

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 1 APRIL 1982

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Mr SPEAKER (Hon. S. J. Muller, Fassifern) 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 Commissioner of Water Resources for the year ended 30 June 1981

The following papers were laid on the table:—

Orders in Council under—

Grammar Schools Act 1975 and the Local Bodies' Loans Guarantee Act 1923-1979

Jury Act 1929-1981

Magistrates Courts Act 1921-1976

Supreme Court Act 1921-1979

Rule under the Coroners Act 1958-1980

MINISTERIAL STATEMENTS

Parliamentary White Paper on Family Welfare

Hon. T. A. WHITE (Redcliffe—Minister for Welfare Services) (11.2 a.m.): I rise today to inform all members on the progress of the parliamentary White Paper on the proposed family welfare legislation, which I tabled in Parliament on 3 December last year. Members will be aware that, when I tabled the paper, I stressed that its purpose was to promote discussion and consensus in the community about the proposals for the new legislation. I also stated that the paper would be "widely disseminated throughout the community so that individuals and interested organisations may comment upon it". This has been done. Over 5 500 copies of the White Paper have been distributed throughout Queensland. Also, there has been ample media coverage of the paper to further inform the public of what is proposed.

May I take this opportunity to thank honourable members who have assisted in circulating copies of the paper and in keeping their electorates informed. To date, we have received several hundred responses, and my department is now examining these responses in detail.

To further promote meaningful discussion about the paper and to give us a clearer idea of possible changes, we have also organised a series of seminars involving church and voluntary organisations, other interested agencies and members of the public. The first of these was held on 7 March at the Bardon centre. Further seminars have been held this week in Townsville and Rockhampton, and I have been informed by my departmental representatives that these are proving to be a great success. A further seminar is being held this Saturday at the Brisbane College of Advanced Education, Kedron.

My special thanks go to those groups and individuals who have shown interest in the White Paper and who have made an effort to attend the seminars which we have organised. It is important that this discussion occurs because the proposed legislation, which will begin to take shape when the seminars are completed and the suggestions assessed, represents a fundamental change in the direction and process of welfare delivery in this State. This direction places a new emphasis on assisting the family as a whole. Too often Government welfare intrusions in the past have eroded the authority of the family and made more and more people over-dependent on professionals. It is time that society gave constructive assistance to maintaining rather than attempting to replace the family unit. There is no question that the traditional family unit is the basis of our society, and unless we foster and develop the family we will place the future stability of our society in danger.

The White Paper seeks to achieve this by promoting a shift of authority and power from the State to voluntary and community agencies. This new community approach should not be seen as a way of reducing expenditure or Government responsibility.

The Government is not abrogating its role in the welfare of the family unit. What it is doing and saying very clearly in the White Paper is that the endless expansion of State power into every conceivable sector of social life should not be the goal of a Government which is concerned with protecting individuals from feelings of helplessness and with meeting genuine human needs.

Governments, whatever their political colour, must start to assess all the various influences of family life and the ways that family responsibilities have been slowly transferred to agencies and professionals—well-meaning professionals—in all types of organisations.

The family must be assisted in times of stress, but it must be done in a way whereby it remains independent and autonomous, rather than just another client to Government bureaucracy.

Preparation of putting this important White Paper into legislation will begin as soon as the seminars which I referred to earlier have concluded. But members would appreciate that legislation alone will not mean that the aims of the White Paper will be attained.

To ensure that these aims are achieved, I will be establishing an implementation committee which will plan just how the ideas will be put into practice.

Again I thank honourable members for their support, and I know that they will all agree that a new deal for the family and welfare in Queensland is needed in our growing State.

Bayside Bus Services

Hon. D. F. LANE (Merthyr—Minister for Transport) (11.7 a.m.): Several months ago officers of the Metropolitan Transit Authority, acting under their legislative powers, became engaged with Lewis Bus Lines and Bayside Bus Services in the task of rationalising bus services between Redland Bay and Wynnum. That rationalisation led to alterations in a number of schedules and the printing of new timetables. They operated for a trial period of three months. During that time the officers of the Metropolitan Transit Authority, working with the bus companies, have been monitoring the service. They have come up with revised bus schedules, and the new timetables are now available. I table a copy of them, and I shall make other copies available to the honourable members for Lytton, Wynnum and Redlands, all of whom have made representations to me about shortcomings in the original schedules.

Advertisements have been placed in local newspapers in the area affected and copies of the new bus timetables will be distributed by drivers to passengers on the buses. The effective date of the new timetables is 5 April. I hope that the new timetables will result in a better service to the people of Redland Bay, Wynnum and other bayside areas.

Whereupon the honourable gentleman laid the timetables on the table.

Aboriginal Land Rights

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.9 a.m.): I rise to draw the attention of the House and the people of this nation to what should be a matter of most serious concern to us all and to all future generations of Australians. That concern centres on the strengthening movement here and internationally aimed at securing so-called "land rights" for Aboriginal Australians and spearheaded by small groups of militant activists.

My personal concern has been expressed before over the years in the media and in many public forums. Today I record my concern here in this Parliament. I do so because I and some other Australians recognise the very real and sinister purpose behind the radical campaign for land rights in this State and this country.

In doing so, I say at the outset that down the years I have demonstrated genuine concern for the welfare of Aboriginal and Torres Strait Islander people and have the greatest respect for their elected representatives on the reserve lands in Queensland, people whom I have come to know and trust. They are quite apart from the radical campaign to which I refer—they are concerned only with the true welfare of their people and with exercising a virile and responsible role in Australia's future.

My concern lies not with them or their people but with the activities of the non-elected, self-styled, self-appointed, self-promoted "spokesmen" for the Aboriginal land rights cause.

It is time for all Australia to question, seriously, the background and bona fides of these people; to examine their motives, their sources of funding, the frequency and purpose of their overseas trips and their ready access to seemingly unlimited travel throughout Australia.

I ask Australians, for their own sake, to consider carefully before they side with land-rights activists such as Gary Foley—a man who, by his own admission, seeks to

destroy Christianity. I ask Australians to look at the background of radical activists such as Shorty O'Neill, Bob Weatherall and Mick Miller—all non-elected self-appointed spokesmen who travel the nation and the world as puppets of the Communist cause.

For what purpose are they financed? Do these self-appointed spokesmen really espouse the views of traditional and responsible members of our Aboriginal and Islander peoples? I say not—and so do the majority of elected representatives of Aboriginal and Islander communities.

Mr Speaker, I now table the bona fides of a Mr Geoffrey Traharne McDonald of Victoria and seek leave to have this information incorporated in "Hansard".

(Leave granted.)

Whereupon the honourable gentleman laid on the table the following document—

Biographical Sketch of Geoffrey Traharne McDonald

Mr Geoff McDonald is the son of the late Arthur Albert McDonald, who served with the Ninth Battalion (Queensland) 1st AIF during World War One.

Arthur McDonald joined the Communist Party during the 1930 depression and his son Geoffrey McDonald grew up supporting Communist ideas.

Mr Geoff McDonald joined the Communist Party at 18 years of age. As explained in his statement, he was subsequently expelled, but continued with his service to the trade union movement.

The following is his trade union record:

After having served as a rank and file unionist and a shop steward, at the age of 19, in 1950, he became a full-time official of the Building Workers Industrial Union (Victorian Branch). He continued as an organiser of the BWIU until 1967, when he resigned to take on positions as an advocate for various other trade unions. These included:

- Slaters and Tilers Union (Victoria)
- Victorian Operative Bricklayers Society
- Solid Plasterers Society of Victoria
- Australian Association of Social Workers (Victoria)
- Professional Divers Association (Deep Sea Divers Federally)
- Mannequins and Models Guild (Victoria and Federally)
- Brick Tile and Pottery Union (Victoria)

Mr Geoff McDonald acted as Industrial Officer for all the above organisations.

He has been Secretary of the Federated Fodder and Fuel Trades Union (Victoria). From 1970 to 1976 Mr Geoff McDonald was the Victorian Industrial Officer for the Royal Australian Nursing Federation and Industrial Officer for the Mothercraft Association (Victoria.)

Since 1980 until the present time Mr Geoff McDonald has been engaged as Industrial Officer of the Pastrycooks, Bakers and Biscuit Makers Union (Victoria) and by arrangement with the latter union he again acts as Victoria and Federal Industrial Officer for the Mannequin and Models Guild.

Mr Geoff McDonald has had extensive experience as a delegate to the Australian Council of Trade Unions and the Victorian Trades Hall Council. He has written widely concerning industrial relations, political and defence matters. He has described some of his Communist experiences in his book, "Australia At Stake" (1977). He is at present writing another book, dealing with the Aboriginal land rights question, immigration and Australian defence.

Mr BJELKE-PETERSEN: As honourable members will soon learn from the document I have just tabled, Mr McDonald is a former member of the Communist Party in Australia and an experienced Communist operative. He has a record of 32 years of service with the trade union movement in Victoria. Currently Mr McDonald is engaged as the industrial officer of the Pastrycooks, Bakers and Biscuit Makers Union in that State and has been industrial advocate for many other prominent unions in Victoria. He spent 12 years as a member of the Communist Party in this country before being expelled.

Mr McDonald will possibly be known to some honourable members opposite for his support of former Prime Minister Whitlam in Labor's attempt to clean up the Victorian branch of the party. Mr McDonald has made an assessment of the land-rights movement against a background of a lifetime in the trade union movement, membership of the Communist Party and a first-hand knowledge of Communist theory and practice.

The brief assessment is in the form of a signed declaration and I table the declaration and seek leave to have its full contents incorporated in "Hansard"

(Leave granted.)

Whereupon the honourable gentleman laid on the table the following document—

COMMUNISM AND THE ABORIGINAL LAND RIGHTS QUESTION

A Statement by Geoffrey McDonald

The purpose of this statement is to express my growing concern about the manipulation of the Aboriginal "land rights" issue for the revolutionary purpose of establishing a separate nation, allegedly for Aborigines. Such a development would have disastrous political and military consequences for Australia.

My assessment of the situation is against a lifetime in the Labor movement and a first hand knowledge of Communist theory and practice.

Communist Background:

After twelve years in the Communist Party I was expelled in 1960 as a result of my participation in the emerging debate between the Communist parties of the Soviet Union and China. This debate concerned the stepping up of financial and military support from Communist movements and insurrections in other parts of the world, including Australia. I was expelled from the Communist party, not because I was at that time anti-Communist, but because I was attempting to exercise what I believed to be my democratic right to criticise aspects of Communist policy. My belief in certain aspects of Marxism continued for some years after my expulsion, and I was for a short period a member of the Trotskyist movement. What can now be seen in retrospect to have been misplaced idealism progressively gave way to a more realistic view of the world. In spite of my early belief in Marxism, like my father I also felt I was being patriotic towards Australia. In latter years I have been keenly interested in defence and strongly support universal military training.

My 32 years full time in the trade union and Labor movement, including the twelve years I was a member of the Communist Party, have provided me with a first hand knowledge of what the Communists are attempting to achieve by manipulating the Aboriginal "land rights" movement. During my years in the Communist party I was a keen student of all aspects of Marxism-Leninism and attended Communist training schools, including the secret school at Minto, N.S.W.

I do not disagree with the concept of special areas of land being kept for the Aborigines. But the issue is not really about land rights, as I learned first hand during my training with the Communist party.

It was at the Minto training school in 1958, while I was engaged in painting Aboriginal murals on the lecture room walls, that I heard top Communist leaders like J. B. Miles and Lance Sharkey remark how one day in the future, if the party worked correctly, the first step towards making Australia a Communist country would be the establishment of what they called black republic areas of Australia inhabited by Aborigines. I was engaged for three weeks on these decorations, which were reproductions of aboriginal bark and cave paintings. I worked at these after the day's lectures were completed. Other Communist leaders like Bernard Taft, and the Aarons brothers, Laurie and Eric, also deliberated on the party's strategy of establishing a separate state of Aborigines under Communist leadership. Discussions on the Aboriginal paintings I was working on created a more relaxed atmosphere, resulting in my learning much more about the Communist party's approach to the Aboriginal question than I had previously. Under the party's rules governing conspiratorial activity no one was told anything more about strategies than was necessary for the member to carry out his or her particular responsibilities.

All students at the Minto school were aware of the party's activity in building organisations among part-Aboriginals from the urban areas of Sydney and Melbourne, but few of us had heard of the complete plans for the future. In discussing it again recently with several who had attended the same classes, we commented to one another that at the time we had put the matter into the back of our minds, never expecting that twenty-four years later we would be discussing how close our former colleagues had moved towards achieving the results for which they had so long and patiently worked.

The Defence Question:

The Aboriginal "land rights" issue cannot be discussed without reference to defence, which is my primary concern. In an article headed "Australia's Next War our Defence Thinking Revealed", "The National Times" of March 22, 1981, presented a digest of an Australian Defence Department assessment known as the "Hamilton Report". "The National Times" said, "It (the report) says that a major power could consider that Australia might be prepared to lose some islands or relatively unpopulated parts of the mainland. In a passage reminiscent of the World War II idea that Australia would be prepared to lose the area north of Brisbane to the Japanese, the report says that a nuclear power could assess that an area north of a line from the North West Cape to Cairns could be 'less than vital to Australia's survival' and attacked without fear of nuclear retaliation . . . the Hamilton report also deals with the possibility of our forces being needed to put down an insurrection in Australia. In discussing 'the possibility of a coherent dissident movement which could escalate to armed insurgency', it says that Northern Australia would offer the most favourable rural environment . . . But it says that the dissidents would need outside support to constitute a real problem."

