

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 15 OCTOBER 1975

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Mr. SPEAKER (Hon. J. E. H. Houghton, Redcliffe) read prayers and took the chair at 11 a.m.

PAPERS

The following paper was laid on the table, and ordered to be printed:—

Report of the Insurance Commissioner for the year 1974-75.

The following papers were laid on the table:—

Proclamations under—

Justices Act 1886-1975.

Forestry Act 1959-1975.

Orders in Council under—

State Securities Registration Act 1925-1971.

The Foreign Governments (Titles to Land) Act of 1948.

Forestry Act 1959-1975.

Medical Act 1939-1973.

Regulations under—

Liquor Act 1912-1973.

Co-operative and Other Societies Act 1967-1974.

Art Union Regulations Act 1964-1974.

Invasion of Privacy Act 1971.

The Recording of Evidence Acts, 1962 to 1968.

Money Lenders Act 1916-1973.

Registration of Births, Deaths and Marriages Act 1962-1974.

Elections Act 1915-1973.

Auctioneers and Agents Act 1971-1974.

Business Names Act 1962-1971.

Bills of Sale and Other Instruments Act 1955-1971.

Sawmills Licensing Act 1936-1974.

Chiropodists Act 1969-1975.

By-law under the Dental Act 1971-1973.

Balance Sheet and Profit and Loss Account of Queensland Trustees Limited for the year 1974-75.

Report of the Legal Assistance Committee of Queensland for the year 1974-75.

QUESTIONS UPON NOTICE

1. NATIONAL PARK PROPOSAL,
SPRINGBROOK

Mr. K. J. Hooper, pursuant to notice, asked the Minister for Lands, Forestry, National Parks and Wildlife Service—

(1) Does he have any plans to purchase Rural Zone C of Springbrook under the new Albert Shire Town Plan and dedicate the area as a national park?

(2) Is he aware that this zone comprises the last large, unspoilt areas of Springbrook Mountain?

(3) Is he aware that under the new Albert Shire Town Plan it is proposed to allow 40-acre subdivisions in the zone?

(4) What view does his department take on these proposals?

Answers:—

(1) The National Parks and Wildlife Service has proposals on Springbrook Mountain covering an area in excess of 1,950 hectares, of which 1,430 hectares lie within the Rural Zone C of the Albert Shire Town Plan. The balance is dedicated as State Forest or as timber or waterworks reserves. Finance is not available at present to acquire lands covered by the proposed Rural Zone C.

(2) Yes, this is substantially the case.

(3) Yes. I presume the honourable member appreciates that the town plan is still subject to approval by the Minister for Local Government.

(4) As I have already stated, my National Parks and Wildlife Service regards the area as worthy of National Park reservation and it will be submitting a case to my colleague the Minister for Local Government and Main Roads along these lines.

2. X-RAYS AS CAUSE OF CANCER

Mr. Melloy, pursuant to notice, asked the Minister for Health—

(1) With reference to the report wherein Dr. M. Diesendorf of the A.N.U.'s Department of Applied Mathematics said that overseas studies had shown that X-rays could cause cancer, has his department conducted any research into X-rays and their effects on people?

(2) Are Dr. Diesendorf's statements based on facts and, if so, what is his department planning to reduce the number of times that people are exposed to X-rays?

Answers:—

(1) The statement made by Dr. Diesendorf to the ANZAAS Conference was referred to me soon after it was presented. The statement was reviewed by the radiation health physics section of my department, which considered it was a misinterpretation of the fact. A continual review of the literature on the effects of X-rays and other forms of ionising radiation is undertaken by the radiation health physics section. The radiation health physicist is a member of Committee 3 of the International Commission on Radiological Protection. It is this commission which sets world standards of protection against ionising radiation for workers and patients.

(2) As stated by the Commonwealth Minister for Health, the Honourable Dr. D. Everingham, in the A.M.A. Gazette of 2 October 1975, the paper by Dr. Diesendorf was based on invalid calculations. His conclusions were based on X-ray dosages to the skin nearest the X-ray tube, which is the highest dose to the patient, rather than the very much smaller dose received by the specific organs. Specific reference was made by Dr. Diesendorf to the effects on lungs from the chest X-ray programme undertaken in the anti-tuberculosis campaign. This programme is constantly under review by the Commonwealth and State Governments. In the broader use of X-rays, the State Health Department is very conscious of the recommendations of the International Commission on Radiological Protection that the exposure to patients should be the minimum consistent with medical requirements. The radiation health physics section has a group which spends its whole time in raising the standard of radiography in public hospitals.

3. USE OF HEART PACEMAKERS

Mr. Melloy, pursuant to notice, asked the Minister for Health—

With reference to the newspaper report wherein a Brisbane cardiologist said that G.P.s needed education in the use of the heart pacemaker, does he plan any programme of education to train G.P.s to recognise cases where the pacemaker could be of use?

Answer:—

I point out that medical authorities from the Prince Charles Hospital, where such pacemakers are inserted, advise that there is no evidence of delay in referral of patients needing this treatment. The Prince Charles cardiology section runs regular programmes for general practitioners in which there is usually a section on the use of pacemakers, and the College of General Practitioners runs a continuous educational programme in which cardiology is also featured.

4. PHYSICAL ASSAULTS

Mr. Melloy, pursuant to notice, asked the Minister for Police—

(1) What was the total number of assaults reported during 1973, 1974, and 1975?

(2) How many of the assaults were unprovoked?

(3) Has there been any investigation into the cause, psychological or otherwise, of unprovoked attacks?

Answers:—

(1) It is not clear from the question whether the honourable member is referring to unlawful common assaults or

whether he is referring to unlawful assaults generally, which of course include unlawful common assault, aggravated assault, indecent assault, assaulting a member of the Police Force in the execution of his duty, assault occasioning bodily harm and assault and robbery. If the honourable member would be more precise as to the information which he requires, an endeavour will be made to obtain it for him. It must be appreciated, of course, that many assaults are reported to police; but, as some of them are matters for civil litigation rather than police attention, names and addresses are exchanged and no record is kept of such complaints except by entry in the particular police officer's official notebook.

(2) The information sought is not readily available without a great deal of research and it is not proposed to undertake the research at this stage.

(3) No such investigation has been undertaken by the Queensland Police Department.

5. STUDENT SCHOLARSHIPS

Mr. Cory, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) What are the details of the procedure to be followed by students wishing to apply for inclusion in the new State Government scheme for 500 scholarships in each year for grades 11 and 12?

(2) What qualifications and conditions will be considered when allocating the scholarships?

(3) Will all boarding schools share in this scheme and, if so, how will this be done?

Answers:—

(1) (a) Students must be eligible to receive the remote-area allowance. (b) The scholarships are available to grade 11 and grade 12 students only. (c) A form of application will be devised and distributed to all students wishing to be considered for the award of a scholarship. This will be done through schools and through the secondary correspondence scheme.

(2) Two factors will be considered in awarding scholarships—(a) Academic performance based on six subjects at grade 10 level. (b) A means test. Points will be allocated separately for academic performance and on the means test, both on a sliding scale. Eligibility of each student will be determined by the summation of the two points scores.

(3) Details of the operation of the scheme are being worked out by departmental officers. Until final details are available, it would not be possible to make a categorical statement that all

boarding schools will benefit from the scheme. The basic philosophy behind the scholarship scheme was that parents in need would benefit and that schools in need would share in the benefits as well.

6. GENERAL PURPOSE GRANTS TO PRIMARY SCHOOLS

Mr. Cory, pursuant to notice, asked the Minister for Education and Cultural Activities—

Following the Treasurer's announcement in the Budget regarding the introduction of a general purpose grant to all primary schools for the provision of equipment and miscellaneous services which are at present met from school committee funds, will the scheme replace the existing subsidy scheme on items supplied by school committees or will it work in conjunction with it?

Answer:—

The existing subsidy scheme covering primary and special schools will not be affected by the new general purpose grant. Parents and citizens' associations will be able to claim the same subsidies as before.

7. MR. JUSTICE MURPHY'S ROLE IN HIGH COURT DECISION ON SENATE REPRESENTATION

Mr. Moore for **Mr. Lowes**, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) With reference to the recent High Court decision on Senate representation for the Territories, did Senator L. K. Murphy vote on the Bill both in the Senate and at the Joint Sitting of both Houses of the Commonwealth Parliament?

(2) Did ex-Senator Murphy also sit in judgment on the Bill in the High Court?

Answers:—

(1) Yes. Senator Murphy was also responsible for introducing the Bill at the Joint Sitting.

(2) Yes. Had Mr. Justice Murphy disqualified himself from the hearing, the remaining six justices of the High Court would have heard the matter. The reasons for judgment have not yet been delivered, but it appears from the formal decision of the court that those six judges were equally divided on the validity of the legislation. In that case, section 23 of the Judiciary Act would have operated. Section 23 provides that if the court is equally divided in cases of this kind, the opinion of the Chief Justice prevails. This would have resulted in the legislation being invalidated instead of being upheld because the Chief Justice (Sir Garfield Barwick) was of the opinion that the legislation was

invalid. It is interesting to note that two of the three next most senior judges also agreed that the legislation was invalid.

Mr. Houston: Who appointed them?

