuilt safeguard to prevent shareholders being stampeded or misled at what might be called an original meeting where a special resolution was introduced. No doubt that safeguard was well merited in the past, as was the period for second thoughts and analysis.

I well remember the days when shareholders of co-operative associations had such faith in the board of directors and the chairman of directors that, irrespective of what they suggested, it was accepted as being in the best interests of the association. Whether they understood the motion or not, some members would put up not one hand but two if they thought they would thereby get two votes for something recommended by the chairman. On the surface that is admirable. We vote into such positions men we trust, and I take it that applies to the electors who vote us into this Chamber. On occasions, in other places, that confidence is somewhat misplaced. That is why we looked askance at the removal of the provision for a second meeting to confirm a special resolution. Perhaps there is less need for such a meeting today when the public are better educated and shareholders are more involved and more aware than they were when the original Act was passed. I think the Minister referred to it as the 1923 Act.

Mr. Sullivan: Yes, 1923.

Mr. Bromley interjected.

Mr. BLAKE: We are not unduly concerned about the abolition of the confirmatory meeting. In the introductory debate someone

said that transport was faster, and the Minister said that he doubted whether it was. I know that, in some instances, it is not faster. Taking everything into consideration, I should say that things move faster. We hope that the pace of administrative action has increased, that the business acumen of the rank and file has increased, and, as the honourable member for South Brisbane said, that transport is faster than it was. In those circumstances we do not oppose the abolition of the confirmatory meeting.

The other amendments, providing for increased penalties for breaches of registration, the updating of permitted payments of dividends from 5 to 7½ per cent, and so on, are really purely machinery and I do not think we need to discuss them any further. They are self-explanatory. The Opposition has no objection to the Bill.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (9.35 p.m.), in reply: I thank the honourable member for Isis for his acceptance of the Bill on behalf of the Opposition. I commend him for the manner in which he went through the Bill and raised points on the various clauses. It appears that he has closely considered it.

Perhaps because of its ready acceptance by the Opposition I may mention the value of having industry organisations that are non-political. Amendments such as this are raised by various industry organisations, whether it be the Tobacco Board, the Dairy Farmers' Organisation or any other association. Their members consider these matters in round-table discussions. For years I was a district councillor of the Queensland Dairymen's Organisation, and I took part in such discussions myself with men who, I knew, were of a political complexion different from mine. I admired them. We were the greatest of mates. We were there trying to do something for the dairying industry.

I believe that reflected in the comments of the honourable member for Isis is an indication of the value of these non-political associations at organisational level. I believe it is a tribute, too, to our Division of Marketing, which is responsible for updating our legislation in consultation with the various industry organisations and co-operatives. If a particular primary industry supported a political party, perhaps we would not have proceeded as expeditiously as we have in the presentation and acceptance of this legislation. I make that point because we are living in a democracy—and it is something that we ought to treasure.

My purpose in introducing this legislation was genuinely to improve the lot of people who are shareholders of co-operatives. As the honourable member for Isis has accepted it on behalf of the Opposition, I am very pleased indeed.

Motion (Mr. Sullivan) agreed to.

COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Clauses 1 to 12, both inclusive, as read, agreed to.

Bill reported, without amendment.

LAND SURVEYORS ACT AMENDMENT BILL (NO. 2)

SECOND READING

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (9.40 p.m.): I move—

“That the Bill be now read a second time.”

This Bill was well received and I am sure that, having studied it in detail, honourable members will now be in complete agreement with its provisions.

As we are all aware, the Surveyors Board is a statutory body established to ensure that the public interest is protected in the matter of demarcation of boundaries of land. The Torrens system of land tenure seeks to guarantee land titles, whether they be freehold or leasehold, and the correct demarcation or re-demarcation of boundaries plays an important part in ensuring that the Torrens system works properly.

The basic asset of any country is its land; its wealth depends on how this asset is utilised. The orderly development of our land is dependent on the accuracy of surveyors who mark on the ground the pattern of development.

The Surveyors Board is responsible for establishing the qualifications of surveyors who mark out land boundaries and for registering their authorisation on behalf of the Government. Where necessary the board is obliged to carry out the function of a disciplinary body and in extreme cases to withdraw registration where surveyors fail to maintain the standards necessary to protect the public interest.