"The National Times" article, written by Brian Toohey, explained how the Hamilton report discussed the stage where "infantry weapons" could be used in "harassment actions."

Toohey continues, "It (the report) says that numerous targets would be available to the dissidents. 'It is conceivable that military manpower would be available in sufficient strength to provide adequate static defence for all prospective targets. Reliance would have to be put on mobile reactions with the 'skills of the Special Air Force Units, in particular in intelligence gathering, closely relevant'."

While the Hamilton report has been widely debated in defence department circles, the actual threat assessment has not drawn attention to known information on the Communist objective of using Aboriginal land rights areas turned into a separate nation flying the yellow, black and red flag as a symbol of a black nation, an objective being promoted by an army of radical activists in Australia and overseas.

The picture of a possible threat as outlined in the Hamilton report is not an abstract one. It cannot be divorced from the successes of Marxist activists who control organisations falsely claiming to represent Aboriginals, and the widely publicised propaganda against Australia in the United Nations and elsewhere. I know that the ultimate objective of the Aboriginal "land rights" campaign is military: to have created a separate black nation completely outside the laws of the Commonwealth, having the right to military ties with Communist countries, and capable of being used as a base of operations against the rest of Australia. While the general public may be excused for not studying the Communist text books concerning Communist methods of warfare, there is no excuse for the Federal government or their advisors claiming ignorance of Communist involvement in the Aboriginal "land rights" campaign, and the ultimate Communist objective.

In resisting the campaign for so-called land rights for Aboriginals, the Queensland government is in fact serving the overall cause of defence in Australia. The party political beliefs of Australians should be quite separate from the common interest in defending the nation. Those who believe there is some party political benefit to be gained by assisting the growing attack on the Queensland government, are helping to undermine the defence capacity of the nation. Discussion on the Aboriginal "land rights" issue must be elevated above party politics.

Experiences On The Reserves:

During my visits to Aboriginal reserves in the course of my professional duties on behalf of the Royal Australian Nursing Federation, I saw evidence of what

could be the shape of things to come. Known Marxists were at work. I saw for myself how law and order could easily break down. The Whitlam government was so concerned with the breakdown in Northern Territory Aboriginal areas that I was requested by Dr. Doug Everingham, Minister for Health in the Whitlam government, to meet with him and two senior medical officers of the Commonwealth to advise on how to re-establish law and order. I had previously been approached by nurses at Alice Springs and Darwin, and by officers of the health department in Darwin.

Dr. Everingham and his medical colleagues suggested to me and the Federal office of the Royal Australian Nursing Federation that we take industrial action by calling the nurses off the Aboriginal reservation at Yuendumu, 120 miles from Alice Springs, in an attempt to bring to the attention of the Australian public what was happening as a result of land rights legislation and the distorted approach by the Commonwealth Aboriginal Affairs Department in having police removed from Aboriginal reserves.

The RANF could not agree to the proposed action as it would have been a strike. We compromised by agreeing that the nurses at Yuendumu hospital be taken out of the area as a protest, but with a guarantee that health services for the Aborigines continue to be provided by other nurses flown in every day while the permanent nurses were away. Dr. Everingham and his medical officials explained to me how helpless they were because of the influence of people like Mr. Charles Perkins in the Commonwealth Aboriginal Affairs Department. It was clear that the Department had become more powerful than Cabinet, a situation which continues under the Fraser government, with Mr. Charles Perkins openly suggesting that there will be violence and bloodshed at the Commonwealth games unless the Queensland government agrees to his demands. I have seen no evidence that Mr. Perkins has been appropriately disciplined by the Prime Minister.

At Yuendumu and other Aboriginal areas in the Northern Territory I was requested by the Aborigines themselves to use the influence of the RANF to help them counter the disruptive influence of people like Charles Perkins, whom they claimed did not represent the Aboriginal people. I must record my great admiration for Australian nurses serving the Aboriginal people. What I learned from this fine body of women over six years confirmed my worst fears about the manner in which Communist activists were attempting to exploit the "land rights" issue. I must also record, because of the barrage of propaganda against the Queensland government, that nurses generally have told me that they have a very high opinion of the health services provided for Aboriginal people by the Queensland government.

I have mentioned the difficulties the Whitlam government had in dealing with Aboriginal issues and problems, to illustrate the urgent need for all political parties to put aside their differences in the interest of Australian security. It is dangerous for Federal political parties to try to use the Aboriginal "land rights" controversy to embarrass the Queensland government while themselves keeping quiet about the knowledge they have of left-wing agitation and disruption created in the name of land rights for the Aborigines.

A Long-Term Strategy:

The long-term Communist strategy against Australia has, in recent times, been a type of open secret. An intelligent reading of newspaper reports makes it clear what is proposed.

The Soviet-manipulated World Council of Indigenous Peoples' Conference in May of last year, called for economic and political sanctions against Australia on the fabricated charge that this nation denies "the freedom and rights of the indigenous people." The Council has announced its intention to continue its attack on Australia in the United Nations. On September 10 of last year, wide coverage was given in the Australian and overseas press to a statement by the Chairman of the Aboriginal Conference, Mr. Jim Hagen, after a Geneva conference. "The Age", Melbourne, of that date reported: "Mr. Hagen returned from Geneva confident of the support gained from U.N. members. He said he was delighted with the response from the U.N. and the media and would recommend that the conference establish continuing communications with the United Nations . . . He also said that the conference would consider appealing to the U.N. in any future deadlocks over the land rights issue."

"The Age" also reported that Communist Vietnam was keen "to become involved in the land rights issue in Australia. Aborigines have found they can count on international friends and supporters for assistance in their struggle."

The "land rights" campaign leading up to the Commonwealth games is designed to create a situation in which increasing Communist pressure can be brought to bear upon Australia through the United Nations. Like all Communists, I was taught in the early days of the United Nations how this international organisation would be used to advance International Socialism. Stalin let it be known that he warmly welcomed the establishment of the UN and affiliated international bodies like the United Nations Educational and Cultural Organisation. At one Minto Communist training school we had special lessons on the significance of the United Nations from the Marxist-Leninist viewpoint. One brochure we studied was by Dr. Burton of the External Affairs Department at Canberra, at that time the late Dr. H. V. Evatt being the Minister.

I would assess the U.N. as now being the most successful international Communist "front" organisation ever established. And events have confirmed the early Communist view that the Western powers could be relied upon to provide most of the finance for this international organisation. It has been another example of the West demonstrating the truth of the Lenin dictum that it would provide the rope for its own hanging.

Graphic confirmation of my assessment of the U.N. has been provided by former top U.N. official from the Soviet Union, Mr Arkady Shevchenko, who defected to the West early in 1978. The one-time Under Secretary General of the U.N. described the international organisation as "the tallest observation tower in the world for the intelligence activities of the Soviet Union" (vide "Weekend Australian", 29-30/9/79).

I must confess that in my early days of studying the Communist strategy for exploiting the Aborigines, that it did appear unrealistic that the Communists would reach the stage where a separate state for the Aborigines would become a possibility. But the long-term Communist strategy has been so successful that at the Second National Conference of the National Aboriginal Conference, held in April, 1979, it was formally demanded that a "Treaty" between the Aborigines and the Commonwealth be arranged. Immediately following this an Aboriginal Treaty Committee emerged, chaired by Dr. H. C. Coombs, one time economic adviser to a number of Commonwealth governments, a former chairman of the Reserve Bank, and a Fabian Socialist product of the London School of Economics, where he was warmly praised by the late Marxist Professor Harold Laski. This development was openly welcomed by the Communists.

But I must stress that the great majority of those who have given public support to the Treaty concept are not Communists. The fact that large numbers of those supporting this strategy are not Communists—in fact some genuinely believe they are anti-Communists demonstrates once again how successful Communists have been in advancing Lenin's famous teaching of how to use people whom he referred to as "useful idiots" During my own days in the Communist movement I learned how relatively easy Communists can exploit the idealism and misguided views of non-Communists. Many politicians are, unfortunately, just as easy to mislead as other less prominent citizens. The steady global Communist advance over the past sixty years has been achieved primarily by exploiting misguided and ill-informed idealists. Castro did not come to power in Cuba proclaiming he was a Marxist-Leninist. He promoted himself as an "agrarian reformer" The media in the U.S.A. also presented him in this way, as did officials of the American State Department.

Prime Minister Fraser may believe that by supporting his version of Aboriginal "land rights" he will prevent Australia from being labelled internationally as a "racist" nation. He is tragically wrong. By attempting to pressure the Queensland government to make concessions to the radical activists, he is aiding a strategy which must eventually lead to an open revolutionary situation. Anyone with even a nodding acquaintance with the history of Communism should not be surprised at the Communist exploitation of the Aboriginal question. As early as 1922 the Fourth Comintern Congress was concerning itself with how to attack the Western European powers through the fostering of "anti-colonial" movements. The Negro question in

the U.S.A. was discussed. Stalin's text book on "The National Question" spelt out clearly how the Communists should work. What has happened in Australia is the application of classical Communist teaching.

Bewildered Australians who ask how can Communists justify support for policies which seek to partition Australia in a type of "apartheid" when they oppose a similar policy in South Africa, do not understand Communist dialectics. Three European nations have tried three separate approaches to the race issue in Southern Africa. The Portuguese advocated complete integration, a policy of "assimilado", the Rhodesians a form of partnership, and the South Africans separate development. All three were attacked by International Communism. Backed by the Soviet Union, the Communist Party in the United States have advocated the establishment of a number of black Negro States in the South.

Communist dialectics permit Communists to support whatever policy is felt most likely to advance Communist strategy, even if that policy contradicts what is being advocated elsewhere.

Growing Communist Influence:

There is a widespread and extremely dangerous view that because Marxists in Australia are divided into three groups, and because the membership of Communist parties has declined since the end of the Second World War, there is no real Communist threat to Australia, except perhaps through several unions. Those attempting to raise the Communist question are subjected to the smear technique. They are "red baiters" and are "seeing Communists under the bed." As a former Communist I well understand how the smear technique is used. It must be fought. I have no hesitation in saying that Marxist influence in Australia has never been greater, and, unfortunately, is growing.

The Communist exploitation of the Aboriginal "land rights" programme is a striking illustration of growing Communist influence, as is a similar influence in steering conservation and environmental organisations to help strangle mining and industrial development. All reasonable people are conservationists, and large numbers of people concerned about the misuse of the environment are sincere. But as I have said, the Communists are experts at exploiting the sincerity of non-Communists.

I have watched with dismay the growing Marxist influence amongst school teachers and others involved with education. But just as disturbing is the Communist influence through the media, which has played a major role in misleading large numbers of Australians on the Aboriginal "land rights" issue. The media generally publicises the statements and activities of radical activists in a way to suggest that they are representing the Aboriginal people, which they don't. The Communists cynically regard the Aboriginal people merely as pawns to be used to advance their revolutionary programme.

I could provide large numbers of the role of the media in helping advance Communist strategy through the Aboriginal "land rights" programme, but one will be sufficient to support my claim.

Miss Pat O'Shane, head of the newly created NSW Department of Aboriginal Affairs, has been widely publicised as Australia's first Aborigine to become a barrister. A typical media presentation of Miss O'Shane appeared in "Women's Day" of January 27, 1982. Now "Women's Day" is not a Communist journal, but in an article entitled "Fighting for her people", Debbie Coffey presents a eulogy of Miss O'Shane without the slightest hint of her real background. She leads off by telling her readers that Miss O'Shane's NSW appointment "means she can fulfil her lifetime ambition—to re-establish the rights of her people." It is intellectually dishonest to represent part-Aboriginal radical activists from urban areas as representatives of the Aboriginal people of the Northern Territory and elsewhere. They are no more representative of the Aboriginal people than are white Communists representative of the white Australian community.

Miss O'Shane is the former wife of the North Queensland part-Aboriginal activist, Mr "Mick" Miller, and has a long record of involvement in pro-Communist activities. She has been involved with the Soviet front organisation, the Congress for International Co-operation and Disarmament and was prominent in activities against visiting American nuclear warships. She was a delegate to the Nuclear Free Pacific

Conference in May, 1960. The December, 1980, edition of "Outlook", the radical Christian journal, reveals that Miss O'Shane has been a member of the Church's Task Force on Aboriginal Land Rights.

In 1977 Miss O'Shane's booklet, "Law In Disorder Politics, the Police and Civil Liberties", was published by the Queensland State Committee of the Australian Communist Party. In 1980 she attended the Labor and Communist Movement Conference. She has written for the Communist "Tribune".

"Tribune" reports that on October 5, 1981, a delegation had met the Hon. Frank Walker of the Wran NSW Government, and nominated Miss O'Shane to become head of the new Department of Aboriginal Affairs. Miss O'Shane was subsequently appointed at \$48,000 a year. This is another example of Australian taxpayers financing Marxists in government positions to advance Marxist programmes. As one who has developed a deep affection for the Aboriginal people, I have been particularly shocked to note how part-Aboriginal radical activists with little or no expertise in health matters are being appointed to government health organisations. Australian taxpayers are now financing an army of radical activists working to advance a revolutionary programme. The old concept of Communists organising to seize control of a nation's key institutions in a crisis, has been by-passed since the Italian Communist Gramsci, following the advice of Lenin about capturing the minds of the student intellectuals, advanced the strategy of peaceful penetration of these institutions by Marxists recruited at Universities. It is similar to the Fabian Marxist policy of "Sovietisation by Stealth." Large numbers of those Marxists who have penetrated our institutions are not members of any Communist party. Communists are involved in conspiratorial activities, as witnessed by the fact that well known traitors like Kim Philby and others were never formal members of a Communist Party.