Mr. KNOX: We are not disputing who appointed them; we are disputing the propriety of a judge sitting on a matter for which he was responsible in the Parliament.

8. HIGH COURT CASE ON APPEALS TO
PRIVY COUNCIL

Mr. Gygar, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) Is he aware of claims that the National and Liberal Parties should pay the cost of the recent High Court case relating to appeals to the Privy Council?

(2) Was the case instituted by the National and Liberal Parties or the State Government and, if not, who instituted the case?

Answers:—

(1) Yes, I have seen reports of a statement on this matter by the honourable member for Lytton.

(2) The proceedings in the High Court of Australia challenging the validity of the Appeals and Special Reference Act 1973 were instituted by the Commonwealth of Australia. In view of the fact that the honourable member for Lytton's obvious lack of knowledge, interest and understanding led him to believe that Queensland had been responsible for this action, it would be appropriate for the honourable member to now urge the leaders of his own party to meet the costs of an action which they precipitated.

9. EZYWAY BREWING CO.

Mr. Gygar, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) Is he aware of a recent advertisement by the Ezyway Brewing Co., inviting the public to send \$1 to a Post Office box so that they can receive information on the home-brewing of beer?

(2) Is he aware that this company advertises that it operates from premises at 3 Clifford Street, Stafford, which is the location of my electoral office?

(3) As I have no knowledge of this firm which supposedly operates from my office, what is the registered address of the company and what are the names of its directors?

Answers:—

(1) No.

(2) No.

(3) A search of the records in the Office of the Commissioner for Corporate Affairs fails to reveal any registration of

a company or a business name entitled Ezyway Brewing Company. Inquiries are being made by the Office of the Commissioner for Corporate Affairs in order to obtain information about the activities of the organisation mentioned by the honourable member.

10. APPOINTMENT OF TEACHER AT
INNISFAIL

Mr. Jensen, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) With reference to his answer to my question on 10 October regarding the appointment of teachers in the Innisfail area, did a teacher from the Innisfail High School recently go on leave and is the teacher not due to return to duty until next year?

(2) Could this position have been filled by ex-M.L.A. Mr. Peter Moore, who lives in Innisfail?

(3) Did the department bring a relieving teacher from Townsville to fill the vacancy?

Answers:—

(1) A teacher in the Maths-Science Department of the Innisfail State High School is on long service leave from 6 October to 12 December 1975, a period of ten weeks.

(2 and 3) Two relieving maths-science teachers employed in the Northern Education Region were available for duty at Innisfail, and the correct decision to attach one to the school staff for the period of 10 weeks was made. The vacancy at the school will exist for ten weeks only as the teacher on long service leave will return to the school at the beginning of the new school year.

11. SPEECH THERAPISTS

Mr. Jensen, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) As Bundaberg urgently requires the appointment of a speech therapist, what is the latest position in regard to the appointment?

(2) Which provincial cities have the services of a speech therapist and which cities are still seeking such an appointment?

Answers:—

(1) Speech therapy positions will be advertised again shortly and if a suitable therapist applies for Bundaberg, the position in this city will be filled.

(2) Speech therapy services are available in the following provincial cities:— Cairns; Townsville; Mackay; Rockhampton;

Nambour; Gold Coast; Ipswich and Toowoomba. Requests have been received for speech therapy services at Innisfail, Maryborough, Gympie, Kingaroy, Warwick, Dalby and Mount Isa.

12. HOUSEHOLD PEST EXTERMINATION

Mr. Jensen, pursuant to notice, asked the Minister for Primary Industries—

Are household pest exterminators registered under any section of his department and, if not, does he contemplate having them register and advise his department on the various pests in an area and the respective chemicals used for their control or extermination?

Answer:—

The question of control of persons engaged in the distribution of chemicals for control of pests such as cockroaches, etc., in dwelling-places and other household buildings and of the chemicals which they use for this purpose is one which might be addressed to my colleague the Minister for Health. Chemical products advocated for use in the control of pests and diseases in agriculture are subject to the registration and labelling requirements of The Agricultural Standards Act 1952-1972 administered by my department. There is no distinction made between commercial farm use and household garden use.

13. TORRES STRAIT ISLANDS HOUSING

Mr. Hales, pursuant to notice, asked the Premier—

What was the cost of new housing erected in the Torres Strait islands by the Queensland Government, and how does this compare with the budgeted figure of the Commonwealth Government of \$310,500 for four houses on Thursday Island for the Commonwealth Department of Aboriginal Affairs?

Answer:—

The Department of Aboriginal and Islanders Advancement has entered into contractual arrangements for the supply, delivery and erection of 20 conventional three-bedroomed, high-set houses at the Thursday Island suburb of Rose Hill at a cost of \$535,507, subject to rise and fall, and construction has commenced. Other building activities within the Torres Strait region by the department include the construction of two houses at Bamaga at a total contract price of \$69,900, and a similar residence at Saibai Island for nursing-sister accommodation at a tender price of \$28,800. In addition, a further contract has been awarded to a Brisbane firm for the supply and delivery to Thursday Island of five pre-cut houses at a cost of \$81,724. When delivered, these houses will be erected on selected islands of the

Torres Strait by Aboriginal and Islander labour engaged by the department. I invite honourable members to compare the foregoing figures with those quoted in the question of \$310,500 for four Commonwealth houses.

14. ELECTORAL REDISTRIBUTION, PINE RIVERS

Mr. Lindsay, pursuant to notice, asked the Premier—

(1) As the large expanding electorate of Pine Rivers is at present 6,322 electors above the maximum allowable quota for electoral districts in the South-eastern Zone, will a partial redistribution of this area be mandatory prior to the next State election, in view of subsection (5) of section 10 of Part III of the Electoral Districts Act?

(2) If a partial redistribution is not mandatory under the Act, does a case exist for a redistribution in the public interest?

Answers:—

(1) Subsequent redistribution of electoral districts, whether complete or partial, is the subject of Part IV of the Electoral Districts Act 1971, sections 13 to 17, and is not mandatory in accordance with section 13.

(2) Any proposal for a partial or total redistribution would be a matter for Government decision.

15. RESEARCH AND PROMOTIONAL LEVY

Mr. Elliott, pursuant to notice, asked the Minister for Primary Industries—

With reference to the research and promotional levy initiated by the pig industry and applied by the Commonwealth Government, is he aware that to gain consent for this programme the industry had to accept Commonwealth Government control through the chairman, who is appointed by the Commonwealth Government?

Answer:—

I am aware that the chairman of the Pig Meats Promotion Advisory Committee is an officer of the Australian Department of Agriculture, appointed by the Commonwealth Minister for Agriculture. This is not unusual in committees of this nature.

16. WITHDRAWAL OF TEACHERS' ALLOWANCE, TOWNSVILLE

Mr. Aikens, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Has his attention been drawn to an article in "The Townsville Daily Bulletin" of 14 October wherein Mr. John Rockett, the northern officer of the Queensland

Teachers' Union, arrogantly admitted that the Teachers' Union was entirely responsible for the withdrawal of the fortnightly allowances of \$9.75 which were paid to certain teachers?

(2) Is this the first occasion upon which teachers have had their fortnightly pay reduced consequent on action taken by the Teachers' Union and, if so, can any redress be given to the teachers concerned, who bitterly resent the anti-working-class action of their union?

(3) Was a meeting of the robbed teachers held at the Townsville High School on 14 October?

Answers:—

(1) Yes.

(2) Teachers' salaries have not been reduced. All teachers' salaries have been increased by 3.9 per cent to 8 per cent in the recent decision of the Industrial Commission. Under the terms of the variation of the award, teacher librarians and resource and remedial teachers will no longer receive allowances which previously placed them ahead of similarly qualified and experienced classroom teachers. Deletion of these allowances was sought by the union and not opposed by the Department of Education. Affected teachers who are dissatisfied with the salary plaint submitted by their union should take the matter up through union channels.

(3) I understand a meeting of affected teachers was to be held at Townsville State High School at 3.45 p.m. on Tuesday, 14 October.

17. BREAD BAKED AT H.M. PRISON, STUART

Mr. Aikens, pursuant to notice, asked the Minister for Community and Welfare Services and Minister for Sport—

Has a new oven of larger capacity been installed at the Stuart prison and, if so, will the Townsville Hospital be able to buy its bread from there as well as having its extensive laundry done there?

Answer:—

A new oven of larger capacity was installed at H.M. Prison, Townsville, earlier this year. A new dough mixer, bread slicer, and wrapper have been listed for purchase during the current financial year. When this equipment is procured it will be within the capabilities of the prison to supply the Townsville Hospital with bread, and it is intended to submit a tender for such supply when tenders are called next year.

18. ARREST PROCEDURES, CONVICTION AND APPEAL OF DRINK-DRIVERS

Mr. Aikens, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) Has his attention been drawn to the judgment of Judge C. McLoughlin,

sitting recently as a court of appeal against the conviction and punishment of a drink-driver named George Joseph Stace, which upheld the appeal on a technicality? If so, does the judgment mean that in future when an arrested drink-driver requests to go to the toilet a policeman must go with him to see if he vomits and, if he does, whether the vomiting is induced or not by the drink-driver, and that the operator of the breathalyser machine must wait for a considerable time before taking the test, probably long enough to allow the drink-driver to sufficiently sober up to pass the test?