The Surveyors Act allows two avenues for appeal against decisions of the Board. One is to the Governor in Council in cases of dissatisfaction with board decisions and the other is to the Supreme Court on points of law.

The purpose of this legislation is simply to remove an anomaly which has recently become apparent and which could lead to an appeal to the Supreme Court only on the grounds of members of the board having been appointed by the Governor in Council on a day later than that set out at present in the Act.

Mr. BOUSEN (Toowoomba North) (9.42 p.m.): After looking at the Bill and the proposed amending provisions, we on this side of the House see no reason to oppose it. We feel that it fills a long-felt want in the appointment of the Surveyors Board. The

Act provides that the proceedings of the board shall not be invalidated by any delay in appointments to the board. However, it is necessary that nominations be received and appointments made within the appropriate time and it is felt that the Bill will do just this.

There should be no grounds available, following the passage of this Bill, to allow any decisions of the board to be challenged in any court of law because of late appointments. After all, we know that court cases cost a lot of money. We feel that this will fill a long-felt need and will negate any injustice that might have existed.

At this point of time I should like to pay a tribute to the Surveyor-General (Mr. Yeates), his surveyors and other members of the board for their excellent work over the years, sometimes under very trying conditions.

I do not wish to delay the passage of the Bill, which is of a machinery nature. As I said earlier, we support it.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (9.44 p.m.), in reply: I thank the honourable member for Toowoomba North for recording his interest and that of his party in accepting the proposals. The Bill is clearly of a machinery nature and it is essential to legalise the operations of the Surveyor-General. I am very pleased that the Opposition agrees with this requirement.

Motion (Mr. Rae) agreed to.

COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Clauses 1 to 3, both inclusive, as read, agreed to.

Bill reported, without amendment.

AGE OF MAJORITY BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice) (9.46 p.m.): I move—

“That the Bill be now read a second time.”

In Queensland the age of majority has already been lowered in specific areas and some of the disabilities of youth removed. The Real Property Act was amended in 1963 to permit any person over the age of 18 years to acquire and otherwise deal with freehold land. The Land Act contains similar provisions. The State Housing Act also permits persons over the age of 18 years to purchase property under that Act. Eighteen-year-olds can now make a valid will, vote at elections and consume liquor. The Bill provides that the age of majority will be 18 instead of 21 and will supersede the common law rule that a person attains his majority and full legal capacity, rights and liabilities at 21 years of age.

Expressions such as “adult” and “infant” will be construed as references to 18 years of age. However, the Bill will not affect any reference to an age which is expressed in years in any Act, instrument or other document. The Schedule to the Bill contains amendments to various Acts where an age expressed in years is to be reduced in consequence of general lowering of the age of majority.

The Bill will commence on a date to be fixed by proclamation and published in the gazette at least three months before the date so fixed. On the date of commencement of the Bill, some persons between the age of 18 years and 21 years will become entitled to receive moneys and other property which are presently being held in trust for them until they are 21 years of age. The Public Curator, trustee companies and private trustees could be placed in an embarrassing situation unless given reasonable notice of the date of commencement of the Bill.

At common law a person attains a particular age on the day prior to the anniversary of his birth. The Bill will alter this rule by providing that the time at which a person attains a particular age expressed in years shall be the commencement of the relevant anniversary of the date of his birth. Thus, if a person was born on January 1 1960, he will attain the age of 18 years on January 1 1978 for all purposes such as any entitlement under a will. At common law such person would have attained 18 years of age on December 31 1977.

The provisions of the Bill will not affect any right or interest in any real or personal property to which a person has already become absolutely entitled prior to the commencement of the Bill.

Persons entitled to the payment of money presently held on their behalf until they attain 21 years of age will become entitled to receive such money when they are 18 years of age if such money is being held as a result of an order or directions, such as a court order, in relation to money recovered in any proceedings, or as a result of any compromise or settlement of a claim for money or damages.

The Bill will not have any retrospective operation in that its provisions will not apply so as to affect the construction of a will or other testamentary disposition of a person who dies before the commencement of this legislation. If a person dies before the commencement of the Bill without leaving a valid will, his property will be distributed as if the Bill had not commenced.