The divisions amongst Australian Communists are more apparent than real, as witnessed by the manner in which they unite at ACTU Conferences and State Trades and Labor Councils to further Communist objectives, and to seek the defeat of policies put forward by non-Communist union officials like myself. There is complete unity amongst all Communists on the Aboriginal land issue. They all understand the far-reaching implications of the campaign on this issue.

Conclusion: Without attempting to over-dramatise the Aboriginal "land rights" issue, I can only attempt to warn my fellow Australians that the very future of Australia is at stake. Just as the Communist-promoted campaign in New Zealand during the Springbok tour badly divided the New Zealand people, with men and women of goodwill being so misled that they found themselves on both sides, I fear that the Aboriginal "land rights" question, and the campaign against the Commonwealth games, is going to be used to confuse and divide Australians. I know that the Communist strategists are hoping that the Queensland Government can be forced to retreat, primarily through pressure from the Federal Government. It is hoped to so isolate the Queensland Government that even Queenslanders may become confused to the stage where they join in a campaign calling upon the Queensland Government to be "reasonable." I have seen it all before and I know what is coming.

Only by a complete and effective exposure of the Communist strategy behind the "land rights" issue can Australians be united against the revolutionaries. This statement is made in the hope that it may contribute towards alerting the Australian people to the realities of the situation.

Geoff McDonald.

Mr BJELKE-PETERSEN: I received the document attached to a letter from Mr McDonald late last month. The letter was unsolicited. The document attached to it is signed by Mr McDonald on every page in the form of a statutory declaration. I invite and urge all honourable members to give their attention to the document.

I have long maintained that the so-called "land rights" campaign was a misnomer—a fabrication to mislead the unsuspecting. Legally and constitutionally, every Queenslanders and every Australian has land rights—the right to buy and sell and own land. The

radical city-based land rights campaigners want something much different—sovereignty over land based on race, and special privileges quite different from those enjoyed by the community at large.

The push for this sovereignty was clearly demonstrated at the week-end in an advertisement authorised by Dr H. C. Coombs who is known for his views in favour of the advance of international socialism. Mr Speaker, I table the advertisement, which was inserted in the "Weekend Australian" of 27-28 March 1982, in the magazine section at, page 7, for the information of honourable members.

Whereupon the honourable gentleman laid the advertisement on the table.

It calls for a treaty, a separate agreement for Aboriginal Australians. It follows the theme which began with the first tent "embassy" in Canberra. An embassy is a point of contact for a separate nation. I am sure that all honourable members know that, or they should know it. The campaign for separatism was continued in the image of the yellow, black and red flag which was raised when a land grant was handed over recently in South Australia—no other flag was displayed—depicting an emerging nation within a nation. That is the theme. That is the objective. They will achieve it very quickly unless the people of Australia wake up.

The whole theme is being emphasised in a tidal wave of cleverly timed, well-orchestrated publicity, including the release in recent weeks of two books, all designed to direct the public mind towards the emotive aspects of the land rights issue while ignoring all evidence of the true intent of the movement.

Mr Casey: You are having a nightmare.

Mr BJELKE-PETERSEN: The Leader of the Opposition will have one if we do not do something about this problem.

In the document I tabled earlier, Mr McDonald demonstrates a clear distinction between the true aims of self-promoted activists supporting the land rights movement and those with a genuine interest in the welfare of Aboriginal and Islander people.

In essence, Mr McDonald states—and I agree—that the objective of the radical land rights movement is to create a separate black nation, outside the laws of Australia, capable of contracting with overseas nations hostile to Australia in the future.

At this point I table a letter that I received recently from one of Queensland's most prominent citizens, Lady Phyllis Cilento.

Opposition Members interjected.

Mr BJELKE-PETERSEN: Opposition members can laugh. I am not concerned about their laughing. They have never recognised their responsibilities to the State or the nation.

I seek leave to have the document incorporated in "Hansard".

(Leave granted.)

Whereupon the honourable gentleman laid on the table the following document—

Phyllis D. Cilento, M.B., B.S.
Telephone 370 7288

"Altavilla,"
56 Glen Road
Toowong
Brisbane, Qld. 4066
6-3-82

Dear Mr. Bjelke-Petersen,

This is a personal letter to tell you what my husband Sir Raphael told me confidentially when he returned from United Nations in 1950-51. He had learned from some of his undercover associates of a Communist long range plan to alienate Aboriginal lands from the Australian nation, so that a fragmented north could be used for subversive activities by other countries as well as for guerilla training centres plus coloureds from other countries. This plan is now coming to fruition!

The sentimentalists and left leaning academics are all brain washed and blinded to the real issues.

I am telling you this to strengthen your determination to maintain control over our own country—especially vulnerable Queensland.

The Russians are not the best chess players in the world for nothing!

Sir Raphael and I would like to congratulate you on your unshakeable principles and political understanding of the situation.

With regards,
Yours sincerely,
Phyllis Cilento

Mr BJELKE-PETERSEN: The letter serves to reinforce the view just expressed. In part it tells of a Communist long-range plan to alienate Aboriginal lands from the Australian nation so that a fragmented North could be used for subversive activities by other countries. This plan is now coming to fruition.

The tragic aspect is that Canberra fell for the ploy, although it is now having second thoughts. I have spoken to the Prime Minister on many occasions about this issue. Canberra has handed over wide areas of the Northern Territory, including large tracts of coastal land. A total of 46 per cent of the Northern Territory is now either granted to this group of Aboriginal activists or is under claim.

Mr Moore: That's shameful.

Mr BJELKE-PETERSEN: Yes. An Australian map today has many areas marked on it that no longer belong to Australian citizens.

I am the first to agree with Mr McDonald that the vast majority of people who have given their support to the concept of separate land rights are not Communists or Left-wing extremists. But they do not see the bottom line as it will affect themselves and their families. I can only use this forum to urge them to look more deeply into the motivation behind the land rights cause. The question is not about land rights; it is about the defence and security of this nation.

I appeal to organisations such as the RSL to acquaint themselves with the true issue and place their weight of support behind those who are prepared to speak out and alert Australians to the threat ahead.

As Mr McDonald suggests, all Australians should ask how Communists and Left-wing land rights campaigners can justify support for policies which promote a type of apartheid in this country when they are openly hostile to a similar policy in South Africa. It is hard to comprehend how they can espouse the cause of apartheid in this country by setting land and people apart from each other.

Clearly, their motivation is to cause disruption and division within the Australian community. It is known that this disruption will be organised to coincide with the Commonwealth Games in Brisbane. Their goal is long term. The goal is the prize of political control of Australia—our heritage and our future.

Mr Speaker, I make this statement today in good faith, for the record and for history. History will show its truth, in the not too distant future, unless Australians wake up to what is going on before their eyes and behind their backs.

COMMITTEE OF SUBORDINATE LEGISLATION Twelfth Report

Mr POWELL (Isis): I lay on the table of the House the twelfth report of the Committee of Subordinate Legislation, and I move that it be printed.

Whereupon the report was laid on the table, and ordered to be printed.

PERSONAL EXPLANATION

Mr JENNINGS (Southport) (11.23 a.m.), by leave: I have been misrepresented. Mr Colin Lamont, the president of the Queensland Registered and Licensed Clubs Association, has sent a letter to clubs on the Gold Coast, in which he states—

“Doug Jennings has constantly gone into print in the Gold Coast Bulletin stating that Clubs do not want poker machines.”

Mr Lamont requests in the letter that “as no clubs are contradicting Mr Jennings that they should proceed to do so”.

The claim by Mr Lamont in this letter is completely untrue, as at no time have I gone into print in the "Gold Coast Bulletin" myself. It would be too difficult to achieve. I have certainly written many statements and letters which have been printed—some in full, some in part, and some probably went into file 13. At no time—not even once—have I ever stated that clubs do not want poker machines, but Mr Lamont insists that I am constantly doing it. Maybe I can't write or he can't read, or maybe it is the old stunt—if you are going to tell a lie, make it a whopper and more people will believe it.

In this letter to the clubs Mr Lamont tells a straight-out untruth and then attempts to incite decent officials of the clubs on the Gold Coast to support his calculated attempt to deceive club members and others publicly about what I have said in relation to that fascinating legalised pickpocket machine in New South Wales that is called the poker machine. The fact that poker machines are a rip-off does not excuse Mr Lamont from trying to rip off the decent club officials on the Gold Coast, who he purports to represent. He is being dishonest or foolish, or both, and does not do service to his position as president of the Registered and Licensed Clubs Association of Queensland.

Maybe there is some excuse, as he no longer has his mentor and adviser, Mr Ted Vibert, who was the executive director of the Australian Club Development Association, to provide him with bullets to fire. So he has now had to dream up a few of his own.

Mr Vibert, of course, accuses anyone who opposes poker machines of being in the pocket of someone else. He probably judges others by his own methods of doing business. He has admitted that he and his association, of which Mr Lamont is the Queensland President, have financial interests in seeing that poker machines are introduced into Queensland because of the high rewards they will obtain for themselves. He has stated—

"I am a poker machine consultant—a sort of Club Doctor, if you like—and I have been dubbed the man with the Golden Arm."

I do not think anybody could argue with that. His arm is so golden that currently the New South Wales Police Task Force, which is investigating organised crime in clubs in New South Wales, has charged Mr Vibert with obtaining \$117,050 by embezzlement from the Ettalong Beach War Memorial Club in May 1980.

Mr Vibert has said, with a degree of understatement—

"My job is to promote the introduction of poker machines in States that do not have them. It is a job which meets with a lot of opposition at times."

Mr SPEAKER: Order! In the initial stages I was convinced that the statement by the member for Southport conformed with the requirements of the House in relation to a personal explanation. I feel now that he has moved away from that course, and unless he has some immediate inferences to which he intends to refer, I will not hear him further.

Mr JENNINGS: I will conclude very briefly.

I have the greatest respect for the presidents and officials of the many clubs on the Gold Coast, most of whom are volunteers. They all do an incredibly good job, and I think it is a great pity that they have allowed themselves to be aligned with people such as Mr Lamont and Mr Vibert.

PETITION

Class Sizes

From Dr Scott-Young (254 signatories) praying that the Parliament of Queensland will reduce classes to the sizes recommended by the Ahern committee.

Petition received.

QUESTIONS UPON NOTICE

1. New Coalfields, Central Queensland

Mr D'Arcy asked the Premier—

With reference to the vast new coal areas in Central Queensland which the Government recently decided to open up by calling for expressions of interest—

(1) What is the rationale behind this move, given depressed international demand and squeezed prices?

(2) Will not this move lead to a potential over-supply situation for Queensland coal producers?

(3) Is he aware of remarks by Mount Isa Mines that it was not interested in further coal developments at this time?

Answer:—

(1) This step is being taken to enable the development of the Queensland coal trade to gain full advantage of the future coal demands of the European market.

It is the Government's intention to maintain and foster the development of Queensland's energy resources, and given the current period of easing in world energy demand, it is appropriate to reassess future strategy for development of this State's energy resources. Registration of expressions of interest is part of that forward-planning process. We must be in a position to meet demands from all sectors of the export market whilst encouraging the greatest possible level of processing Queensland's resources here in Queensland.

(2) Large coal-mining operations cannot be developed overnight. Long lead times are involved not only in the construction of the projects, but also in providing infrastructure such as rail, water-supply and township and a major deep-water port. The coal areas for which expressions of interest have been sought will not become producing mines instantaneously.

(3) MIM Holdings Ltd is currently committed to spending huge amounts of capital in connection with its Newlands/Collinsville project and I am not surprised that the company does not wish to enter into new commitments at this time.

2. Women's Shelters

Mr Powell asked the Minister for Welfare Services—

(1) How many women's shelters are operating in Queensland?

(2) What percentage subsidy does the Government give to those shelters?

(3) How much money will be spent this financial year on women's shelters?

(4) Is any change in funding arrangements likely in this year's Budget?

Answer:—

(1) I thank the honourable member for raising this matter and for the special interest he has taken in the women's shelter in his electorate.

The Department of Children's Services has funded 21 women's shelters under the Women's Services Program during the current financial year.

(2) Under this program, approved women's shelters are provided with grants of up to 87½ per cent of approved operating costs and up to 75 per cent of approved capital costs.

(3) An amount of \$668,270 was provided in the Department of Children's Services 1981-82 Estimates for grants to approved refuges and it is anticipated that all of those funds will be expended.

(4) The possibility of the inclusion of additional women's refuges under the Women's Services Program or a variation of the presently existing funding arrangements under the program will be considered when the Budget is being framed.

3. Teen-age Employment

Mr Akers asked the Minister for Employment and Labour Relations—

(1) How many 1981 school-leavers have been employed?

(2) How does the general position of teen-age employment in Queensland relate to that in other States?