(2) Is there any avenue of appeal by anyone to any court or instrumentality against the judgment of a District Court judge sitting in similar circumstances and, if not, does not this permit the judge, wittingly or unwittingly, to err on the side of the potential killer, the drink-driver?

Answers:—

(1) I am not aware of the circumstances of the particular matter. Where a suspect, in respect of any offence connected with drunk-driving, vomits, the instructions to the operator of the breath-analysing instrument are to allow a period of 15 minutes to elapse in order to provide for the dissipation of any alcohol which may be present in the mouth. In respect of the analysis of breath, the specimen of air should come from the lungs and not from the mouth. Accordingly, in the interests of accuracy, a period of 15 minutes is allowed where vomiting takes place. Except where the concentration is on the margin of any prescribed level, a delay of 15 minutes will not make any substantial difference to the concentration of alcohol in the blood of the individual.

(2) An appeal against a conviction in a Magistrates Court can be made to the District Court pursuant to section 222 of the Justices Act 1886-1974. Any such appeal is final and no further proceedings are permitted.

19. USE OF VALIUM BY PREGNANT WOMEN

Mr. Doumany, pursuant to notice, asked the Minister for Health—

In view of recent statements made by Dr. Mark Safra of the Cancer and Birth Defects Division of the Centre for Disease Control in Atlanta, Georgia, pointing out the possible links between the use of valium by pregnant women and deformity in babies, will he consider the adequacy of existing precautions against such risks in Queensland?

Answer:—

The possible link between the use of valium by pregnant women and deformity in the resultant babies has been studied

by the Congenital Abnormalities Subcommittee of the Australian Drug Evaluation Committee. That committee stated that no causal relationship has yet been established and much more work needs to be done on this. The practice of the Drug Evaluation Committee is to alert the medical profession when any definite risks of this nature are established. So far the committee has not seen fit to advise the profession. I assure the honourable member that the medical profession is well aware of the importance of not prescribing any drugs, unless they are absolutely essential, during the first three months of pregnancy.

20. DOWNTURN IN CATTLE MARKET

Mr. Glasson, pursuant to notice, asked the Premier—

(1) Is he aware of the belief that the downturn in the cattle market last week was caused by the supposed misinterpretation of a Telex message from America to the Australian Meat Board and that this was publicly announced in Rockhampton on 13 October?

(2) Is he aware that in Quilpie alone, where 1,400 heavy bullocks were yarded, a reduction of \$40 per head on the previous day's sale at Charleville would have resulted in a loss to the vendors of \$40,000 to \$50,000 and that two leading meat companies have stated that they are not cancelling any of their orders and are seeking all the fat cattle they can secure to fill existing orders?

Answer:—

(1 and 2) The position in regard to the United States beef quota is that on 1 October the Australian Meat Board notified exporters that the prior approval of the board was required for shipments of beef to the United States on or after 13 October and applications to fill the remainder of the 1975 quota beyond that date were invited. Subsequently, on 8 October, the board advised exporters that as applications received up to 3 October had been sufficient to fill the remainder of the quota no further approvals would be issued. However, this does not mean that all the beef required for the whole of the 1975 quota has been purchased and shipped and that no more is required. It does mean that the position varies from one exporter to another, depending on their stock-holdings position. Some exporters, for example, have yet to purchase and process cattle for their approved portion of the 1975 quota.

21. ARTICLES CONFISCATED BY CUSTOMS OFFICERS

Mr. Row, pursuant to notice, asked the Premier—

(1) Will he ascertain from the Commonwealth Minister for Customs the

number of customs officers stationed in Queensland, the ports of entry and airports at which they operate and the number and nature of articles confiscated from persons entering Queensland in the past 12 months?

(2) Will he make the information available to this House?

Answer:—

(1 and 2) I will forward the honourable member's request for this information through the appropriate channels and await a reply.

22. CENTRAL QUEENSLAND URANIUM ENRICHMENT PLANT

Mr. Hanson, pursuant to notice, asked the Premier—

(1) With regard to the radio report of 14 October wherein he was reported as saying that one of the projects still blocked by the Commonwealth Government was a Central Queensland uranium enrichment plant, when did his Government approach the Minister for Minerals and Energy about such a plant?

(2) Has his Government conducted a feasibility study into such a plant and, if so, is there any report from the study available?

Answer:—

(1 and 2) A preliminary report on the feasibility of establishing a uranium enrichment plant in Queensland prepared by a State interdepartmental committee was forwarded to the Australian Atomic Energy Commission on 15 August 1972. The Queensland Government has been frustrated because of the exclusive powers of the Commonwealth in international dealings in nuclear materials and technology. I would inform the honourable member and this House that I have had discussions with Japanese representatives here in Australia, and also in Japan—with a group who, at the time, would have given serious thought to the establishment of a uranium enrichment plant in central Queensland if the Commonwealth Government had been prepared to give them permission to produce enriched uranium. These people informed me in Tokyo that they were contemplating spending up to \$1,000 million on such a process, employing many people. On my return I discussed this question in Canberra with the former Commonwealth Minister for Minerals and Energy, Mr. Connor, who informed me that he would not permit them to do so. When I stressed that here we had a firm interested in considering establishing such a process, spending \$1,000 million when there was a great need for employment and that we, as Governments controlling such an operation, would benefit greatly from taxation and

from the profits and wages that such an undertaking would engender, Mr. Connor crossly answered, "Don't argue with me—I will not permit them". We believe in Australian ownership and control, but when this is not possible or practicable we cannot remain uninterested, to the detriment of our nation. When I warned the Federal Government that its investment policy was unworkable and would have to be changed, the Federal Ministers and members opposite sneered. Now it is official Labor policy. I stated at the time that the Queensland Government was in favour of maximum Australian equity in mining ventures, but, as I said, I would rather have 25 per cent of something providing jobs and income for Queensland than 100 per cent of nothing, and that is what we have had under the Labor Government. Even Mr. Hayden has now had to admit that I was right, and I am sure the honourable member also agrees that I was right.

23.

DR. D'URSO

Mr. Frawley, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) What position does Dr. D'Urso hold and what salary is he paid?

(2) Did Dr. D'Urso ever teach at any State secondary or primary schools and, if so, what are the names of the schools and did he ever undermine discipline at those schools?

(3) From whom does Dr. D'Urso receive finance to perpetrate his filthy deeds of undermining school discipline?

(4) Has he received any complaints from parents and citizens' associations regarding Dr. D'Urso and his cohorts?

Answers:—

(1) Dr. D'Urso is a senior lecturer in education at the University of Queensland. His salary is \$18,544.

(2) Dr. D'Urso taught at the following State schools: Lake Euramoo; Malanda; and Salisbury High. He then became a lecturer at the Kelvin Grove Teachers' College and resigned from my department in 1965. I am not aware of any charges against Dr. D'Urso that he undermined discipline at any of the schools or colleges where he taught during his service with my department.

(3) I have no knowledge of the sources of Dr. D'Urso's income other than the University of Queensland.

(4) I am not aware of any specific complaint by a parents and citizens' association about Dr. D'Urso or any of his associates.

24. K-MART AT KIPPA-RING; WIDENING OF ANZAC AVENUE

Mr. Frawley, pursuant to notice, asked the Minister for Local Government and Main Roads—

(1) Did Security Projects or K-mart at Kippa-Ring issue a writ claiming damages from the Redcliffe City Council and/or the Department of Main Roads over alleged non-completion of road works by 9 October, the date of the opening of the K-mart?

(2) Is he aware that Security Projects, after submitting a plan for the buildings which was advertised and which received town-planning approval from the council, then substituted another plan when application was made for a building permit and, as this second plan shows an entrance from MacFarlane Street, where residents will be greatly affected by traffic to and from the K-mart, will he investigate the matter?

(3) On what date did the Main Roads Department receive advice that the city council intended to go ahead with the job of widening Anzac Avenue and when did the council receive advice that a Main Roads contribution of \$118,000 was available?

Answers:—

(1) I am advised that no such writs have been served.

(2) I am informed that the layout plan lodged for town-planning consent differed from the layout plan lodged with the building application, and I am prepared to ask the Redcliffe City Council for a detailed statement of the circumstances of the case.

(3) The widening of Anzac Avenue has been under discussion between the Department of Main Roads and the council over a period earlier this year. The council was advised by letter dated 26 September 1975 that a Main Roads Department contribution of \$118,000 would be paid progressively as work proceeded.

25.

FIRE BOARDS

Mr. Frawley, pursuant to notice, asked the Minister for Industrial Development, Labour Relations and Consumer Affairs—

(1) What is the number of fire boards in Queensland?

(2) What is the total number of fire board members?

(3) What is the fee received by members for attending a meeting?

(4) What is the number of firemen employed by fire boards?

Answers:—

(1) 81.

(2) 567. Each fire brigade board comprises seven members as follows: Two Government representatives, two local authority representatives and three insurance representatives.

(3) The maximum allowance which may be paid is—

—	Chairman	Members
Up to two hours meeting	\$ 20	\$ 14
Two to four hours ..	30	20
More than four hours ..	40	27

(4) As at 30 June 1975, 1,416 in a full-time capacity plus 1,249 in an auxiliary capacity.