Today, the vast majority of young people are running their own lives, making their own decisions, and behaving as responsible adults by the time they are 18. The Age of Majority Bill will extend to these young people the full rights and responsibilities of adulthood. The challenge lies with them

to rise to the occasion now that they are on their own, ready to stand on their own two feet and fully responsible for the consequences of their actions. I am confident they can rise to the occasion.

I commend the Bill to honourable members.

Mr. WRIGHT (Rockhampton) (9.50 p.m.): The Opposition welcomes the introduction of this Bill, believing it to be enlightened legislation befitting the thinking of a Legislature in the 1970's. Its aim is to reduce generally the age of majority from 21 to 18 years. It achieves this aim by repealing certain sections of 42 statutes.

From comparisons I have made with legislation in New South Wales and South Australia the Bill is generally in line with what has been adopted in those States. It adopts the general principle of determining full age and full capacity for all who attain the age of 18 years, except in occupational areas. That is specifically stated in the savings clause. I will not go into that clause in detail, but it is noted that the reduction to 18 years does not apply in respect of industrial awards, wages, conditions of apprenticeships or employment generally. I think we would have to accept that there would be too many problems if we decided to do something about this. No-one else that I know of has been game to do it to date, but no doubt one of these days we will have to look at this question very carefully. However, I can see it taking many years.

As the Minister said, there are some exceptions relating to wills and testaments. I will leave those aspects until the Committee stage because I should like to pose a couple of questions to the Minister.

I repeat an observation I made at the introductory stage. Whilst we have many new rights now for 18, 19 and 20-year-olds, there are also certain responsibilities. The Minister said that they should rise to the occasion. We all agree with that. Let us hope that they do. I am not unduly pessimistic but I am not so optimistic as to think that we will not face many problems. Many 18, 19 and 20-year-olds will be just not aware of their responsibilities although they might know their rights well enough.

For some time now—I think following suggestions of a number of members of Parliament on both sides—the Minister has been sponsoring advertisements throughout Queensland, and there has been some criticism of them. I am not very happy with some of them. I am not sure that they have achieved the desired effect. I sometimes think that a lot of money has been spent and little has been gained, because too often the advertisements have been mainly a large photograph. That might attract a person's attention immediately, but the advertisement has to compete with all sorts of other advertisements. I question

whether we have achieved what was wanted there. In principle the idea is certainly a good one.

I advocate using that method again, but this time let us try to aim specifically at the 18, 19 and 20-year-olds, and get across to them what their responsibilities will be. I do not mean a photograph and just a few points outlined in 40 or 50 words, as most of the advertisements in the past have been. Instead let us document the rights and responsibilities in a way that young people will be impelled to read them. Too often people seeing one of the Minister's advertisements have said, "Oh, yes, that's another of Bill Knox's advertisements. They're a good idea. That's a new Dividing Fences Act. I didn't know that one had come in." That is the sort of comment we have had.

Mr. Marginson: The same old photograph.

Mr. WRIGHT: We know the value of photographs sometimes. I will not comment on the Minister's pictorial beauty or whether he is photogenic.

The advertisements have their advantages but we have to consider using them in a far better way, and possibly more professionally in this instance. I suggest that we outline all the rights and responsibilities—what the 18, 19 and 20-year-olds have had before and what they will now have.

I believe we will have many contractual problems. Many young people will be coming to the Consumer Affairs Bureau and to all sorts of consumer groups saying, "I have entered into this contract for a second-hand car"—or land or some other commodity—"and I don't really want it." Those persons will find that they have to meet their obligations. So the advertisements will be very much needed.

I suggest that we go a little further and produce a special booklet, too. We have done this with Abel Spender. We have had a special booklet produced for young people buying cars and buying gear. I think "gear" was the word actually used in the booklet. I think we now need a special booklet on rights and responsibilities for the new adult. We might even use that term—"the new adult." We should distribute these booklets through the high schools, especially to those leaving school—the 15, 16, 17 and 18-year-olds—through the technical colleges, the institutions, the teachers' colleges, the universities and as many youth organisations as we can possibly think of. We will not cover the lot but I believe that, in a short period of time, we will get across to the great majority of the young people in the State.