Answer:—

(1 & 2) 33 800 15 to 19-year-olds left school in Queensland during 1981. Of this number, 17 900, or approximately 53 per cent, had found employment by the middle of January 1982. Although comparable figures are not available for other States, the

percentage of 15 to 19-year-olds for Australia who left school during 1981 and who found employment by the middle of January 1982 was 49.6 per cent. This reflects an employment rate for school-leavers aged 15 to 19 years in Queensland well above the national average.

The unemployment rate for teenagers in Queensland is the lowest in Australia on a State-by-State basis according to the latest figures available from the Australian Bureau of Statistics on unemployment for February 1982. (I refer to Catalogue No. 6201.0.)

4. Albany Creek High School

Mr Akers asked the Minister for Works and Housing—

(1) Will he, in consultation with the Minister for Education, take all possible action to ensure that the second stage of Albany Creek High School is completed prior to the 1983 school year so that the disruption to the school which occurred this year is not repeated?

(2) Will he, in order to compensate for that disruption and to ensure the safety of students at the school who now have to cross a major road or play in the jungle, give urgent priority to the provision of sporting fields at this school?

Answer:—

(1) Tenders for the second stage of the Albany Creek State High School will be called on Saturday, 3 April 1982, closing on 28 April 1982. This work includes the construction of an arts and craft and commerce block and a natural science and maths block. The intention is that this accommodation will be available for the commencement of the 1983 school year.

(2) The provision of a standard type 'C' oval would have to be considered in order of priority with other new high schools, some in their fourth year, which have not yet been provided with an oval due to the unavailability of sufficient funds for this purpose. In the meantime, the district office is being requested to investigate the possibility of selective clearing of parts of the site to place them in a usable condition for playing purposes.

5. Daylight Saving

Mr Akers asked the Minister for Mines and Energy—

(1) Is he aware that the New South Wales Government has extended daylight saving in that State in order to alleviate the disastrous electricity supply situation?

(2) What savings would accrue to electricity users in Queensland if daylight saving were introduced here?

(3) In order to steady the rising cost of electricity in Queensland, will he endeavour to have daylight saving reintroduced?

Answer:—

(1) Yes, I am aware that daylight saving has been extended in New South Wales.

(2) It is unlikely that there would be any savings in electricity costs, simply because power-stations have to be installed to cater for the winter peak loads which are not affected by daylight saving.

(3) See (2).

6. Colwal Pty Ltd

Mr Hooper asked the Minister for Justice and Attorney-General—

(1) What is so secret about the company Colwal, engaged in a controversial high-rise at Burleigh Heads, that prevents its shareholders being disclosed?

(2) Will he take action immediately to procure the full shareholding of this highly suspect company and make it available to the House, and the media, before the House goes into adjournment?

Answer:—

(1 & 2) The register of members of any company is, pursuant to section 153 (2) of the Companies Act 1961-1981, open to inspection by any person on payment of

the specified fee. Details of the names and addresses of members of Colwal Pty Ltd and the shares held by each and other relevant particulars should therefore be readily available to the public.

The annual return of the proprietary company, which is required to include a list of shareholders, was due to be lodged on or before 5 January 1982. Unfortunately it frequently occurs that annual returns of companies are received late. I am advised by the Commissioner for Corporate Affairs that this is the case with the annual return of Colwal Pty Ltd, which has yet to submit its first annual return.

7. Imports of Pineapple Products

Mr Hooper asked the Minister for Primary Industries—

With reference to his reply to a question from the member for Callide on 23 March in relation to imports of pineapple products—

(1) How many submissions have been made to the IAC by his department in the past five years seeking assistance or protection for persons or companies engaged in food processing?

(2) For which industries was assistance and protection sought and what was the nature of the requested assistance or protection?

(3) Does the Government have any plans to withdraw financial subsidy schemes and assistance plans which protect Queensland's primary industries from import competition?

(4) Notwithstanding the submissions made to specific IAC inquiries, was the need to protect Queensland's industries presented to the recent inquiry by the IAC into general reductions in protection?

Answer:—

(1) In 1980, my department presented evidence to the IAC in relation to the commission's inquiries into fruit and fruit products and ginger and ginger products. In addition, my department has also provided submissions to the IAC inquiries into the citrus and deciduous fruit industries in 1977 and 1979 respectively.

(2) With respect to the fruit and fruit products inquiry, my department presented evidence in relation to the strawberry, passionfruit, pineapple, apple and pear, papaw, melon and kiwifruit industries in Queensland. The thrust of my department's submission in this inquiry related to the application of an ad valorem duty on the products under reference. For items such as frozen strawberries and passionfruit, my department requested the commission to examine the need for a level of tariff assistance above 10 per cent ad valorem.

In relation to the inquiry into the citrus industry, my department requested that an ad valorem tariff of 30 per cent be applied to imports of orange juice. For ginger, my department requested that imports of syruped and crystallised ginger be subject to an ad valorem duty of 10 per cent while imports of dried ginger products be assisted by way of a specific duty tariff which would ensure protection for the domestic industry from cheap imports. For the apple and pear industry, my department requested that the Commonwealth's Apple and Pear Export Stabilisation Scheme be continued beyond 1980.

(3) The question of protection from imports for primary industries in Australia is very much a matter for the Commonwealth. My department will continue to make submissions to bodies such as the IAC to ensure that the views of Queensland's primary industries are well represented in such forums.

(4) My views on the need to protect Queensland's primary industries have been presented to the Commonwealth Minister for Primary Industry at the Agricultural Council for transmission to the Commonwealth Government who will make the decisions on these matters.

I had hoped to present my specific concerns regarding the pineapple canning industry to Commonwealth Government Ministers during the recent visit of Federal Cabinet to Brisbane. Unfortunately, I was unable to do so because of prior

commitments; however, I arranged for a deputation to meet the Deputy Prime Minister so that the Commonwealth Government should be in no doubt regarding the problems facing this important industry.

8. Public Transport, North Ward/West End Area, Townsville

Dr Scott-Young asked the Minister for Transport—

Following the recent cessation of the West End bus service, what is the situation regarding public transport services in the North Ward/West End area of Townsville?

Answer:—

Prior to cessation of services by the West End Bus Service on the 11 December 1981, invitations were invited by public advertisement on a nation-wide basis for a licence to provide and carry on a service in areas vacated by West End Bus Service. Several applications were received; however, the application considered to be the most advantageous in the public interest was that lodged by Campbells Coaches Pty Ltd, of Mt Isa. That company was authorised to commence a public passenger service in the vacated areas on and from 12 December 1981, so there was no disruption for the travelling public.

Departmental officers have reported public satisfaction with the improved standard of buses provided by Campbells Coaches Pty Ltd. These vehicles are achieving faster trip times than buses operated on the previous service, and I am also informed that there has been an increase in patronage, apart from schoolchildren, of some 43 per cent. Officers of the Department of Transport are monitoring the new service and, in conjunction with the operator, will make minor adjustments, where considered necessary, to ensure that the highest possible level of service is achieved. The interest of the honourable member and the support he has given towards improving urban services in Townsville is very much appreciated.

Mr SPEAKER: Order! There is too much noise in the Chamber. If members are desirous of having conferences with other members, I suggest that they move outside.

9. Working Days Lost through Industrial Disputes

Dr Scott-Young asked the Minister for Employment and Labour Relations—

(1) How many working days are being lost in Queensland each year through industrial disputes?

(2) Is the ratio of working days lost to the size of the work-force increasing or decreasing, and is Queensland's industry any more prone to industrial disputes than other States?

Answer:—

(1 & 2) The following table addresses the first part of the member's question—

—	1978	1979	1980	1981
Working Days Lost (000's) (Queensland) (a)	360.3	467.9	618.7	465.9
Labour Force (000's) (Queensland) (b)	950.4	961.9	998.1	1 029.32
Working Days Lost Labour Force (Ratio) ..	0.38	0.49	0.62	0.45

Source (a) ABS Bulletin Labour Statistics 1980.

Source (b) ABS Bulletin Catalogue No. 6202.0—The Labour Force (1970-1981 calculated as average of March, June, September and December quarters).

Interstate comparisons in this area are difficult. An analysis of the operation of industrial relations as the result of efforts of employers, unions and the State

tribunal would require an analysis of a measure of disputes disaggregated at State and Federal award level, but this is not available. Total State figures can be distorted by a national strike under a large Federal award.

An analysis based on the above ratios ignores the relevance of such Federal area disputes and non-industrial stoppages, such as the coalfields tax strike, which was in effect a strike against the Federal Government, but still has a detrimental impact on the Queensland economy. Different industries also have different dispute patterns and, given the varying sector structure from State to State, there is an inherent problem. However, it is safe to say that the industrial relations system under State awards is highly regarded. Relatively, the dispute level is low with the Industrial Conciliation and Arbitration Commission being very mobile and able to act promptly to minimise the impact and duration of disputes.

10. Loss of Jobs in Printing Industry

Dr Scott-Young asked the Minister for Employment and Labour Relations—

With reference to a recent media report in which he was quoted as saying 3 000 jobs were being lost in the Australian printing industry because many publishers were getting books and magazines printed in Asia—

(1) If this is so, what is the extent of the printing work being done overseas?

(2) Is this practice confined to private publishing firms, or has it spread to any Government or Government-operated authority?

Answer:—

(1 & 2) Yes, the report was correct. I have been advised by publishing sources that last financial year approximately \$160m was spent with Asian printers by Australian publishers in the production of Australian books, magazines and other material.

The industry sources calculated that if all of this work was carried out in Australia, it would mean an extra 3 000 jobs in the printing industry. The argument that cheaper labour costs make it more worth while to print Australian material in Asia does not stand up any longer. The technology now available within the Australian printing industry and the standard of work produced is second to none. I am advised that if some of the large volume jobs had been given to Australian printers to be carried out in Australia there would be very little difference in cost.

It is difficult to determine whether this practice of ignoring Australian printers in favour of Asian printers is confined to private publishing firms. Although the title pages of some glossy magazines give credit to everyone from the type-setter to the research officer, they coyly do not indicate who actually printed the journal.

Perhaps the reason in such cases is that the publisher does not wish to highlight the fact that non-Australian printing companies are reaping the fruits of the business.

11. Renal Dialysis Unit, Cairns

Mr Menzel asked the Minister for Health—

Will consideration be given to installing a kidney dialysis machine in the Cairns Base Hospital, as at present patients in far north Queensland must fly to Townsville twice per week for treatment?

Answer:—

There is insufficient demand for a renal dialysis unit at Cairns. There are not sufficient patients to justify the establishment of the extensive and very expensive infrastructure required. This would involve the provision of the services of renal physicians, specially trained nursing staff and hospital technicians, as well as servicing arrangements for expensive machines and equipment.

12. Refusal of Leave to Participate in Sporting Events

Mr Yewdale asked the Minister for Education—

With reference to a decision by his department whereby Mrs Sue Martin, a Rockhampton teacher within his department, has been refused leave for a ten-day period to attend the World Body Building Titles in Las Vegas, USA, and as this refusal of leave has also applied to her husband, who is her coach in the sport and is also a teacher in the State Education Department, and to a similar case applying to two Central Queensland Rugby League players who applied for leave to play football in the Winfield State League and were also refused on the basis that they were not representing the State—

(1) Who made the decision not to grant leave to these people and on what grounds?

(2) Do both his department and he himself not recognise Australian title holders and, in fact, not recognise body-building as a major sport?

(3) How does he or his department expect sportsmen and women to play sport for their State when they are not allowed leave to participate in trials for State selection?

Answer:—

(1) The decision not to approve leave of absence for Mr and Mrs Martin was made in my department after consultation with and advice from the Public Service Board. The honourable member might note that their applications for leave extended the Easter vacation by a further two weeks.

(2) Body-building is not accepted by my department as a major sport, even though the attainments of individuals involved in such activities are praiseworthy.

(3) Teachers are employed to work in schools under the provisions of the Public Service Act. The honourable member will understand that the first responsibility is to the children in our schools. In this context, I am not prepared to accept that a teacher in any part of the State can expect leave as a matter of course to meet his personal sporting commitments. Consideration is given to leave for teachers selected in State or Australian teams for major sports. The honourable member will surely appreciate that for the sake of pupils there are limits to leave opportunities which can be made available.

13. Appointment of Mr Jack Lacey as Mediator in Power Industry

Mr Yewdale asked the Premier—

With reference to his recent answer to my question relating to Mr Jack Lacey and his position with the Government—

(1) What is the actual date of Mr Lacey's termination of his appointment?

(2) What are the actual expenses paid to Mr Lacey and what are the specific types of expenses incurred?

(3) As he indicated that Mr Lacey was being paid on an hourly basis, what are the number of actual hours submitted by Mr Lacey on a weekly or fortnightly basis since he has been employed?

(4) Apart from his comment regarding Mr Lacey's involvement in negotiating an agreement within the power industry, what other achievements has he attained since his appointment?

Answer:—

(1) No date has been set. Mr Lacey will cease work when he has completed his task.

(2) Mr Lacey has been paid actual expenses incurred totalling \$1,706.70 and including such items as mileage allowance, parking charges, accommodation and meals, telephone calls, air fares and taxi fares.

(3) I reiterate my previous answer. Mr Lacey has been paid remuneration of \$11,385 for a total of 253 hours.

(4) The honourable member's question reflects his dismal understanding of industrial relations. I indicated to the honourable member in my answer to him on 23 March that an agreement had been reached on pay and conditions for power-station operating staff. The member chooses to treat this as insignificant.