26. DENISON CREEK DAM

Mr. Casey, pursuant to notice, asked the Minister for Water Resources—

(1) In view of the recent announcement of the Commonwealth Government that the green light had been given to several major coal-mining projects inland from Mackay and as the Special Funds Estimates of the Queensland Government for this year show an estimated expenditure of \$584,300 in the Denison Creek Dam Construction Fund, when will construction work on this dam commence?

(2) What is the total estimated cost and capacity of the dam?

(3) In addition to providing a water supply for some of the new mining projects, will take-off capacity be made available for (a) existing local authority purposes, (b) stock-watering and farm irrigation of properties with access to any proposed pipelines, (c) areas downstream of the proposed dam and (d) any future industrial user in the area?

(4) What proportion of the cost will be met by (a) the State Government, (b) the Commonwealth Government, (c) mining companies and (d) others?

Answers:—

(1) Construction work is tentatively scheduled to commence late in 1976. A firm decision on this will not be made until the mining companies concerned finalise their plans for development.

(2) The estimated cost of the dam is \$16,830,000 (January 1975). The capacity will be 100,000 acre feet.

(3) The assured supply of 18,000 acre-feet per year will be made available principally for industrial development. Relevant comments about other possible uses are: (a) No specific provision has been made for local authority use other than domestic requirements associated with the individual mining projects and included in the various companies' allocations. However,

supply not presently allocated to the companies could be made available subject to mutually acceptable conditions. (b) Provision has been made for stock and domestic supply to all properties with access to company pipelines. No provision has been made for irrigation supplies to these properties as the cost would be excessive. (c) No specific provision has been made to supply water for irrigation along the river at this stage. However, steps have been taken to ensure that normal low flows are effectively passed through the storage for riparian stock and domestic purposes downstream. (d) Substantial supplies are available for allocation to future users subject to suitable arrangements for capital contributions by such users.

(4) It is proposed that the full cost of the dam be shared by the mining companies in proportion to their allocations from the total available supply. No State or Commonwealth funds are available at present. The amount of \$584,300 provided in the Estimates for 1975-76 is for detailed investigation and design of the dam, and is being contributed, as required by the companies concerned. Initially all finance will be the responsibility of two companies. As available spare capacity is allocated at a later date to new users, they will be required to contribute capital for refund ultimately to the original participants.

27. RAILWAY COMPENSATION FOR DAMAGE TO LUGGAGE AND GOODS

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

(1) What is the maximum claim for various classes of (a) personal luggage and (b) goods which are lost or damaged whilst in transit under the care of the Queensland Railways and when was the claims scale last revised?

(2) In view of the big increase in value of personal clothing and the substantial loss occasioned to passengers whose personal goods are damaged or destroyed owing to the negligence of the department, what consideration has been given to substantially increasing the maximum claim figure?

Answer:—

(1 and 2) Under the provisions of the Railways Act 1914-1974, the maximum compensation payable in respect of the loss of or damage to passengers' luggage, which, incidentally, is conveyed free of charge, is \$50, unless the owner of the luggage declares the value of such luggage to be greater than \$50 and pays the prescribed insurance charges. In the instance of consignments conveyed by goods train at freight rates attracting commissioner's risk conditions, there is no limitation imposed on the extent of the liability of

the Commissioner for Railways for loss or damage to such consignments. The maximum liability of \$50 was fixed with the amendment of the Railways Act in 1964 and is consistent with that applying in all other railway systems. However, I have asked the commissioner to review the position with a view to recommending an increase in the liability.

28. ROAD CONSTRUCTION IN FLOOD-PRONE AREAS

Mr. Casey, pursuant to notice, asked the Minister for Local Government and Main Roads—

As the Auditor-General's first report to Parliament for 1974-75 states that \$5.8 million was spent by the Main Roads Department from the Loan Fund for the construction of roads in flood-prone areas, in which local authority area was each of the roads situated and what was the cost of each job?

Answer:—

Just over \$5,000,000 from loan funds was spent on upgrading roads in flood-prone areas. The expenditure was spread over 26 jobs in 12 local authorities. I table the information sought.

Whereupon the honourable gentleman laid the information referred to on the table.

29. RECONSTRUCTION OF "EVENTIDE", SANDGATE

Mr. Dean, pursuant to notice, asked the Minister for Health—

Has a plan for the reconstruction of "Eventide", Sandgate, been approved and, if so, what will be the approximate cost of the new complex, what will be its residential capacity and when will building commence?

Answer:—

Discussions between officers of my department and of the Department of Works have been held and certain site investigations undertaken. Preliminary discussion plans have been prepared and further discussions between departmental officers to enable documentation of the proposal to proceed are to be held in the very near future. "Eventide" is to be redeveloped on a progressive basis, and ultimately the total capacity of the home will be reduced to approximately 500. At this stage it is not possible to indicate what the over-all cost of development will be or when construction of the complex will start.

30. URGENT MEDICAL CARE FOR REMOTE AREAS

Mr. Dean, pursuant to notice, asked the Minister for Health—

In view of his statement in Townsville that, because it was not always possible

to attract doctors to rural areas, communities could no longer demand a doctor as a right, what steps has his department taken to ensure that rural communities in the far-flung areas of our State receive medical care under urgent circumstances and that workers are not placed under financial hardship by having to travel long distances to visit a doctor?

Answer:—

Steps taken by my department to ensure that rural communities have adequate medical services are as follows:—Under the State Scholarship Scheme in medicine, approximately 40 hospital posts in remote areas of the State are filled by scholarship-holders. In recent years the number of scholarships allotted in medicine has been increased and this year 34 were allotted. Although the present number of scholarship-holders is not sufficient to man all hospitals which previously had superintendents, arrangements have been made for all hospitals without superintendents to be visited by doctors from nearby centres. This year it has been possible to place a second medical officer at Bowen, Mt. Isa, Longreach and Charleville, so that doctors in the surrounding towns may be given the necessary time off duty. In co-operation with the Family Medicine Programme, special arrangements have been made for doctors in remote areas to attend refresher courses. One was held in Brisbane early this year and another is to commence in Townsville on 19 October. More use is being made of air services for doctors to visit hospitals in their areas. The Flying Surgeon based at Longreach visits approximately 20 smaller hospitals, so that patients in such towns do not have to leave their area for general specialised surgery. In addition, this department subsidises the Royal Flying Doctor Service based at Charleville, Mt. Isa and Cairns. I have recently asked senior officers of my department for suggestions as to how the already high standard of medical service in rural areas can be improved even more.

QUESTIONS WITHOUT NOTICE

AUSTRALIAN NATIONAL LINE

Mr. JONES: I ask the Acting Minister for Transport: In view of the recent decision by the Queensland Harbour Board Association in support of operations by the Australian National Line in Queensland, could the Minister outline when Cabinet will consider introducing A.N.L. ships on the intra-state trade?

Sir GORDON CHALK: The honourable member should be well aware that Government policy will be announced at the time it is decided upon and that this is not a matter to be answered in this House.

SUCCESSOR TO MR. CONNOR IN
FEDERAL CABINET

Mr. MURRAY: I ask the Premier: Would he consider reminding the Prime Minister that, to fill the gap created in his Cabinet by the sacking of that man from Wollongong, he could fill the geographic void and complete his Cabinet circus by appointing that other celebrity from Wollongong—Norman Gunston?

Mr. BJELKE-PETERSEN: I doubt whether the gentleman referred to by the honourable member would fit very well into the whole scene. On the other hand I have to admit that Mr. Connor, the member who has just resigned his portfolio, has done tremendous harm to the nation and its economy. He has wrecked the nation as no other man has done. The way the Stock Exchange reacted yesterday when it became known that he had resigned was a clear indication of how he had affected the business world of Australia. I doubt whether the gentleman to whom the member for Clayfield refers is a man who could fit into the situation in Canberra; but, if he were to try, as his name does not commence with "C", he might be right for a little while.

STATEMENT BY RICHARD CARLETON ON
A.B.C. TELEVISION

Mr. AIKENS: I ask the Premier: Did he hear Richard Carleton say in effect on A.B.C. television last night, or has he been so informed, that if Mr. Whitlam is forced to an election, he will go down in defeat as a man who sacrificed himself as the greatest champion of true democracy in Australian history? If so, in view of this further slobbering toadyism and pro-A.L.P. bigotry by the A.B.C., will some effort be made to expose it fully through all sections of the media?

Mr. BJELKE-PETERSEN: We know, of course, that Carleton missed out on an appointment to the Australian Broadcasting Commission. This certainly was the most biased attitude adopted by a commentator on that programme for quite a long time. I do not know of anyone else who has so blatantly and untruthfully made a statement of that nature when the people of this country understand quite clearly that the situation is in fact the complete opposite.

Mr. Knox: The president of the party says so.

Mr. BJELKE-PETERSEN: That is so. Mr. Hawke has been very much to the fore in saying that the Labor Party has in effect defeated itself, and that it will be defeated by the nation. I saw the programme referred to, and I found it hard to comprehend that a man in Carleton's position would adopt such an attitude.