I suggest that we not only emphasise the contractual obligations and general rights and responsibilities but also give a few hints about consumer protection, telling young people where they can go if they have problems. I suggest that advertisements and booklets such as these would be money well spent. They would put the finishing touch to what

we are doing here tonight. We would not only be bringing about the legislation that is required but would also be letting people know their legal rights. I ask the Minister to consider this very carefully.

Hon. W. E. KNOX (Nundah—Minister for Justice) (9.56 p.m.), in reply: I thank the honourable member for Rockhampton for his suggestions. Letting people know their rights under various pieces of legislation is one of our problems and I will take the honourable member's suggestions into consideration. I may say that this is fairly costly and I am rapidly running out of money; this is a lean year.

Mr. Davis: You have been spending well.

Mr. KNOX: Many of these small pamphlets can be purchased for two or three cents each. That is the minor part of the cost. The major part of the cost is the distribution.

An Opposition Member interjected.

Mr. KNOX: If 100,000 are purchased we get that sort of price for those small pamphlets but the distribution is the difficulty. On several occasions I have offered members of Parliament the opportunity to get these pamphlets and I must say that members on both sides of the Chamber have accepted my offer. I think the honourable member has.

An Opposition Member interjected.

Mr. KNOX: I think the price might go up in those circumstances because it might be a more difficult photograph to deal with than mine.

I agree that it is necessary to acquaint people with the contents of legislation such as this; but one of the difficulties we face is that an advertisement with too much detail in it rather staggers people and they throw it away. Also, we have a new generation of an extra 30,000 people turning 18 each year. How often have we to do this in order to educate them? I think that the best method of education is probably through a booklet in the schools, available each year for each 18-year-old as he or she leaves school. I think we might do it that way.

I do not think there is any need for me to comment further. A great deal of trouble has gone into the preparation of this legislation. The officers of all the departments have applied themselves to it in a very responsible way, which has made it possible for this Parliament to accept readily the principles outlined in the Bill.

Motion (Mr. Knox) agreed to.

COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Clauses 1 to 6, both inclusive, as read, agreed to.

Clause 7—Savings—

Mr. WRIGHT (Rockhampton) (10 p.m.): The Minister made the point that this legislation will supersede the common-law rule that a person attains the age of majority or full capacity at 21 years of age; it will now be 18 years of age. I think he also said that moneys held in trust can now be distributed. I ask the Minister: what happens if a person of 19 years of age is presently a beneficiary under a will that is still being processed? Does he have to wait until he is 21, or can he be a recipient of those moneys?

Mr. Knox: You mean the will of a person who died last year?

Mr. WRIGHT: Yes, and the 19-year-old is a beneficiary. Does he have to wait until he is 21 years of age to receive the money?

Another question that I put to the Minister is this: will it now be necessary for all those persons who have made wills stipulating that the beneficiaries shall not receive their moneys until they attain the age of 21 years to alter their wills?

Hon. W. E. KNOX (Nundah—Minister for Justice) (10.1 p.m.): I think the honourable member should have put these questions on notice; however, I shall endeavour to answer them. Subject to any correction that I might make later, I understand that if there is in existence a will under which a beneficiary is over 18 years of age and under 21 years of age, and there is in fact no stipulation that he has to turn 21 before he can receive his inheritance or be of full age and full capacity, the beneficiary will be entitled to a distribution from that estate.

Clause 2 provides that some notice shall be given by us in relation to the proclamation, so that those who are responsible for the distribution of estates under these circumstances will be able to take the necessary course of preparation—the period is three months—and will not be caught unaware of their obligations to the beneficiaries. That is the position as I understand it. If I have misinformed the honourable member, I shall correct my statement later.

As to the second point—

Mr. Wright: Existing wills of people—the testators are still alive, and the wills do not specifically state 21 years of age. Will these all have to be changed?

Mr. KNOX: If 21 years is specifically mentioned, I should imagine there would be a special reason for stating that age, and certainly this legislation will not alter that automatically. If age is not mentioned and the beneficiary wishes to obtain his inheritance at the age of 18 years, he can do so. The will can be altered at any time. Presumably, however, a person has a special reason for specifically stating the age of 21 in his will. If the age is not mentioned, the age of majority will be regarded as 18

years of age. It is not to be assumed that if the age of 21 years is mentioned, it will be automatically changed to 18 years.