It should be plain even to members opposite—if that is possible—that an agreement such as this is a major step forward in resolving industrial relations in this troubled industry. Mr Lacey has since been involved on a review of supervising grades of employees and some other employees in power-stations. Inspections of North Queensland establishments have been carried out. I should remind members Mr Lacey is making a significant contribution towards a more settled situation in the power-generating industry in Queensland.

We want to avoid the mess that Mr Wran has got himself into in New South Wales. The situation in that State is a classic example of Labor Governments' inability to cope with unions and union members who have no regard for the well-being of the community.

14. Workers Compensation Board Offices, Rockhampton and Gladstone

Mr Yewdale asked the Minister for Employment and Labour Relations—

With reference to the Workers Compensation Board offices in Rockhampton and Gladstone—

(1) What are the staff numbers in each respective office and what are their particular classifications?

(2) How do the staffing figures compare with Public Service levels in these two particular offices of the board?

(3) What is the time taken to process workers' compensation claims from these offices and how does that compare with other Workers Compensation Board offices in the State?

Answer:—

(1) Staff numbers—Rockhampton 20, plus 1 temporary position—Gladstone 6.

A review of the Gladstone branch has recently been conducted. As a result it is proposed to recommend to the Public Service Board that an additional position be provided.

Classifications—Rockhampton	..	I-5	1
		I-4	2
		I-2	3
—Gladstone	..	I-4	1
		I-1	1

(2) All district offices of the Workers Compensation Board of Queensland are staffed on the same basis. Time standards have been determined for the various activities undertaken in district offices. These standards are applied to the work-loads being experienced and staff levels are set accordingly. Staff levels in district offices of the Workers Compensation Board of Queensland are being regularly reviewed.

(3) Initial payment survey carried out at February 1982 reveals the following:—

Claims paid within 2 weeks of lodgment	Claims paid within 3 weeks of lodgment
Rockhampton .. 45%	70%
Gladstone .. 78%	91%
State Average .. 73%	82%

15. Bridge and Four-lane Road, Capalaba Area

Mr Goleby asked the Minister for Local Government, Main Roads and Police—

When will the bridge at present under construction over Coolnwynpin Creek at Capalaba be completed, and when will the four-lane road be completed to the intersection of Finucane and Old Cleveland Roads?

Answer:—

The bridge over Coolnwynpin Creek is regarded as part of the total project for extending the four-lane construction in Old Cleveland Road to the junction with Finucane Road. Early release of the road-works scheme is anticipated, and completion of the whole project by Christmas this year is envisaged.

16. Hypermarket, Aspley

Mr Goleby asked the Minister for Commerce and Industry—

With reference to the concern of the business community about the establishment of a hypermarket at Aspley, what action has been taken to date to allay the fears of the business community?

Answer:—

Only yesterday morning I discussed this matter on the telephone with the Federal Treasurer (Mr Howard). He told me he was keeping an open mind on this proposed investment by a South African company in hypermarket projects in Australia. He said that he was in no hurry to make a decision until he had been fully informed by the Foreign Investment Review Board and others.

In the meantime, I have directed the Small Business Development Corporation to prepare a report on this matter, which will be available next week. When I have that report I will have further communications with the Federal Treasurer, and I will keep the House fully informed of any future developments.

17 & 18. Proposed Ammonium Nitrate Plant, Wetalla

Dr Lockwood asked the Premier—

(1) Is Du Pont (Australia) Ltd required to produce an environmental impact study in support of its proposed ammonium nitrate plant at Wetalla in Toowoomba and, if so, what stage has the study reached?

(2) Will this report be published or alternatively will copies be made available in Toowoomba for public scrutiny, comment and objection?

(3) Will the Government order the plant to be designed to have empty vacuum tanks waiting to receive any noxious gases that would otherwise escape during plant shut-down or breakdown?

Answer:—

(1) For all major industrial development projects in Queensland developers are required to prepare an impact assessment based on guide-lines provided by advisory bodies. I am advised that Du Pont has commissioned a specialist consultant to undertake such a study.

(2) When completed, the study will be assessed by all relevant advisory bodies including local authorities, who may be affected by the project.

(3) This is a matter which would be addressed in the impact study based on the requirements of the Air Pollution Council of Queensland.

Dr Lockwood asked the Minister for Commerce and Industry—

(1) Is Cabinet approval required before Du Pont (Australia) Ltd can proceed with their ammonium nitrate plant proposed for Wetalla, Toowoomba?

(2) Have any alternate sites been considered in detail?

(3) Will the feelings of local people be taken into consideration before the final decision is taken on its commencement?

(4) Will he consider convening a public meeting in Toowoomba, with his officers, the officers of the Minister for Environment and that Minister to outline the Government's interest in the project, the concern for the people and the environment, to state the present position and hear the concerns of the people?

Answer:—

(1) Yes. The company will be required to have a detailed project impact statement prepared.

(2) Yes. A number of sites, including some in the Bajool, Emerald and Toowoomba areas, were considered in sufficient detail to enable the company to conclude that the proposed site for the project at Wetalla, Toowoomba, was the most economic.

(3 & 4) The Government's precedures for granting approvals to a major project are being followed. The advisory bodies' which include Government departments and authorities, local authorities and local members of Parliament, have been asked to comment on suggested guide-lines for an impact statement on the project. Following consideration and incorporation of the requirements of the advisory bodies, Du Pont (Australia) Ltd will be required to have consultants prepare the necessary project impact statement. This will then be forwarded to the advisory bodies for their consideration and the company will be asked as necessary to comply with their particular requests. The final project impact statement will then be considered by Cabinet before any final approvals for the project are given.

For the honourable member's information, I would point out that the project impact statement will consider, inter alia, the environmental, economic and social impacts of the project and the impact on existing infrastructure in the Toowoomba area.

Any public meeting to hear arguments about the project before the impact statement is complete and the impacts are known would, in my opinion, be premature.

19. Prediction of School Enrolments

Dr Lockwood asked the Minister for Education—

(1) Has migration to Queensland along with the increased mobility within Queensland of families with school-aged children created unexpected difficulties in the allocation of teachers to schools?

(2) Was the prediction of enrolments for the 1982 school year as accurate, by school and by class, as it was in previous years?

(3) How does his department gather data to predict enrolments?

(4) If it does not do so now, will he request that his department liaise with the family allowance section of the Social Security Department seeking to gain access to their data bank?

Answer:—

(1) The factors mentioned by the honourable member have created some difficulties in allocating teaching staff in certain areas of the State, but these were not entirely unexpected. The extent of the population gain due to migration was, however, much greater than anticipated, as was its effect on school enrolments. It is now estimated that the population gain due to migration in 1981 was 54 500, compared with 31 400 in 1980 and 12 400 in 1979.

(2) Enrolment predictions for the 1982 school year were less accurate than usual, owing to insufficient allowance being made for the effects of inward migration. However, revisions have already been made.

(3) My department has a comprehensive statistical data base for its enrolment predictions. This data base comprises statistics from the annual school census, special surveys of schools which are usually undertaken at the beginning of each school year, data from the Australian Bureau of Statistics, and estimates from the principals of individual schools.

(4) Officers of my department are well aware of the information held by the Family Allowance Section of the Department of Social Security.

20. Police Station, Deception Bay

Mr Frawley asked the Minister for Local Government, Main Roads and Police—

What progress has been made towards the establishment of a police station at Deception Bay?

Answer:—

The Police Department has a reserve at Deception Bay, but it is not considered suitable for the establishment of a future police complex.

Officers of the Police Department are currently conducting investigations with a view to determining the most suitable location upon which to establish a future police station in the Deception Bay area.

21. Subsidies to Caboolture Shire Council for Bribie Island Sea-wall Construction

Mr Frawley asked the Deputy Premier and Treasurer—

What subsidies have been paid or promised to the Caboolture Shire Council for the Bribie Island sea-wall construction for 1979-80, 1980-81, 1981-82?

Answer:—

Subsidies approved and paid to the Caboolture Shire Council towards the cost of the Bribie Island sea-wall are as follows:—

				Approved	Paid
1979-80	..	..	..	\$ nil	\$ nil
1980-81	..	..	..	110,000	20,384.09
1981-82	..	..	..	80,000	51,122.88

A further subsidy advance of \$46,844.37 is at present being processed.

22. Sand-mining, Fraser Island

Mr Hansen asked the Minister for Mines and Energy—

With reference to the statement by the Australian Prime Minister, Mr Fraser, that he had no intention of reversing his decision of 1976 to close down sand mining on Fraser Island—

(1) What recent approaches have been made by either the Queensland Government or himself to the Prime Minister to recommence sand mining on Fraser Island?

(2) Has he or his department provided the Prime Minister with any up-to-date information on Fraser Island that would confirm the Prime Minister's present stand?

Answer:—

(1) The Honourable the Premier and the Ministers for Mines at various times have approached and will continue to approach, the Commonwealth Government to reverse its unfortunate decision to prohibit sand-mining from certain mining leases granted by the Queensland Government on Fraser Island.

(2) Information provided to the Right Honourable the Prime Minister and the Commonwealth Government has detailed the adverse effects this decision has had on the sand-mining industry in Queensland and the economy of the Maryborough region, and this situation remains. The successful rehabilitation of areas mined on Fraser Island is now widely acclaimed.

23. Loans from Department of Commercial and Industrial Development

Mr Hansen asked the Minister for Commerce and Industry—

With reference to his recent reply to my question concerning guaranteeing of loans by his department where finance was not available from normal lending sources, were Queensland Cement and Lime Company, Katies at Beenleigh and Freedmans in this category before loans were arranged and guaranteed by his department?

Answer:—

Yes. All applicants for Government guarantees must have experienced difficulty in raising finance before support can be considered.

24. Transport of Fuel to Toowoomba

Mr FitzGerald asked the Minister for Transport—

(1) What are the names of fuel companies which transport fuel by rail to Toowoomba depots?

(2) What is the rail freight per litre on super petrol and on distillate transported from Brisbane to Toowoomba?

(3) What quantity of motor spirit, distillate and diesel fuel is transported to Toowoomba per annum?

Answer:—

I have been informed by the Commissioner for Railways that—

(1) Fuel companies which transport fuel by rail to Toowoomba depots are:

Amoco Australia Ltd;
Ampol Petroleum Pty Ltd;
BP Australia Ltd;
Caltex Oil Pty Ltd;
Esso Australia Ltd;
Golden Fleece Petroleum Ltd;
Mobil Oil Australia Ltd;
Shell Co. of Australia Ltd; and
Total Australia Ltd.

(2) The rail freight rate is \$21.70 per tonne. The number of litres per tonne depends on the specific gravity of the product and the ambient temperature. Generally accepted averages per tonne are 1 356 litres for super-grade motor spirit and 1 209 litres for distillate. At these averages, the rail freight costs per litre are 1.6c and 1.79c respectively.

(3) The quantity transported by rail Brisbane to Toowoomba for the financial year ended 30 June 1981 was 103 357 tonnes.

25. Interest Accruing to Minors on Compensation Trust Funds

Mr FitzGerald asked the Minister for Justice and Attorney-General—

(1) What annual statements of account are issued to minors who are beneficiaries of a trust set up following a court decision ruling on compensation as a result of a motor vehicle accident?

(2) Are annual statements sent out showing interest accrued?

(3) In the case of a 17-year-old beneficiary who is earning wages, can this person draw on his or her trust fund to the extent of tax due to be paid on the interest paid to the trust fund?

Answer:—

(1 & 2) It is the practice of the Public Trust Office when administering such funds to supply a financial statement of receipts and payments if requested by the minor, his parents or other guardian.

(3) The Public Trustee would normally agree to this course if the funds are held by him.

26. Prosecution of Butchers for Overcharging

Mr FitzGerald asked the Minister for Employment and Labour Relations—

With reference to a check by officers of the Weights and Measures Branch of his department which resulted in the discovery of cases where butchers allegedly were overcharging for pre-packed and pre-weighed meat parcels, have any prosecutions resulted from this action?

Answer:—

Yes.

—	Date	Fine	Reason
Brisbane Case A ..	11-11-81	\$30 plus \$19.75 costs of court	Overcharging for pre-packed or pre-weighed parcels
Case B ..	12-11-81	\$35 plus \$19.75 costs of court	Overcharging for pre-packed or pre-weighed parcels
Case C ..	3-3-82	\$100 plus \$22 costs	Overcharging for pre-packed or pre-weighed parcels
Cairns Case D ..	9-12-81	\$50 on each of two counts plus \$22 costs of court	(1) Overcharging for pre-packed or pre-weighed parcels (2) Failure to mark statement of weight on the pre-packed article

One summons has been issued for overcharging, in addition to which there are six cases presently with the Solicitor-General awaiting determination.

27. Disaster Aid to Local Authorities

Mr Warburton asked the Premier—

With reference to the decision by Cabinet on 7 December 1981 to declare 10 local authorities as natural disaster areas, following December 1981 hailstorm damage, namely, Logan City, Beaudesert, Caboolture, Landsborough, Maroochy, Noosa, Stanthorpe, Rosenthal, Glengallan and Clifton—

(1) In terms of financial aid, what was the extent of the aid to local authorities in each case?

(2) If loans were granted, to whom were they directed, and what was the rate of interest and other details of the terms?