CHEQUERS NITE CLUB

Mr. LANE: I ask the Minister for Police: In view of the growing reputation enjoyed by Chequers Nite Club in Elizabeth Street, Brisbane, as a haven for the consorting together of known criminals and thugs, will the Minister give a public assurance that adequate attention is paid to these premises by the Consorting Squad of the Criminal Investigation Branch with a view to enforcing the provisions of section 4 of the Vagrants, Gaming, and Other Offences Act relative to consorting?

Mr. HODGES: This organisation will receive from the Police Department the same attention as any other organisation.

TRUSTEE COMPANIES ACT
AMENDMENT BILL

THIRD READING

Bill, on motion of Mr. Knox, read a third time.

MATTERS OF PUBLIC INTEREST

CONSTITUTIONAL POWER OF
COMMONWEALTH GOVERNMENT

Mr. PORTER (Toowong) (12.2 p.m.): The tumultuous events of the last few days, and indeed of recent hours, make it quite obvious that, in the bringing of Mr. Whitlam and his radical wrecking crew to book, Queensland once again will be called on to play a key leadership role in the political and constitutional crisis now upon us. There have been many who have been unwilling to accept over the years the gravity of the crisis or the ferocity of the continuing struggle to preserve the federal system. This State and this Government have been assailed by many who should have commended and supported us because of our consistent, stubborn and tough opposition to the Whitlam socialist, centralist juggernaut.

Unfortunately the High Court has shown once again, as it has shown in the past, that it is a very weak reed on which to rely if we want to preserve federalism. I have said repeatedly that the High Court, which mainly comprises big city representatives appointed by successive centralist-minded Federal Governments, has tended always to interpret the Constitution to mean that power should be taken from the States and reposit with Canberra. As the people have consistently refused to give the central Government more power, the High Court justices consistently have played a Judas role. That may well be correct in law, although I sometimes doubt it, but it is certainly totally wrong in principle. It tends to bring the process of law into disrepute.

Let us take the latest High Court judgment. The Senate has now been told by the High Court that it is to receive senators

representing the Northern Territory and the Australian Capital Territory. By a four-to-three majority—it couldn't be much finer—the High Court has decided that the words of the Constitution can be legally misread to provide what in fact the Constitution says should not be provided. Of course, with that one-man majority we see now why former Senator Murphy was translated to the High Court, and we also see why the right of appeal to the Privy Council was abolished.

That High Court judgment contemptuously flouts the popular will because territorial Senate representation was the subject of one of the four questions that were put to the people in a referendum last year. The proposal was rejected by 55 per cent to 45 per cent of voters. It was rejected by an overwhelming majority of voters and an overwhelming majority of States.

Mr. Elliott: It is a negation of democracy.

Mr. PORTER: Yes, indeed. I have always innocently thought that in a democracy the people were sovereign; but are they? Or is a politically stacked High Court more sovereign than the people? More properly, whose will should prevail—that of the people, expressed through the ballot-box, or that of the High Court?

Mr. Chinchen: Of one man!

Mr. PORTER: Of one man—a one-vote majority provided by ex-Senator Murphy, who was one of the major architects of the legislation when he was in the Federal Parliament and who in fact piloted it through the joint sittings of both Houses after the last Federal election.

We are now at crisis point. The Juggernaut is out of control. It is about to smash itself to smithereens. This Whitlam operation is truly a Juggernaut in the popular and typical fashion. It rolls over the corpses of the faithful in the approved manner. It could be said of Mr. Whitlam, "Greater love hath no man than this, that he lay down his friends for his life."

Let us call the roll of the living dead who have been created by Whitlam: Barnard, Murphy, Cope, Crean, Cameron, Cairns and now Connor. What a list! It is interesting to note that of those who signed the fateful Executive Council minute setting in motion that great funny-money hunt, only one remains. And which one is that? Mr. Whitlam! He is the sole survivor of the stricken crew. No wonder all Australia is now asking what this vindictive, destructive man will do.

It is suggested that, as events unfold over the next few hours, he may try to evade the wrath to come by using the device of an immediate half-Senate poll only. He would hope this would mean that the four new territorial senators would be sitting right away, whereas the others elected would not be sitting until 1 July next year. He would

hope that he would have eight more months in which to implement socialism—something that in every test and every public-opinion poll has been demonstrated as being loathed, abhorred and detested by two out of every three Australians. In orchestrating this fantastic, bizarre search for oil-sheikh money, the Prime Minister has played a major role in the events that are now nearing flashpoint, and he cannot get out of it.

I ask: does anybody really believe that in the aftermath of the Cairns affair, in spite of all the guide-lines that were laid down then, and in the light of the fact that Mr. Whitlam and Mr. Connor have always been close, the Prime Minister did not know what Mr. Connor was doing and did not know what was happening? Could anyone believe that one of his Ministers was seeking an astronomical \$8,000 million overseas loan—the greatest overseas borrowing that any country has ever thought of and one that is five times our total overseas borrowings—without Mr. Whitlam's knowledge? For anyone to believe that this was occurring around him while he remained in blissful ignorance is beyond reason. I don't believe it, and the overwhelming majority of Australians won't believe it, either. If Mr. Whitlam would have us accept the proposition that this was occurring and that he had heard no rumours or rumblings whatever, he is admitting to rat-baggery throughout his Government on such a monumental scale as to make the mad King Ludwig of Bavaria look like a piker.

We now face the vital question: what can Queensland do if that erstwhile champion of open government, the Prime Minister, adopts truly desperate measures to try to evade the polls and to avoid facing his masters, the people? If he tries to fob off the Australian electorate with some shoddy device like a half-Senate poll, what is this State's duty? I say it is plain. Last year we checked this cunning and ruthless man when he tried another equally squalid little gambit, in the Gair affair, and we can and must stop him again. We must force him and his Left-wing doctrinaire Government to a poll of the House of Representatives.

There is some wry amusement to be derived from seeing the current urgings of this Government not to issue writs for Mr. Whitlam's tricky half-Senate poll. Many of these urgings have come from those who, only a few weeks ago, castigated us for flouting a so-called convention by appointing Mr. Field to the Senate. We are now urged to stop the launching of a half-Senate poll, which surely in constitutional terms is a much larger thing. It has never been thought of before. Yet it is suggested that we should do it. The people who say such things swallow camels but strain at gnats. I say that merely as an aside.

I make it quite plain that, for my part—and I believe I speak for the overwhelming number of members on this side of the House—I will use such small influence as I have to check this malevolent man's manoeuvrings

to ensure that people will not be able to pass judgment on him. If we can hold up the writs for a half-Senate poll, let us hold them up.

In terms of protecting the Federal system and all those individual systems which are the very essence of our society, it is much later in my view than most people think. The long-term fate of this Parliament and other State Parliaments is in the balance as this fateful week proceeds in Canberra. We must give no quarter. The nation's needs demand that we exert to the utmost our proper and fullest authority. As I said at the outset, Queensland is again a key State in a crisis. Other States depend on our leadership. Let us demonstrate it. Whatever we must do, and can do, to force Mr. Whitlam to the polls, we will do. For my part he will get no half-way Senate poll from us. If it was time once, as was so loudly and enthusiastically proclaimed by some, it is now over-time. Australians want Whitlam out.

INQUIRIES INTO POLICE FORCE

Mr. MELLOY (Nudgee) (12.12 p.m.): I take this opportunity to raise again the subject of inquiries into the Queensland Police Force. What has happened to the judicial inquiry promised by the Government on 11 August? What is the next move in the top-level Scotland Yard probe that has now been deferred to an indefinite date in the New Year because the investigators have returned to London? The Queensland Police Union, policemen and policewomen all seek urgently the long-promised judicial inquiry. In fact, only the Minister for Police, the police dogs and the police horses have not demanded publicly that it begin immediately. I am told that even the police kennels and the police stables are buzzing with the claim that the Scotland Yard investigation was an expensive stunt to divert attention from the necessity of a judicial inquiry.

Let me trace the history of this matter since early August. On 5 August the Minister for Police announced that two Scotland Yard investigators were standing by in London to fly to Brisbane to inquire into allegations of misconduct, malpractice and corruption within the Queensland Police Force. On 6 August—the next day—we discovered that Scotland Yard did not know anything about the proposed inquiry, yet two of its investigators were supposed to be on standby the day before. Finally, on 22 August—and no doubt after many cables—Detective Chief Superintendent Terrence O'Connell and Detective Superintendent Bruce Fothergill arrived from Scotland Yard to begin their investigations. Now, in early October, less than two months later, those two officers have terminated their Queensland inquiry and returned to the Yard to give evidence in a court action that was pending before they left London.

I demand to know from the Minister if he was aware that this court case was pending

in London when he arranged for the two investigators to come to Queensland and whether he knew before they arrived in the State that they were subject to recall for this case. I also demand to know what the two officers actually investigated during their stay of seven weeks or more in Queensland.

My confusion is certainly justified. On 5 August, as I said, it was announced that they were to inquire into allegations of misconduct, malpractice and corruption within the Queensland State Police Force. However, on 26 August, after they had been briefed, they declared that their investigations would be confined to the Southport S.P. case. We learned later from a newspaper headline that in their inquiries they would go back some 10 years—well before the Southport case arose. Finally, last week the Scotland Yard duo announced their return to London without even interrogating material witnesses in the Southport S.P. case! Even someone with the legal limitations of the Police Minister himself could have informed them that they could not possibly interview the witnesses in the Southport case while that matter was sub judge—and it was sub judge because of a Government appeal to the full Court. So the Minister knew it was sub judge at the time the Scotland Yard investigation was ordered.