Clause 7, as read, agreed to.

Clause 8, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT AMENDMENT BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice) (10.5 p.m.): I move—

“That the Bill be now read a second time.”

This Bill is a short one, and it simply removes the time limit on the application of the Commonwealth Places (Administration of Laws) Act 1970-1972. At present, section 15 of that Act provides that the Act shall remain in force until 31 December 1974 and no longer. This Bill repeals that section.

The Queensland Act complements the Commonwealth Act, entitled the Commonwealth Places (Application of Laws) Act, which provides that State laws apply to a place within the State that is a Commonwealth place. On the other hand, the State Act provides for the administration of State laws which apply to Commonwealth places by virtue of the Commonwealth legislation. However, it is important to realise that the Commonwealth Act does not apply State laws to a Commonwealth place where its application would be invalid or inoperative by reason otherwise than section 52 of the Commonwealth Constitution.

As an illustration, I will refer to Brisbane Airport, which was mentioned by the honourable member for Rockhampton during the introductory debate on this Bill. State liquor laws are inoperative because of the Commonwealth Airport (Business Concessions) Act. Under that Act, a person must be granted authority by a Commonwealth Minister to carry on a business, or to sell or supply goods at an airport, and must then act in accordance with the terms and conditions of that authority.

The Airport (Business Concessions) Act further provides that an authority to sell or supply intoxicating liquor shall contain terms and conditions under which the holder is subject to requirements, prohibitions and restrictions as to the days on which, and the times during which, such liquor may be sold or supplied, and to other requirements, prohibitions and restrictions corresponding, as nearly as possible to those that apply under the law of the State in which the airport is situated in relation to the sale or supply of such liquor in pursuance of a licence under that law of the kind that most nearly corresponds with the authority under this Act.

I have perused a copy of an authority to sell and supply intoxicating liquor, food and other goods at the Brisbane Airport which was granted pursuant to the Airport (Business Concessions) Act, and it sets out various terms and conditions, including hours of trading, and provides that persons under twenty-one years shall not be sold or supplied intoxicating liquor. There is no change; it still stands at 21.

Accordingly, it will be appreciated that the State liquor laws on under-age drinking do not apply to the Brisbane Airport under the Commonwealth Places Act of the Commonwealth, and the State enforcement agencies are not therefore authorised by the Queensland Commonwealth Places Act to enforce State liquor laws on under-age drinking at the Brisbane Airport, by virtue of that other Act I mentioned.

I trust this illustration will enable honourable members to obtain a clearer understanding of the combined effect of the Commonwealth and States Commonwealth Places legislation. However, this Bill is not concerned with complexity, but deals only with the period the Queensland Act will remain in force.

Mr. WRIGHT (Rockhampton) (10.8 p.m.): The Opposition realises that this Bill is a legislative necessity, and therefore there is no need to go into it at length. It simply repeals section 15 so that there will no longer be a limit of 12 months. That means that the legislation may remain in force for an unlimited period until the constitutional change can be effected.

I thank the Minister for his explanation about the Brisbane Airport. It seems that we may have to alert the Commonwealth police. If they bother to go out there knowing that the law prohibits anyone under the age of 21 from drinking, they should have a bonanza.

I ask why the States and the Australian Government cannot have parallel legislation to overcome the dilemma we are often faced with. I am not a member of the constitutional committee, but I have considered some aspects of constitutional law. This aspect intrigues me. It seems to me that in our democracy it would be reasonable if all the States and the Commonwealth agreed to introduce parallel legislation to overcome many problems, instead of going through the costly business of a referendum. The Minister may have some comments to make on that question I pose to him.