Answer:—

(1) Under the terms of the Natural Disaster Relief Arrangements between the Commonwealth and the Queensland Governments, grant funds are made available to assist local authorities restore assets damaged as a result of major natural disasters. Local authorities are required to meet 25 per cent of the cost of restoration to a maximum of \$25,000. The balance of the cost is provided by way of non-repayable grant.

Grants made available to local authorities affected by the November/December 1981 storms are as follows:

Local Authority	Amount
Logan City	Submission under review
Beaudesert Shire ..	Submission under review
Caboolture Shire ..	\$1,464
Landsborough Shire ..	\$3,525
Maroochy Shire ..	\$48,518
Noosa Shire	\$11,775
Stanthorpe Shire ..	\$17,615
Rosenthal Shire ..	\$38,722
Glengallan Shire ..	\$52,110
Clifton Shire	\$16,263

(2) No loans were granted to any of these local authorities.

28.

Tourist Industry

Mr Warburton asked the Minister for Tourism, National Parks, Sport and The Arts—

With reference to Queensland's tourism industry and a statement made by him that "in the rush to project an international image, the State could lose a substantial part of the Australian trade—its biggest income source", an assertion obviously based on the direction being taken by the Queensland Tourist and Travel Corporation—

(1) What corrective action has he taken to ensure that our own Queensland and Australian tourists within Queensland are not priced out of the domestic tourist market because of the corporation's policies and activities?

(2) Has the corporation completed any surveys relating to the needs for camping and caravan reserves at Queensland's coastal resorts, mainly frequented by our own Queensland and interstate family holiday-makers who are unable to afford international jet-set accommodation costs?

(3) What discussions, if any, has the corporation had with Queensland's local authorities on this particular subject?

(4) Has he made any attempt to prevent the closure of caravan and camping reserves adjacent to coastal holiday resorts, these closures being mainly the result of sales at inflated prices for other forms of development?

Answer:—

(1) I cannot recall using the expression quoted by the honourable member. However, only this week in a media statement I did express concern that there was a possibility of some sections of the industry neglecting the domestic scene amidst the present excitement of big gains in overseas visitor traffic.

It might appear that the main thrust of the Government's involvement—through the Queensland Tourist and Travel Corporation—has been directed towards overseas markets; and indeed there has certainly been a more aggressive stance taken by the corporation as far as the Pacific and world tourism markets are concerned. That is an important area, and some of the results of that stance have been gratifying and will no doubt in the longer term prove to be highly profitable to the industry as a whole.

Nevertheless, we cannot afford to neglect the home market—and we don't. The State Government and the Queensland Tourist and Travel Corporation recognise that domestic tourism is the bread and butter of the State industry, and recognise too that it will remain so for the foreseeable future. And indeed this is surely reflected in the substantial advertising and promotion campaigns undertaken by the Queensland Tourist and Travel Corporation, sometimes unilaterally and sometimes with the support of the regional tourist associations, that are aimed specifically at the domestic tourism market.

I refer of course to the Queensland holiday fairs—one held recently in Sydney, another in Melbourne—and to the comprehensive and extensive advertising campaign currently underway that is designed particularly to help maintain and boost domestic travel to and within Queensland.

(2 to 4) The corporation has not made any surveys specifically covering caravan parks and camping reserves but does have a major ongoing research program into the whole spectrum of the future needs of the tourist industry. Neither has the corporation had discussions with local authorities in this regard. Its policy has been, in relation to the types of matters raised by the honourable member, to work closely with regional tourist associations throughout the State. As a result, the corporation believes there is no problem in respect of the matters mentioned by the honourable member. Indeed, the reverse situation applies, as evidenced by a personal letter addressed to the corporation's chairman by the State secretary of the Caravan Parks Association of Queensland on 9 March 1982. The secretary wrote—

“At a meeting of our State Management Committee on 24th February, it was resolved that we write and formally express our appreciation to the Corporation for its endeavours in promoting Queensland's tourist industry.

Delegates had noted the media announcements that week of planned promotion and packaging of Queensland holidays.

They wished also to let it be known that there was an air of confidence in our segment of the industry with occupancies certainly improved compared with previous years.”

As a responsible Minister, I must state that I am neither empowered to, nor would I wish to, dictate to landholders in this State whether they could or could not sell their land for any legal purpose.

29. Hire of Television Sets, Ipswich General Hospital

Mr Warburton asked the Minister for Health—

With reference to the permitted use of television sets by patients of the Ipswich General Hospital—

(1) Is he aware that patients and relatives of patients were previously officially advised that whilst the firm of R. T. Edwards and Sons of Ipswich had sole rights to the hire of television to patients in the Ipswich General Hospital, use of privately owned television sets was permitted, provided certain requirements were met?

(2) Is he aware that under new rules that have been implemented and patients and relatives of patients have been advised that, due to the franchise arrangement under the television hire contract with R. T. Edwards and Sons, use of personal television sets within the hospital is not now permitted?

(3) What are the details of this monopoly television hire agreement that forces patients or their relatives to hire television sets?

(4) How many hire television sets are presently in use at the Ipswich General Hospital and what is the weekly cost of hire?

(5) Does the Ipswich General Hospital receive any part of the television set hire fees as part of the franchise agreement?

(6) As my inquiries show that hospitals in other principal centres allow privately owned television sets to be used by patients, why does the Ipswich General Hospital persist with a television hire policy which forces patients or their relatives to pay out money that they can ill afford?

(7) Will he take action to ensure that non-hire television sets can be used by patients at the Ipswich General Hospital?

Answer:—

(1) I am informed that tenders are called biennially by the Ipswich Hospitals Board for exclusive franchise to hire television sets to hospital patients. The current successful tenderer is R. T. Edwards and Sons.

(2) It is the board's policy that private sets are not permitted to be used due to the safety factor, noise control, mobility, cleaning, liability for damage and theft, etc.

(3) The contractor is required to meet all the requirements of a specification which is prepared by the board.

(4) 25 television sets are at present on hire in the hospital and the rental cost varies from \$6 to \$16 per week depending on the set on hire.

(5) 25 per cent of rental collected is paid to the hospitals board.

(6) A number of major hospitals invite tenders for television rental on a similar basis to that applying at Ipswich Hospital.

(7) No. This is a matter of hospital board policy.

30. Queensland Performing Arts Trust

Mr Innes asked the Minister for Tourism, National Parks, Sport and The Arts—

With reference to the report of the Queensland Performing Arts Trust for the year ending 30 June 1981, have the recommendations on page one of an amendment to the Queensland Performing Arts Trust Act to permit income to be earned from conventions and conferences been considered?

Answer:—

Yes. The honourable member will recall that the Queensland Cultural Centre Trust Act 1976 was amended in 1981 so as to enable that trust, inter alia, to vary its powers and maximise the use of its facilities by including such activities as conventions, receptions, etc.

It is the intention of the Queensland Performing Arts Trust to seek a similar widening of its powers at an appropriate time closer to the completion and opening of the Queensland Performing Arts Complex.

31. Technological Changes in Aluminium-smelting Industry

Mr Innes asked the Minister for Mines and Energy—

With reference to reports of technological developments in the aluminium-smelting industry by Mitsui Alumina Co Ltd which use a principle similar to a blast furnace steel-mill, outlined in an article in the "New Products and Processes" section of "Newsweek" of 22 March, wherein the process is described as capable of using coal mixed with aluminium-bearing clay or shale and claimed to eliminate expensive chemical treatment, electrical power requirements, restrict the use of bauxite and, according to the president of the company, significantly reduce the price of aluminium—

(1) Has his department monitored these developments?

(2) Can this State be reassured that these developments are still very experimental and will not jeopardise the future of our Gladstone smelter and our aluminium industry?

Answer:—

(1) Yes, and it will continue to do so.

(2) Current investment in new aluminium refining and smelting capacity in Queensland is based on anticipated increases in demand over the next decade, and relates to existing technology. Mitsui Alumina Co. Ltd is reported as having stated that the new experimental process is 10 years away from commercial application.

It should be pointed out that it is impossible to forecast how future technological advances will alter the economics in any industry, but experimental processes to make aluminium directly from clay have never proved commercial in the past.

32. Cayley Street, Everton Park

Mr Gygar asked the Minister for Local Government, Main Roads and Police—

With reference to the petitions for the past two years by the residents of Cayley Street, Everton Park, to the Brisbane City Council and their local Labor alderman requesting that their quiet residential street be closed to through traffic to prevent its use as an arterial road, which petitions have been ignored, is there any action which the State Government can take to ensure that this matter is properly considered by the council and action taken to alleviate this dangerous situation?

Answer:—

I am not aware of the matters raised by the honourable member. However, I will take them up with the council and advise him of the outcome in due course.

33. Use by Government of Statutory Authority Funds

Mr Gygar asked the Deputy Premier and Treasurer—

(1) What use does the Queensland Government make of funds belonging to statutory authorities?

(2) What are the terms and conditions applied to the use of those moneys and what disciplines are exerted to protect those funds?

(3) Could those funds be placed at risk if clear guide-lines were not established?

(4) Has he noted the use of these funds by the New South Wales Wran Government and would their use be as well disciplined as those used in Queensland?

Answer:—

(1 to 3) Statutory authorities have varying degrees of administrative and financial autonomy and whether or not the Government has access to their funds depends on the provisions of the Acts under which they are constituted in relation to their accounts and banking operations.

In the majority of cases, the Acts prescribe that the authorities will operate outside the public accounts and the Government does not then have access to the funds of these authorities and consequently is not in a position to make use of them even if it wanted to.

This is the position with all electricity authorities, harbour boards, hospital boards, commodity boards and such like which accrue significant sums from time to time for capital and other purposes.

If the relevant Act provides that an authority is to operate within the public accounts then any moneys standing to the credit of the authority would form part of the Treasurer's cash balances and, as such, be available for investment either short term as part of the total investible balances or directly on behalf of the authorities in long term securities. However, they are not used for other purposes.

(4) As I am not familiar with the position in NSW I don't think it would be appropriate for me to comment.

34. Buying of Sapphires by Thai Syndicates

Mr Gygar asked the Minister for Mines and Energy—

With reference to Vol. 1 No. 2 of "Queensland Explorer Quarterly", which is apparently distributed by the Queensland Tourist and Travel Corporation and in which it is stated that the market for Central Queensland sapphires has firmed since Thai buyers were permitted by the Government to move onto the fields in 1972 and that Thai buyers pay up to \$110 an ounce for small sapphires—

(1) What is the current price being paid by Thai buyers for small sapphires?

(2) What has been the average price paid by Thai buyers for small sapphires in each year since 1972?

(3) Have these Thai groups attempted to gain an economic stranglehold on miners by advancing them large sums of money with high monthly repayments so that miners have to accept whatever price the Thais offer for their sapphires or face bankruptcy?

(4) What steps has the Government taken to ensure that miners receive a fair price for their sapphires and are not open to exploitation by Thai buyers who can force miners to accept low prices set by agreement amongst the Thais which are enforced by their almost total domination of the buying market?

(5) What is the average percentage profit made by these Thai syndicates on small gemstones which they buy from Australian miners, cut using low cost overseas labour and then re-import into Australia for sale?

(6) Does he consider that this domination of the market by Thai syndicates is in the best interests of either the Australian miners or the gemfields as a whole and, if not, what steps does he intend to take to ensure that the Central Queensland gemstone mining industry is not so vulnerable to manipulation by overseas interests?

Answer:—

(1) Prices paid by various buyers in the course of normal commercial transactions on the gemfields are not known to the Department of Mines, which is not involved in gem marketing.

(2) Similarly, this is not known.

(3) I have no evidence that this is so.

(4) It has been suggested in the past that gem miners establish a sales co-operative, but to my knowledge this has not been adopted.

(5) This figure is not known to me.

(6) The benefits of further processing of gemstones in Australia is the subject of a report by the Commonwealth/State Joint Study Group on Raw Materials Processing. Recommendations put forward by that group are mainly a matter for Commonwealth Government action.

35. Driving Schedules and Rest Periods for Truck Drivers

Mr Shaw asked the Minister for Transport—

(1) Has any investigation been carried out on the tight schedules truck drivers are being required to meet by their employers in order to retain their jobs?

(2) Is he aware that some drivers are being required to drive 4 000 km per week and, after a short rest period, to repeat the same trip in the following week and that drivers are being set schedules requiring them to travel up to 160 000 km in 11 months?

(3) As recent events have made it obvious that the greed of transport companies is costing lives on Queensland roads, will he take action to introduce, as a matter of urgency, legislation which will ensure semi-trailer drivers are given adequate rest periods and time to deliver their loads without breaking speed limits and risking lives?

(4) How often are log-books checked and how many prosecutions have resulted from these checks?

(5) If there were any charges made, were they made against the drivers or the owners?

Answer:—

(1 to 5) No specific investigation has been done in Queensland regarding the schedules of truck drivers in the normal course of their work. I am aware that in 1977 a study was done by the traffic accident research unit in the Motor Transport Division in New South Wales by Dawn Linklater. That study showed that truck drivers experience more fatigue than other motorists. It also showed that truck drivers have fewer

holidays and generally have no time for recreational activities other than sleep. One of the alarming aspects of that report was that an average truck driver works 71.6 hours per week.