The whole adventure has been a farce. Nobody would dispute that. It has been an elaborate cover-up to avoid the immediate glare of a judicial inquiry. The "Sunday Sun" last week-end reported on the sorry episode under the headline "The men from Scotland Yard sip tea and chat to us about whitewash". We demand to know the terms of reference of their so-called investigation, if they will ever return to Brisbane (and that is extremely doubtful, because I think they have washed their hands of the whole affair), if they will ever interview the Southport case witnesses, if they will ever report to the Government, and, if they do report, when and on what will they report. There are serious implications surrounding the return to London of the investigators. No doubt the boys from the Yard will dine out in Piccadilly this week with tales of the Police Minister and his administration.

In fact, I am told reliably that plenty of people in the State are prepared to swear that John O'Grady was referring to our police hierarchy when he wrote his famous novel "They're a Weird Mob". It is an incredible situation. One day the Police Minister promised to release the transcript of a tape-recorded interview with the Police Union executive. The next day we learned that neither a tape nor a transcript existed. In August a judicial inquiry was announced. Now we learn that it will not start until next year, if ever.

A former detective is able to write in "The Courier-Mail" under the banner head line "How to produce a false confession". All of these things are happening while the Police Minister fiddles and dithers, refusing to

come up to scratch on this investigation. There have been reports of bashings, tainted evidence, invalid warrants, bribes, prostitution in massage parlours and, of course, the infamous "king-hit" case. We have a Police Minister with a capacity to announce inquiries in the same way as other Ministers announce legislation.

I want to know if the Scotland Yard cover-up is now at an end. Have the investigators been hauled off the job and sent home? We want to know, and are entitled to know, how much this whitewash has cost the Queensland taxpayer. We want to know when the judicial inquiry will begin, what its terms of reference will be and who will preside over it. Certainly we are completely fed up with the evasiveness of the Police Minister, who, I might add, is even disowned by the Police Union. It has lost any faith it ever had in him. It is time that the Minister either resigned or showed that he is fair dinkum by standing up to his own responsibilities.

In recent weeks arson has been committed in our schools, yet the police are sitting by doing nothing. They are completely demoralised by what is happening in the top administration of the force. Everybody is completely fed up. They want some action, and it is time that the Minister produced it. He cannot fiddle around for much longer. He has a responsibility to the people of this State to come good in the administration of the Police Force.

On 6 August, Scotland Yard where the investigators were supposed to be on standby, disclaimed all knowledge of the inquiry in this State, yet the Minister had made announcements that all the arrangements had been completed. He had said that there were negotiations with Scotland Yard and that two investigators were to resolve what was probably the greatest Police Force scandal in the history of this State. I call on the Minister to honour his statement that he will institute a full judicial inquiry into all these matters.

I feel that the lodgment of an appeal is more or less a delaying tactic for the police. This situation cannot continue. It is of great importance that the people have confidence in the Police Force, and the Minister has a heavy responsibility to ensure that members of the Police Force do not feel that they are under the shadow of suspicion in carrying out their duties from day to day. They have to be cleared of suspicion of involvement in any underhand business in the Police Force. If any police officers are engaged in underhand activities, they have to be detected and either suspended or dismissed. At the same time, of course, they have to be given every opportunity to meet any charges that might be laid against them. An amnesty should also be proclaimed so that they will feel free to come forward and tell the whole truth at

any bona fide investigation initiated by the Government. The only answer to the problem is a full judicial inquiry.

(Time expired.)

EDUCATION AND MEDICAL DISADVANTAGES, WESTERN PEOPLE

Mr. KATTER (Flinders) (12.22 p.m.): I wish to speak on two matters affecting the health and, in some cases, the very lives of the people in my electorate. The first concerns the availability of doctors. Certain proposals are being vented very publicly by the Health Department. I exclude the Minister for Health from my criticism because clearly they have not come from him. But certainly they have come from departmental officers.

One proposal is to remove doctors entirely from country centres (I do not mean very small places, but towns of 1,000 or 2,000 people) and service them by the Flying Doctor Service. This must be seen as the greatest insult ever made by a senior departmental official to people living in isolated areas.

Mr. Houston: Who was that?

Mr. KATTER: Actually almost all the department is involved—certainly its top echelon. That answers the honourable member's question.

Let us examine the proposal. The result would be that there would be no doctors, for example, in the Flinders electorate at Richmond, Julia Creek and Hughenden, and medical help would be one hour or two hours' flight away. Let us look realistically at the situation. If a person has a pain in the stomach and he goes to the matron at the local hospital, what happens? He says, "I am in pain. Will you do something about it?" The matron then has to decide whether to make a fuss about it and call the flying doctor from Charters Towers or Mt. Isa to attend to what might be only a minor matter. She will not want to make a fool of herself by calling the flying doctor out for a stomach upset, a boil, or some other minor ailment. She tries to save face and says "No" and so the Flying Doctor stays home.

I do not know the technical terms, but it might be found that the gentleman has peritonitis and not a stomach upset from the food he ate the night before. There are any number of situations in which what might appear to be a very minor stomach upset could be a very serious illness requiring immediate attention. I am not speaking about hypothetical cases. In the towns of Richmond and Julia Creek there are two men walking around at the present moment only because they are lucky. Julia Creek was some four months without a doctor in the last 18 months, and had it not been for the fact that there was a doctor at Richmond, in the words of the doctor, those men would not be alive today.

If the proposals being put forward by certain persons very high up in the Health Department are taken seriously, it follows that over the next 18 months we can expect two deaths in the area. This is the obvious result. I say dogmatically and with a great deal of conviction that the people in these country areas will just not tolerate the proposals.

Let me move from health to education. It is a very regrettable fact that in our society today we have what I term the "educratic" society where doors are closed to people unless they have at least a senior education, and in most cases a tertiary education. Half of the population of my electorate live in towns (and when I say "half" I am talking about some 8,000 people), and there are no senior high school facilities within a day's travel from those towns.

The nearest senior high school is some 150 to 200 miles away. The children of these 8,000 people, less the ones who are very well off, are simply not going to get a senior education, and all the doors—every single position of power and importance and every decent job in this State—are closed to them. They will be restricted to manual work and other minor jobs for the rest of their days. They are not able to realise their potential. The cost of a boarding school education is some \$1,500 a year without extras. If they could get help from the Government, it would amount to only \$600 and there would still be a shortfall of nearly \$1,000. Whilst I commend the Treasurer for what he did in the Budget, all I can say is that it does not go very far towards solving the problem. So in the area of health people in my electorate are going to die if certain proposals being put forward at the moment are accepted, and in the area of education certain children in my electorate will have every door of opportunity closed to them for the rest of their lives unless Government action is taken very quickly.

The final subject I want to mention is the plight of the beef industry. To anyone here who has doubts and thinks we are crying poor mouth or that cattlemen are not in very desperate straits, let me say that I have had two families come to see me in the last fortnight and on each occasion the wife sat in front of my desk and cried for the whole half hour of the interview. That might sound melodramatic, but it indicates the despair of people in country areas. The unemployment office is situated beside my office—

Mr. K. J. Hooper: You get that in the city also, you know.

Mr. KATTER: There is a specific problem in country areas, the present depressed price of beef cattle. That is the problem we are attempting to solve, and it can be solved. If the honourable member faces

similar problems in the city, I advise him to rise and say so, as I am doing, and then do something about it.

Mr. K. J. Hooper interjected.

Mr. KATTER: I have important things to say and have not the time to reply to the interjection. As I am quite sure it was not important, I shall ignore it.

It is very difficult to ascertain the cost of producing beef cattle because one gets fools like that fellow over there, who claim that we are telling lies, and that the cost of running a property carrying 1,000 head of beef cattle is not \$24,000 a year. They claim that that is an exaggerated, inflated figure.

Let me give the House some statistics. A certain gentleman in one of the towns out West has a property on which he runs 1,000 head of cattle. He entered into a management contract with a man and said, "I will give you \$13,000 a year and you will do everything on the property." I know the gentleman. He is of Scottish descent, and I am sure that has something to do with the fact that he is not keen to give money away. So let us assume, Mr. Deputy Speaker, that \$13,000 is not an inflated figure for the management of a cattle property.

Of course, that does not allow for the cost of fencing or other capital improvements of that type. So one can forget about improvements to the property and forget about water and fencing. It does not allow, either, for mechanical expenses and car expenses, which would be at least an additional \$3,000 or \$4,000. With that added, the final figure is at least \$16,000. I ask honourable members to bear in mind that that was the position four years ago. Allowing for an inflation rate of 50 per cent, the figure at present would be \$24,000.

If a person has 240 head of cattle that he can turn off the property, it leaves him with a figure of \$24,000 and a break-even point, forgetting about capital improvements and return on capital, of 20c a lb. In fact, the price is now about 13c a lb. So for the last two years he has been working at a direct loss—not an imputed loss; I am talking about an actual money loss—of \$10,000. That applies to the average small property in the area, and the bigger properties are more inefficient. I am talking about the maximisation of efficiency, and maximum efficiency probably is attained on a property with 1,000 head of cattle.