Mr. HANSON (Port Curtis) (10.9 p.m.): Although I do not wish to take up the time of the House, numerous matters arise under legislation that comes before us, and the time has long passed for cleaning many of them up once and for all. I ask the Minister if he is conversant with a recent case in which the Full Court of Queensland was asked to decide whether the Queensland

Criminal Code applied in a certain charge laid against a person for stealing a telephone, the property of the Australian Government. The defendant was caught in possession of a handset. He was charged and dealt with summarily under section 391 of our Criminal Code, after he had entered a plea of guilty. Subsequently he applied to have a sentence quashed by way of writ of certiorari on the ground that the telephone was Commonwealth property. His claim was that, as it was Commonwealth property, the only way that the case could be dealt with—and dealt with rather exhaustively—was under section 71 of the Commonwealth Crimes Act. This raises in the minds of many people considerable doubt and apprehension about those charged with the responsibility of executing and interpreting the law.

As one who is interested, I pose some questions. Has the Minister's attention been drawn to the case I have quoted? Has the decision been examined? Are there any other prosecutions relating to the theft of Commonwealth property? If so, have any decisions been made on them? Are cases being delayed? If the decision in that case was applied generally, we could end up with a series of legal nullities, which we certainly do not wish to see in our community. As we in this Chamber are responsible for the enactment of laws, it is our responsibility to ensure that the law is carried out for the common good.

I ask the Minister whether, if a fine has been paid in such an instance as that which I have cited, it could be recovered by virtue of what would be known as a mistake of law. That is something that could perhaps exercise the Minister's mind. What would be the position if the person committing the offence had been imprisoned for a period of time? Many problems could arise if a person committed a misdemeanour and was convicted and sentenced to six or nine months' imprisonment. The whole position of Commonwealth and State law is thrown into considerable confusion. I believe the Latin term for this is *restitutio in integrum*. No doubt the Minister, from his association with the law in recent years, would be well aware of that legal phraseology and able to explain it.

I mention this matter because I think it is relevant to the legislation before the House. I hope that it is not necessary for us continually to examine this matter in the Chamber. Surely there are sufficient lawyers and jurists in the community to be able to rectify the position once and for all.

Hon. W. E. KNOX (Nundah—Minister for Justice) (10.14 p.m.), in reply: The matters raised here have been rather interesting although, in the case of the honourable member for Port Curtis, not particularly relevant to the Bill under discussion. No doubt he had reason to display his great legal knowledge, probably acquired in some crash course somewhere, because he used language that I do not understand.

I am not familiar with the case he referred to. However, I am familiar with another case that may be of interest to him. He may care to refer it to his authority. This was a matter heard on 19 August this year. The judgment was handed down on 30 August, only a couple of weeks ago. The case is the *Queen v. Willoughby*. It was heard in the Full Court of Western Australia by Judges Virtue, Burt and Lavan. I wonder if the honourable member is familiar with that case? Evidently he is. It happens to be relevant to this matter and concerns the Commonwealth Places (Application of Laws) Act 1970 of Western Australia, which is similar to the Queensland Act. It was appeal No. 103 of 1974 from the Western Australian District Court, and it concerned an offence very similar to the one the honourable member mentioned. It relates to the safety of an aircraft.

The person concerned was charged under the Western Australian Criminal Code which is very similar to—in fact, almost identical with—the Queensland Criminal Code. It was claimed that the charge should have been laid under another Act.

In their judgment, the judges said—

“From this it follows that the indictment did disclose an indictable offence, it being an offence against the law of the Commonwealth, and more particularly an offence against s. 463B of the Criminal Code of Western Australia which by force of s. 4 (1) of the Commonwealth Act applied in accordance with its tenor at the relevant time in and in relation to Guildford Airport.

“So much was in effect conceded in argument before us, but it was contended by counsel for the accused that s. 4 (1) of the Commonwealth Act was invalid. No ground of any substance was advanced in support of that contention. Once the material place is seen to be within s. 52 (1) of the Constitution, then the power of the Commonwealth Parliament with respect to that place to make a law either directly or, in the chosen manner, by reference to an existing State law in the terms of s. 463B of the Criminal Code would seem to me to be undoubted.”

So they agreed that it was proper for the person concerned at the Guildford Airport to be charged under the Criminal Code of Western Australia, and that that was completely in accord with the Commonwealth Places (Application of Laws) Act in that State on that occasion. No doubt the honourable member will now be able to do considerable research in this subject and eventually become an authority on it.

Motion (Mr. Knox) agreed to.

COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

The House adjourned at 10.20 p.m.