At the present time, the Road Safety Council Research Committee under the chairmanship of Dr Barry Smithurst, a reader in social and preventive medicine, is undertaking an investigation into articulated vehicle accidents in Queensland. The research is being done by Geoff McDonald and Associates and I am expecting a final report of the initial investigation on my desk this Friday. If that study shows that hours of work are a significant factor in truck accidents, then further research will be done in that area.

At the present time, section 62 of the State Transport Act regulates the hours of driving and relaxation for truck drivers. For vehicles in excess of four tonnes, it is illegal to drive for a continuous period of more than 5½ hours. In any one day it is illegal to drive more than 11 hours. In other words, there must be a rest period of at least half an hour between 5½-hour shifts. Truck drivers must have a full 10-hour rest period in any 24-hour period from the commencement of operating their truck. As well, in any 7-day period, drivers are required to have a full 24 hours rest from driving.

These rest periods are policed through the log-book system, as provided under the State Transport Act. Police officers attached to the Department of Transport pay particular attention to driving hours as well as speed limits in their enforcement of the State Transport Act and the Traffic Act. As indicated in the annual report of the Commissioner for Transport, continuing checks are made to ensure that log-books are properly kept and that the prescribed hours of driving are not exceeded.

For the year ended 30 June 1981, 708 prosecutions of drivers for breaches of the log-book regulations were finalised.

36.

False Lists of Houses for Letting

Mr Shaw asked the Minister for Justice and Attorney-General—

(1) Is he aware that at least one firm in Brisbane is selling false lists of available houses for letting to home seekers which include names obtained from advertisements, without the consent of the landlords, which frequently include premises not available for letting and which were not available at the time the list was sold to home seekers?

(2) What action can be taken to prevent this fraudulent practice, which harms people desperately seeking a home?

Answer:—

(1) No complaints of this nature have been received by my department. However, I have been informed that a small number of complaints has been made to the Consumer Affairs Bureau, which is administered by my colleague the Honourable the Minister for Employment and Labour Relations.

(2) Persons who sell lists of properties for rental are required to be licensed under the provisions of the Auctioneers and Agents Act 1971–1981. Should the honourable member have any facts to support his allegations of malpractice, I will, on receipt of full particulars, arrange for the matter to be investigated.

37.

Speed Traps

Mr Shaw asked the Minister for Local Government, Main Roads and Police—

With reference to speed-trap statistics in the six months from September 1981 to February 1982—

(1) How many speed traps were conducted within the city limits of (a) Brisbane, (b) Mackay, (c) Rockhampton and (d) Townsville?

(2) How many bookings were made, and for what offences, as the result of these speed traps in each of these cities?

(3) How many tickets for speeding offences were issued by plain-clothes officers in unmarked cars in each of these cities?

(4) How many speed traps were conducted in the remaining areas of Queensland?

(5) How many bookings were made and for what offences as the result of these speed traps in these areas?

(6) How many tickets for speeding offences were issued by plain-clothes officers in unmarked cars in these areas?

Answer:—

(1 to 6) Police records are not categorised in such a fashion as to be able to readily supply the information required.

38. North Queensland Black Publishing Company; North Queensland Land Council

Mr Row asked the Minister for Water Resources and Aboriginal and Island Affairs—

With reference to his answer to my question of August 1981 in which he advised of the background and activities of Mr "Shorty" O'Neill, described as the "principal" of the North Queensland Black Publishing Company, is there any connection between the North Queensland Black Publishing Company and the North Queensland Land Council and will he provide details as to the background and activities of these groups in view of their reported intention to disrupt the Commonwealth Games?

Answer:—

The question of the honourable member for Hinchinbrook requires a lengthy reply or little at all. After careful consideration, I am inclined toward the former view, for I believe the time is appropriate for the Australian people to be aware of the nature and activities of some militant groups in Queensland and Australia and, indeed, internationally. The North Queensland Land Council and the North Queensland Black Publishing Company serve as excellent examples of such activities, although parallel conclusions could be reached about a number of similar groups such as the Brisbane-based Foundation for Aboriginal and Islander Research Action and the so-called National Aboriginal and Islander Health Organisation. I propose to seek leave of the House to have a document tabled in "Hansard", for I see no other way to satisfactorily explain a very complicated, interrelated and distasteful situation. Prior to doing so, however, I wish to make several observations relevant to this request.

First, much of the material upon which this statement is based is material publicly available through the Press or other sources. Secondly, the matters contained in it fully prove a number of statements made by my predecessor, the Hon. Charles Porter, when he held the portfolio of Aboriginal and Island Affairs. It would appear, indeed, that many of his statements made in 1978 and 1979 would have been well heeded. Thirdly, this request is made with regret, for I would prefer to undertake more positive measures to promote rationality in this issue; but, until such time as some myths and outright lies are exposed, it is unlikely that militants will voluntarily refrain from seriously impeding genuine progress in this country. It is hoped the document will assist this and also assist activities during the Commonwealth Games period which will increase our understanding of race relations rather than destroy them.

Finally, this issue is not a parochial one. It involves funds and activities of an international character. Mick Miller and Gary Foley, for example, have travelled overseas no less than 13 times since 1974 to various meetings and for various purposes, all of which I am sure they will not willingly disclose. It is a tangle of interconnections no less formidable than the Gordian knot. Hopefully it will not have to be unravelled through the process of law but rather by reason. But unravelled it must be for the activities of these minority fringe groups, composed of both Aboriginal and, more especially, non-Aboriginal people, are stifling the development of understanding between all Australians.

A French author recently said in relation to minority feminists groups—

"Keeping thousands . . . from speaking out by claiming to speak for them is the most revolting form of tyranny."

In less liberal times the activities detailed in the document would have been regarded as treasonable conspiracies.

Many ex-Black Panther leaders, with questionable international contacts now, are still at the nucleus of twilight groups, such as the North Queensland Land Council. They are energetically working for the creation of Aboriginal sovereignty through the national and international defamation of the Australian people, funded and supported by "social reformers" who place their visions above the good of their country and outrage the trust in which they receive donations from the public.

I therefore seek leave of the House to incorporate this document in "Hansard"
(Leave granted.)

NORTH QUEENSLAND LAND COUNCIL

1. Formation
2. Organisation and Representation
3. Policies
4. Activities
5. Funding
6. Conclusions

1. Formation:

The North Queensland Land Council was established during a conference called for that purpose at Cairns, from the 21st January, 1977 to the 23rd January, 1977.

Mr. Peter Noble, in opening the meeting thanked the following sponsors: Freedom from Hunger; Community Aid Abroad; B.O.E.M.A.R.; Christian Action Group; Australian Council of Churches; and various unions.

Toward the end of the second day of the meeting Mr. Clarrie Grogan moved that the following (and final) day's meeting should be closed to delegates and that only specially invited observers be allowed to attend.

The motion was seconded, carried and recorded while debate continued.

"Elected" in the closed session on the final day were: Mick Miller, Peter Noble, Clarrie Grogan, Elanah Doolan, Danny O'Shane, Roberta Felton and Tony Assan, as executive members.

In late 1976 prior to the conference, Clarrie Grogan, Peter Noble and Lex Muller of the North Queensland Land Rights Committee had visited various northern Communities in an endeavour to gain support for the conference. The secretary of the Committee was at that time a Ms. Barbara Russell, who in a circular distributed by Messrs. Grogan, Noble and Muller during their tour of Northern Communities, stated that the Queensland Government was planning to imminently abolish the Aborigines Act and the Torres Strait Islanders Act and with them the reserves for Aboriginal and Islander people. This has become a common theme of the North Queensland Land Council throughout its history.

2. Organisation and Representation:

The North Queensland Land Council has consistently claimed to be totally representative of North Queensland Aboriginal people. For example:

Barbara Russell, as Secretary of the North Queensland Land Rights Committee, claimed in January 1977 that the North Queensland Land Council would be responsible for all Aboriginal lands in North Queensland, and its membership would be comprised of two delegates from each reserve and from each town in Northern Queensland. The delegates, she claimed,

"have been democratically elected by the people of their respective communities"
Cairns Post, 18-1-77.

In October, 1978, Mr. Shorty O'Neill, as "Palm Island Delegate and Committee Member", claimed the North Queensland Land Council represented 65 000 Aborigines in 17 reserves and 23 towns in North Queensland through 75 elected delegates who met annually. According to Mr. O'Neill, such annual meetings elected an Executive Committee of 15, which met every two months. (Cairns Post 23-10-78).

Clarrie Grogan, in response to criticism concerning financial decisions of the North Queensland Land Council, stated in 1978 that \$15,000 granted by the World Council of Churches to the Land Council "will be used to hold a full North Queensland Council meeting, which means bringing in more than 70 delegates from reserves and towns all over North Queensland."

Cairns Post 8-12-78.

The North Queensland Land Council claims to represent the area from the Queensland/Northern Territory border to Townsville and northward.

Despite these impressive claims, the Executive Committee has however, remained relatively static as indicated by the positions claimed by members:—

Mick Miller has been reported as the Secretary of the Steering Committee of the North Queensland Land Council in 1977, alternatively used the title President or Chairman in 1978 and has since consistently and perhaps appropriately used the term Chairman;

Clarrie Grogan used the title President in 1977 and thereafter field officer;

Peter Noble initially used the title of Manager of the North Queensland Land Council and from 1978 Vice-President;

Shorty O'Neill has claimed to be the Palm Island delegate and Executive Committee Member, Editor of "Message Stick" (the North Queensland Land Council's publication) and more recently the Manager of the Townsville Branch office of the North Queensland Land Council;

Other members have included Les Collins, Barbara Russell (Research Officer), Terry O'Shane and Robert Smallwood.

It is perhaps surprising therefore that there exists not one report of any annual meeting of the organisation, especially in view of the North Queensland Land Council's liking, albeit selective, for publicity. Surely meetings of over 75 Aboriginal delegates each year for the past five years could not have gone unnoticed by the media, my Government and the Aboriginal and Islander Community Councils throughout North Queensland? Similarly why is there no knowledge of the election of delegates from each Reserve community and town throughout North Queensland, and why have executive positions remained constant? Similarly, one may query how the North Queensland Land Council can represent 60 000-65 000 Aboriginal people in North Queensland alone, when the total Aboriginal and Torres Strait Islander population of Queensland is estimated at between 42 000 and 60 000.

In September last year, I publicly challenged any person to supply proof that this group has had elections or that it is a legally incorporated or democratically constituted body. That challenge remains unanswered by anyone. The hard fact about the North Queensland Land Council is that it is a pressure group of no more than 20 people centred around a core of Mick Miller, Barbara Russell, Shorty O'Neill, Peter Noble, Les Collins and Clarrie Grogan. The North Queensland Land Council cannot be sued for example, for at law it does not exist as a body.

Notwithstanding its blatantly nefarious existence or its lies to justify that existence, does it represent Aboriginal opinion? As early as 1975 Barbara Russell was making press statements allegedly on behalf of Aboriginal people. In the Cairns Post (26-12-75) for example, she claimed to be a spokesman for the Aurukun people a claim which was rejected when 200 Aurukun residents signed a petition denying her specific comments and rejecting her claim to speak on their behalf.

In October, 1978 Mick Miller was banned from Weipa Community after he addressed a group of 20 Weipa residents and indicated he had engendered threats against staff at Yarrabah Community and would do so at Weipa if necessary. Only last year a chartered tour by Clarrie Grogan, Shorty O'Neill and several others seeking signatures for a petition to be presented at the Commonwealth Heads of Government Meeting met a cool reception from all communities, and so few signatures that the attempt was abandoned.

Aboriginal and Islander people are far more astute than they are generally credited by either some numbers of the public or by activists such as those of the North Queensland Land Council. They have made it clear over the past five years that they do not wish as communities, to be associated with the policies of the North Queensland Land Council.

3. Policies:

In April/May 1981, the North Queensland Land Council circulated its policy on land rights (which, according to the circular had been determined at the "January Land Rights Conference 1977").

The policy calls for immediate ownership of all tribal lands and all Aboriginal Reserves, total rights to all natural resources in these lands, a halt to all mining and prospecting until negotiations are held, land ownership and control to be legally protected and inviolable, compensation for any loss of any reserve or tribal lands, negotiations to be held for the return of any such lands plus any other land deemed necessary by the Aboriginal groups for survival and benefits, ceding in perpetuity of Crown Land which is of traditional or sacred significance, and that all sites of anthropological or traditional significance be opened to the use of Aborigines without fees or constraints.

Other demands made by members of the North Queensland Land Council have been for "sea rights" extending 200 miles, compensation as a substantial proportion of the gross national product backdated with interest to 1788, and for no "outside" interference in Aboriginal community affairs whatsoever (Townsville Daily Bulletin 12-9-81).

It would appear from these policies a situation akin to the Northern Territory, with some extra demands thrown in for good measure, is sought. However, it is necessary to look at both the activities of members of the North Queensland Land Council, and their philosophies to understand their unpublicised policies.

4. Activities:

It is not possible to detail the full activities of the North Queensland Land Council. While on some issues the members have enthusiastically sought publicity, many of their activities have been kept as unpublicised as possible. It is likely that this is due to some issues providing an opportunity to extend the group's image and concurrently provide a reason for being, while others would clearly demonstrate the group has means and activities not conducive to the public image which they would wish to portray.

The following is a chronological sequence of some of the North Queensland Land Council's activities, but it is hardly more than a sketch for exemplary purposes and should not be taken to be anything other than indicative of their entire functions.