That is what is occurring in country areas at present. What can be done to remedy the situation? Let there be no mistake, misrepresentation or misapprehension about the fact that the problem is purely a political one. Britain and Japan, which were buying beef from Australia, suddenly decided unilaterally that they would not buy any more Australian beef. Britain has deserted this country by going into the European Economic Community. Probably it had to, and

there is very little we can do about that. But Japan is the workshop of the world. It processes raw materials. Basically, what occurs is that Australia sends stone to Japan and that stone comes back in transistors. But those transistors are also sold on the American market. Japan depends for its income upon Australia's raw materials, and it always has. The Japanese market needs to be reopened, and its re-opening is dependent entirely on the attitude of the Government in Canberra. The Labor Government now in office has failed to use diplomacy.

(Time expired.)

DECLARATION OF STATE OF EMERGENCY UNDER STATE TRANSPORT ACT

Mr. DEAN (Sandgate) (12.33 p.m.): The matter of public importance that I raise this morning relates to the declaration of a state of emergency under section 22 of the State Transport Act. Now that some time has elapsed since the last declaration of a state of emergency, I think that the Minister could give some attention to section 22 of the State Transport Act, which gives the Governor in Council power to declare a state of emergency.

Section 22 has been interpreted very widely. In the case of *Dean v. The Attorney-General of Queensland*, the Supreme Court interpreted the section as covering not only natural disasters but also political disturbances. The section provides that all proclamations must be laid before the Legislative Assembly within 14 days after publication in the Gazette if Parliament is in session, and if not, within 14 days after the commencement of the next session. In Queensland, Parliament often fails to meet at all over a period of many months. Thus, in theory, a state of emergency could continue for a very long period without any opportunity for parliamentary control.

This is not only the Opposition's view; it is the view of the International Commission of Jurists. I quote from issue No. 5 of "Justice", which is put out by the Australian Section of the International Commission of Jurists—

"QUEENSLAND STATE OF EMERGENCY:

The Acting President of the Australian Section of International Commission of Jurists, Mr. Edward St. John, Q.C., issued the following statement, authorised by the Executive Committee:—

The Executive Committee has considered the circumstances surrounding the recent proclamation in Queensland of a state of emergency, in connection with the Springbok Rugby Tour. In so doing it has studied the judgment of Mr. Justice Stable dealing with the legality of the Proclamation, and has had the benefit of views expressed to it by Mr. T. D. McCawley, a well-known practising barrister in Brisbane, and Professor Zelman Cowen, Vice-Chancellor of the

University of Queensland, who are respectively Queensland Vice-President, and a Council Member, of the Australian Section.

The Proclamation was made under the provisions of a section of the Queensland State Transport Acts. Having declared the state of emergency, an Order in Council went on to give directions pursuant thereto, on two matters: first, the Exhibition Ground was appropriated for use as a football ground for the purpose of the Springbok matches, and training therefor; secondly, it authorised the police to enter the grounds and to "do and perform thereon such acts and things as may be necessary for the purpose of ensuring the safety and well-being of any persons attending or participating in the matches or any training sessions."

It appears to be widely accepted that it was highly desirable to secure the use of the Exhibition Ground for the Springbok matches, it being the only suitable site in Brisbane at which to prevent or control the expected disorder. But it was impossible for the Government to secure the use of the Exhibition Ground, in the circumstances then existing, except by the invocation of its emergency powers. It appears to be well accepted also that the Government had every reason to expect serious disorder if the Exhibition Ground had not been secured. Whether or not this state of affairs amounted to a state of emergency within the meaning of the Transport Acts, is not sufficiently within our knowledge to allow us to comment.

Whilst emphasising the right of peaceful protest, the Commission condemns all forms of violent protest, which have no place in a democratic society governed by the rule of law. The Government was certainly entitled, and indeed bound, to take proper steps to avoid or minimise the threat of violence and civil disorder. The declaration of the state of emergency, and the directions given pursuant thereto, were no doubt directed to this end.

The declaration of a state of emergency was widely criticised, however, in Queensland and indeed throughout the world. Having regard to the Government's strictly limited directions, as above recited, and the real threat of serious disorder, which existed, the Commission is satisfied that much of the criticism was extravagant and unjustified, and arose in some cases from a misunderstanding of what had really occurred. This may have been partly attributed to the Government's failure to provide adequate explanation at the time of the first announcement of its intentions. To most people a declaration of a state of emergency conjures up the picture of a suspension of habeas corpus and other constitutional rights, ushering in a period

of authoritarian rule. Nothing of that kind was involved in this particular Proclamation or the directions given pursuant thereto.

'Nonetheless, the whole affair leads us to consider whether the present Queensland legislation is in a desirable form, and whether it is open to abuse.

'Upon consideration, the present legislation has several features. It is undesirable, for one thing, that powers of such far-reaching importance, which can be exercised in relation to matters of great and general public interest, should be tucked away in the Transport Acts.

'But more importantly, it is imperative that such powers should be under proper Parliamentary control. The Queensland Act provides that all proclamations must be laid before the Legislative Assembly within 14 days after publication in the Gazette if Parliament is in session, and if not, then within 14 days after the commencement of the next session. Parliament may then disallow the Proclamation. In the view of the Committee, this is insufficient. Parliament often fails to meet in Queensland during a period of many months. Thus a state of emergency could in theory continue for a very long period without any opportunity for Parliamentary Control.

'By contrast, The United Kingdom Emergency Powers Act, 1920, provides specifically that Parliament must meet within five days of any proclamations of emergency. The proclamation shall not continue unless Parliament so prescribes. These are highly desirable provisions, and we respectfully suggest to the Parliament and people of Queensland that consideration be given to the incorporation of similar provisions in the Queensland legislation.'

Mr. Aikens: Could I ask you a question?

Mr. DEAN: No. I have no time to answer questions just now. The statement continues—

“‘Another point that might be made is that, assuming it was reasonable to invoke exceptional powers in a strictly localised situation, it was unfortunate that the Queensland Government went through the motions of proclaiming a state of emergency throughout Queensland when at most a declaration of a state of emergency in Brisbane would have sufficed. Further, the circumstances of this case might indicate the desirability of conferring upon the executive emergency powers to take possession of property, for example, without the necessity of declaring a “state of emergency”. The exercise of such power, if it had existed, might very well have proved quite sufficient in itself to deal with the situation which arose in Brisbane in July; in the absence of such power, the Government may well have thought it

had no alternative but to declare a state of emergency, with all the emotive connotations which such a declaration must normally imply. This suggestion also might well receive the attention of Australian Parliament.’”

In the time remaining at my disposal, I am quite prepared to answer any questions that are put to me. I wanted to have recorded in “Hansard” the commission’s statement on that very important Act of Parliament. If the honourable member for Townsville South wants to ask me a question now, I shall do my best to answer it.

Mr. Aikens: When the Q.C.E. brought an action against the Government for declaring a state of emergency over the Springbok tour, you were named as the nominal applicant. Didn’t they try to make you pay the costs of \$11,000?

Mr. DEAN: No.

Mr. Aikens: Didn’t they attempt to garnishee your parliamentary salary?

Mr. DEAN: At no time did anyone tell me that I should pay anything. As far as I was concerned, it was a very important test case on a point of law.

Mr. Aikens: They used you.

Mr. DEAN: I was not used. I was a willing party to that action, which was one of the utmost importance. Many points were brought forward during the hearing in court, and I feel sure that the Government has taken notice of them. I hope that this will result in the making of some amendments to the Act.

No-one would deny that our Statute Book should contain powers to declare a state of emergency. Those powers should, however, be clearly defined so that they are not used in the manner in which they were used on that occasion. I think the commission pointed out that the proclamation should have applied only to the Brisbane area whereas it applied to the whole State. It could have remained in force for many months and been used by the Government quite wrongly. Fortunately, the Government did not use the proclamation wrongly. Finally, I sincerely hope that the Government will take notice of my remarks.

STACKING OF HIGH COURT OF AUSTRALIA

Mr. LOWES (Brisbane) (12.43 p.m.): I rise to speak on a matter that is causing grave concern not only to Government members but also to members of the legal profession. I refer to the stacking of the High Court. This move by the Federal Government could bring about a great loss in the prestige of the court and, worse still, the destruction of public confidence in it.

In the past, allegations have been made about the stacking of the High Court but those allegations have not been substantiated

by evidence. Now, however, the fifth appointment of a Federal Attorney-General to the High Court gives rise for some concern.

If I might use the analogy of rats deserting a sinking ship, I suggest that there arises the possibility of yet another appointment to the High Court from the ranks of Federal Cabinet. We might find that before being thrown out of office, the Prime Minister will appoint himself to the High Court bench—and he would be there for the remainder of his life.

My remarks are directed, however, not at the Prime Minister but at ex-Senator Murphy. He was formerly an industrial advocate in Sydney. I have no axe to grind in relation to industrial advocates; I mention that matter merely to show the man's background. Subsequently he was appointed to the post of Federal Attorney-General, and in that capacity he dealt with many matters involving constitutional law.

Immediately after appointment of Senator Murphy as Attorney-General, the Prime Minister spoke of him in these glowing terms, as recorded in "Hansard" of 11 February 1975—

"There are many persons in the last 10 years—some of them in the Chamber still—who, in a similar period of two years' office, have not produced a tithe of the legislation in quantity and have produced a still smaller proportion in quality."

Let us examine the quality of the legislation introduced by Senator Murphy over that two-year period.

Early in 1973, almost immediately after the election in December 1972, he hastily and without proper provision brought down certain rules under the Matrimonial Causes Act. They were found to be defective and unworkable, and subsequently unconstitutional.

He also introduced the Australian Legal Assistance Office. This matter has already come before the Full Court of the A.C.T. sitting in Canberra. It found quite clearly that the activities of the members of the A.L.A.O. were unconstitutional. The Victorian State Government has challenged the A.L.A.O. on the ground that it is unconstitutional. So much for the Attorney-General (as he then was) in his capacity of dealing with constitutional matters.

At the time of his appointment to the High Court Bench in February of this year, "The Courier-Mail" editorial read—

"Senator Murphy's legal experience outside politics has not, however, been of the kind which normally would lead to an appointment to the High Court bench. He was an industrial, not a constitutional lawyer.

"In politics, as Attorney-General, he has framed some of the most controversial laws to go before Parliament for years. His appointment to the court will permit him to sit in judgment on such of these matters as are subjects of appeal."

At the time that was written no-one would have imagined that a man who was Attorney-General and had been involved in the drafting of laws (he himself advising on them as Attorney-General, and acting as a lawyer and counsel) would, at a subsequent date, sit in judgment on them.

Mr. Greenwood: It is incredible.

Mr. LOWES: The shock was yet to come. I believe that we were too trusting.

"The Courier-Mail" of 15 February reported that this man, on his elevation to the bench said in referring to himself, mind you—

"It's a great honour, now, to participate in the exposition of the Constitution, setting guide-lines for a just society.

"Many of the great issues to be determined over the rest of this century will be through the judicial processes of this court."

Shame!

In his activities as Attorney-General, he advised the Government on the validity of the Senate representation of the territories. He voted on this matter in the Senate, introduced it during the Joint Sitting and bless me if he was not a member of the court that decided the matter! What esoteric subjectivity could this man have used when applying his mind to the argument before the court? I leave that question to honourable members to answer. He is either insensitive to the principles of administration or justice or he is contemptuous of them. The answer to that was given by the Queensland Attorney-General this morning when he said that if Mr. Justice Murphy, the former Attorney-General, had not sat on the bench, the decision would have been otherwise. Mr. Justice Murphy is insensitive to or contemptuous of the principles of administration or justice or perhaps even dishonest.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! As a legal man the honourable member would know that he should not reflect upon High Court judges to that extent. I ask him to moderate his language.

Mr. LOWES: It was with some hesitation that I rose to speak on this matter. I am very well aware of the ethics not only of this House but also of the legal profession. An attack on the judiciary is not something that one launches lightly. For that reason

I take comfort in the words of Lord Justice Denning who said, when a similar matter arose—

“Silence is not an option when things are ill done.”

When I look at a photograph which appeared in “The Courier-Mail” of 13 October depicting a bewigged and begowned Mr. Justice Murphy, smiling out from under the curls of his full-bottomed wig, I am reminded of the words of Byron on the burial of George III—

“It seemed the mockery of hell to fold the rottenness of 80 years in gold.”

TOURIST FACILITIES, HERVEY BAY AND FRASER ISLAND

Mr. POWELL (Isis) (12.49 p.m.): I wish to raise a matter of public interest that is causing great concern to the people of my electorate. I refer to the tourist facilities provided by the State Government in the Hervey Bay area, in the Isis electorate. As honourable members should know, the Hervey Bay area is known as the caravan capital of Australia. As such the numerous caravan parks in the area are used by many people who come from all over Australia to visit Hervey Bay. Many tourists visit the area annually, and their numbers are increasing. At present Hervey Bay has a local population of about 9,000 but at holiday time the number increases to about 40,000.

On the other side of Hervey Bay is the beautiful Fraser Island, which has recently gained prominence in the newspapers. Large numbers of people are anxious to visit Fraser Island and to see for themselves whether the claims made by so many people are justified. At the moment, it is a fairly expensive and time-consuming process to get to Fraser Island. One can go by aircraft from the Urangan Airport—or from Brisbane, for that matter—and land on a beach or a very rough airstrip on the island. However, that costs a lot of money. Alternatively one can travel by four-wheel-drive vehicle co-ordinating with barges travelling from Inskip Point or from Urangan. The third way of getting there is by the tourist launch, which caters for people on day tours as well as those wishing to stay for holidays.

At the moment the tourist launches leave from the Urangan Boat Harbour. Although a great amount of money—some \$600,000 to date—has been spent on it, that is still not an all-tide harbour. The tourist operators have to judge the tides and organise themselves accordingly. At low tide, after leaving from Urangan jetty, the tourist launches have to travel to the north of Woody Island and down the strait to the white cliffs or the forestry jetty at Ungowa. That is a journey that can take from 2 hours 25 minutes to 2½ or 3 hours,

depending on winds and tides. So the tourist may be on a launch for up to three hours before reaching the beauty of Fraser Island.

Another way I mentioned was by four-wheel-drive vehicle. The barge leaves Urangan harbour and travels round Woody Island to Urang Creek, where the vehicles are off-loaded. They travel across the island on a fairly good road—mainly to Happy Valley. The problem is that the barge can operate only at high water, because Urang Creek is very shallow. The barge cannot get into it unless it has a fair depth of water in it.

What is needed is a greater injection of funds. Whenever one says that, departmental heads and the Treasury become worried. So far, however, the Government has invested a tremendous amount of money on tourism in the Hervey Bay area. What I am suggesting is that it invest more money to back up its investment. A substantial return will be realised on the amount spent. People are already visiting the area, but more facilities are needed. At least two more jetties are needed. A jetty or landing facilities are needed at Urang Creek so that it can be used on all tides. Alternatively, facilities should be established at Moon Point. If they were established there, the journey from the Urangan Boat Harbour (which we hope will in the near future be dredged to a depth sufficient for use on all tides) would take between 25 and 30 minutes. That is much more desirable than a journey of from 2½ to 3 hours. The problem with setting up facilities at Moon Point is that a road would have to be bulldozed from there across to the eastern side of the island. However, very few difficulties would be encountered in that, and it would require only a small sum of money.

The other jetty, I suggest, should be in the area known as River Heads, which is about 10 or 11 miles south of Urangan. For the benefit of those who do not know—the Susan and Mary Rivers meet almost at River Heads. A very deep waterway exists on the coastline, but some facilities should be constructed in the area so that advantage can be taken of the deep natural water. A jetty on the heads of and facing into Susan River would undoubtedly be sheltered from most winds, would have good access from the mainland and would facilitate the transportation of tourists across to Ungowa. Instead of the 2½ to 3 hours that the journey now takes, it would probably be possible to get across in 25 to 35 minutes.

The attraction of the Hervey Bay and Fraser Island area for tourists is great. The free publicity that Hervey Bay and Fraser Island are receiving through the activities of

conservation groups and miners is good, because people now want to go there to see them. But at the moment the facilities for tourists are very poor.

I was pleased to hear the Minister for Tourism, to whom I have spoken on this matter, say recently that money will be provided for the establishment of regional tourist offices. Again, I think this is an excellent idea. However, regional tourist offices should be established in areas of tourist value. I can see a problem arising, in my electorate at least, over a suitable place for the establishment of such an office.

It is abundantly clear that the Hervey Bay area needs somebody to speak for it and to promote it in a reasonable, sensible and planned manner. Tourism should be developed in such a way that the Government knows for some time ahead exactly how much money will have to be spent in an area in the provision of facilities for the people. The jetties that I have mentioned—at Fraser Island and River Heads—are very necessary. Tourists do not want to spend a long time in a boat travelling from point A to point B, especially when the scenery along the way does not vary much. I am convinced that if tourists could be taken quickly and cheaply from the mainland to Fraser Island, many more would visit the island to see for themselves what is going on there.

There is no need for me to speak here on what Fraser Island has to offer, as many members have visited the island and already know its attractions. I think the development of the area calls for very careful consideration. The people of Hervey Bay and Fraser Island are getting together to form a development board. In time that board will be able to speak for the area and advise me precisely what to advocate and the Government to decide what actually should be provided. I appeal to the Harbours and Marine Department and the Tourism Department to look very carefully at the proposals that I have put forward. I ask for a jetty, or similar landing facilities, to be provided at Moon Point, and for a roadway to be constructed from Moon Point to the eastern side of the island, probably to Happy Valley as that is the closest point on the eastern side.

I ask also for jetty facilities, and probably small-boat facilities, to be established at River Heads towards the Susan River, as there they would be sheltered from the strong southeasterly and north-easterly winds that blow in that area. Tourist launches would then be able to tie up and embark and disembark tourists at any time. They could then be transported across the straits to the Ungowa area, from which they could travel across the island by tourist bus to Eurong.

(Time expired.)

The House adjourned at 1 p.m.