1977—

January 21-23—Formation in Cairns. 'Election' of executive in closed session.

June—Members of the North Queensland Land Council attended a meeting in Melbourne discussing Land Rights in Australia but with particular emphasis on the possibilities of uranium mining in South Australia and Western Australia. Mrs. Joyce Hall, supposedly the North Queensland Land Council's delegate from Weipa, attended, but did so without the knowledge of the Weipa people.

August/September—Mick Miller with two others attended the 2nd World Conference of the World Council of Indigenous Peoples held in Sweden during the week ending 26th August, 1977. In a Stockholm paper dated 23rd August, 1977, Mr. Miller is reported to have said:

"If the situation for us Aborigines doesn't get better soon we will end up forming guerilla troops who will take the law into their own hands."

The article continued (as translated direct from Swedish)

"The situation is worse in Queensland, one of the country's seven provinces (States). Here one still has special laws which regulate Aboriginal activities" "One cannot travel outside the province (State) borders, and in the reserve it is always the white superintendent who has the last word. Without any warning, one can be moved to another reserve or another" says Michael Miller.

NOTE: These words are not taken out of context and were spoken at an interview held in the Australian Embassy at Stockholm to the embarrassment of those Embassy staff who were present.

1978—

March 3rd—Clarrie Grogan states the Aboriginal and Islander Commission supported by the Queensland Government would not be recognised by the North Queensland Land Council as it was "unacceptable to Aboriginal and Islander people".

April 2nd—Clarrie Grogan visited northern Aboriginal communities with a petition seeking Federal intervention in Queensland.

April 4th—Barbara Russell and members of the Brisbane-based Black Resource Centre attempt to present Mr Charles Porter, the Minister for Aboriginal and Island Affairs, with “trade goods” in a publicity stunt at Parliament House. Miss Russell also claimed to have 10,000 signatures to a petition calling for Federal intervention in Queensland.

April 13th—A Cairns rally organised by North Queensland Land Council and addressed by members Barbara Russell, Clarrie Grogan and Robert Smallwood protested against the Federal/State agreement concerning Aurukun and Mornington Island. Approximately 50 people attended the 2 hour meeting.

The North Queensland Land Council is also believed to have organised a similar protest “in the form of a demonstration” at Yarrabah on the 14th April.

April 14th—Mick Miller addressed a forum in Brisbane.

April 15th—Rally held in Mackay promoted by TRUIAD and the “North Queensland Aboriginal Corporation for Publishing” and included speaker Elanah Doolan. Publicity was given through a publication “What Now Bunge” by Publicity Officer of TRUIAD L. (Shorty) O’Neill.

Note: TRUIAD was later disbanded partly due to extreme financial difficulties through mismanagement. “What Now Bunge” has been consistently used as an editorial heading along with a quotation by Chairman Mao Tse Tung in Mr. O’Neill’s editions of the “Message Stick”. TRUIAD (Townsville Regional United Aboriginal and Islanders Development) was established in 1977/1978 and aimed to receive and disburse Commonwealth Grants to Aboriginal and Islander Organisations which were to form the membership. 30 member organisations were claimed in July 1978. Shorty O’Neill’s involvement as Publicity Officer was distinguished by a series of publications called “TRUIAD NEWS” in 1978 which served him as a platform to attack Government and private individuals within the indigenous community who did not agree with his views. In a final issue in late 1978 after TRUIAD had been disbanded Mr O’Neill published a final edition before becoming fully involved with the North Queensland Land Council. This final publication “Real Aid” gave Mr. O’Neill’s beliefs on the failure of TRUIAD.

“One of the main reasons TRUIAD went broke was that the executives were not true representatives of the people. One has only to look at them to see why they cannot possibly claim to be representatives of the people. TRUIAD is composed of:

The President—A Malayan

Snr. V. President—A Filipino

Jnr. V. President—A white person turned
black because of the
money

Secretary—Another Instant Coffee

Treasurer—A South Sea Islander

The Delegates—People from out of date and
non-exist organisations

People who want to have a say in Aboriginal affairs only have to pay a couple of dollars and then become eligible to be on the executive or be a delegate which gives them a rather big say in Aboriginal affairs. These people who are trying to run everyone else’s affairs do not even abide by their own constitution. They should have practised what they preached.

Some other reasons for TRUIAD ceasing to function is that the executives were too hungry for power. They had white men behind them telling them what to do, they could not account for money and they had no positive thoughts about future programs for Aboriginal spending.”

Strong rumours were circulating in the Aboriginal and Islander community at the time that financial problems were substantially due to misappropriation of funds by Mr. O’Neill, a factor which could explain his vitriolic criticisms.

April 23rd—Press Release signed by Mick Miller claimed:

“Last Friday carloads of Queensland State Police invaded Yarrabah Reserve to break up a peaceful demonstration of 200 Aborigines. These people were supporting their relatives at Mornington Island and Aurukun. There is nothing in Mr. Viner’s legislation that would prevent similar incidents on reserves all over Queensland.

Concerning Mr. Viner’s call for co-operation, Mr. Miller stated:

“This is rather like Churchill asking Hitler’s consent to abolish the Gestapo”

Note: The incident involved extra police being sent from Cairns after threats had been made against staff at Yarrabah. Refer Mick Miller’s comments below on 18th October, 1978 at Weipa.

April 24th—During a press conference in Sydney Mr. Miller is reported to have repeated his claims of police “intimidation” at Yarrabah and stated the incident was a means of provoking violence as an excuse on the part of the Queensland Government to intervene at Aurukun and Mornington Island.

May 12th—Mick Miller challenged over his 1977 statements in Sweden during a radio debate with Mr. M Tenni, M.L.A. Barron River. Mr. Miller is reported to have responded with the statement:

“I remember the meeting, but you don’t want to believe everything you read in the newspapers. It’s as bad as you saying Communists are active at Aurukun, Mr. Tenni.”

July—The North Queensland Land Council News of the 5th July 1978 reported:

“Terrence O’Shane, a seaman from Weipa, is one of five people being sponsored by the Seaman’s Union to attend the Festival of Youth and Students at Cuba in three weeks.”

“Mr. O’Shane, 30, is Vice-President of the National Aboriginal and Islander Liberation Movement and intends to speak on Aboriginal problems in Australia.”

“Mr. O’Shane said the Festival would cover the effects of peace, imperialism, liberation movements, colonialism and detente.”

“He left Cairns last night and expects to leave Australia for Cuba in about a week, so he can spend two weeks in Cuba before the Festival.”

Note: The National Aboriginal and Islander Liberation Movement is otherwise unknown. Mr. Terry O’Shane is, however, later reported to be a member of the North Queensland Land Council (Cairns Post 11-7-81)

August 23-25—Mick Miller and Donald Peinkinna (the ex-Chairman of the Aurukun Council) in Canberra. Donald Peinkinna stated on the 23rd August that former Council members would approach African embassies in Canberra to seek their support in a boycott of the 1982 Commonwealth Games in Brisbane. The aim was to bring international pressure on the Federal Government for failing to intervene in the dispute, he is reputed to have said.

On 25th August, Mick Miller claimed the situation in the Aurukun and Mornington Island communities could develop into a situation similar to the Wounded Knee incident in the United States in 1973 when militant Sioux Indians occupied the Wounded Knee Reservation for nearly ten weeks to draw attention to their demands. In response, the then Federal Minister for Aboriginal Affairs, Mr. Ian Viner, dismissed the suggestion and commented that Mr. Miller was not a genuine representative of the Aurukun people but rather spoke purely for himself.

August 30th—Research Officer for the North Queensland Land Council, Mrs. Barbara Miller (nee Russell) claimed the Queensland Government was to blame for the alleged declining health standards at Aurukun and Mornington Island.

“The State Government does not care about Aboriginal health. Its real concern is politics” said Mrs. Miller.

Note: Mrs. Miller quotes a number of problems and cases relating to Aboriginal Health in the article. These should be noted in the context of Mr. Porter’s statements to Parliament in 1978 on the Health situation at Aurukun.

October 2nd—Pastor Don Brady and his four sons start protest walk from Cairns to Brisbane from the North Queensland Land Council’s office in Cairns.

October 14th—Mick Miller claims that a forthcoming overseas trip was to be paid for from World Council of Churches funds. He stated (Cairns Post 14-10-78)

“Our fares and all expenses have been paid from London by groups who are interested in problems of Aborigines in Queensland.

One purpose of the trip was said to be to investigate possible World Court action

“to make the State Government give Aborigines the 4 300 000 hectares on which Reserves are established. There are 76 delegates to the Council from 17 Reserves and 23 towns in North Queensland” Mr. Miller said.

Note: There are approximately 3 million hectares set aside as reserves for the use and benefit of Aboriginal and Islander people in Queensland.

October 18th—Mick Miller and Dr. Stephen Zorn (described as the North Queensland Land Council’s “Negotiator” who had not long previously been asked to leave a senior position he held in the New Guinea Government following on an excursion to a South American Republic with a well known history of coup e d’etat) at Weipa. During a meeting with approximately 20 residents, Mr. Miller indicated that he had engendered threats against staff at Yarrabah and would do so at Weipa if necessary. Following this meeting arguments and fights occurred between Weipa residents and the Weipa Community Council decided Mr. Miller would in future be banned from the Community. Mr. Miller was reported to stay with Mr. Terry O’Shane during his visit to Weipa.

October 23rd—In a letter to the Editor of the “Cairns Post” Mr. Shorty O’Neill claimed the North Queensland Land Council represented 65 000 Aboriginal people in 17 Reserves and 23 towns in north Queensland who elect 75 delegates, who meet annually to elect a committee of 15 executives who meet every 2 months to make major decisions.

He stated elected delegates get financial statements every financial year and that trips are not financed by the Land Council but by responsible people and bodies recognised by the Australian people, although some trips are paid for by the delegates themselves.

He also stated the Queensland Aborigines Act contained no fewer than 13 violations of the United Nations Human Rights Declaration.

October 26th—In a letter to the Editor of the Cairns Post, Mr. Peter Noble re-interated many of Mr. O’Neill’s statements and went on to state that the annual financial statement was issued to sponsors and donors as well as delegates.

He claimed:

“The very few trips away are sponsored by responsible and respectable people and organisations which have a high standing in the eyes of thinking Australian communities.”

October—Peter Noble announces intention to establish a Queensland Branch of the Australian Council of Churches Commission on Aboriginal Development. Report stated \$10,000 had been promised to accomplish this.

October, November, December—Mick Miller, Joyce Hall and Jacob Wolmby on European tour. During this trip the following events occurred:

November 2nd—“Delegation” claimed to meet with senior executives of the Billiton Mining Company. In a prepared statement it was claimed

1. The North Queensland Land Council represents 65 000 Aborigines of north-eastern Australia

2. Mr. Wolmby represented Aurukun community and Mrs. Hall Weipa Community

3. There was no consultation between “the aborigines” and Billiton in receiving a mining lease at Aurukun

4. To mine the lease at Aurukun would be “pure and simple desecration”, : the whole tribal structure that now exists at Aurukun would be destroyed and Billiton would be guilty of cultural genocide.”

5. “The Aurukun people demand that Billiton stop its preparations to mine the land.”

6. The delegation was not in a position to negotiate terms but simply to relay the “decisions of the Aurukun aborigines”.

November 12th—B.B.C. interview with M. Miller.

“Aboriginal people are being denied their land and their land has been taken over by the great big multi-national mining companies from overseas and the Aboriginal people are the last people in the world that are being asked for their opinion about the mining debtors ripping off and taking off their reserve lands.”

“Laws are fine if you’re white. If you’re of Aboriginal race the laws don’t apply to you. You know, you’re left out, you’re a fifth-rater citizen in your own country.”

“We’ve tried in Australia. We’ve failed. We seem to be running our heads into a brick wall, the Governments are committed to the policy that Aboriginal people will not benefit in any way, they will not gain any self-determination, and seeing as that is the Government’s policy, both Federal and State-wide and Queensland here is the worst of the lot, we’ve decided to come overseas, gain support from other countries, Europe, England and gain support from all organisations that are interested in Aboriginal people and for the Aboriginal people to be treated as human beings.”

“We have a permit system on the reserves in Queensland similar to that in South Africa, where if Aboriginal people want to live in that Reserve where they were born, and they lived all their lives, they have to fill out a residency permit. Now why the hell should they do that, you know, that’s their reserve? I think the British have fallen down in that it has not kept tabs on what the Australian Government is doing regarding the indigenous people, that’s us, the Aboriginal people.”

November 21st—Rio Tinto Zinc offices were the centre of a demonstration by the delegation, and members of the British groups “War on Want” and CIMRA (Colonial and Indigenous Minorities Research in Action).

November 22nd—Mick Miller claimed the British had “conveniently ignored” problems of Aborigines. Chairman Miller said Aborigines were “not receiving a fair go in Australia”. “We are prepared to use any means to get justice”, he said.

“We have a case in the High Court and we are prepared to go to the International Court of Justice for our land rights”. “We have to put up with the viciousness and vindictiveness of the Queensland Premier, who would equal anyone in South Africa or Rhodesia”.

November 22nd—Delegation launched the book “From Massacres to Mining—the Colonization of Aboriginal Australia” by Janine Roberts.

Note: The book “From Massacres to Mining—The Colonization of Aboriginal Australia” was published by CIMRA reported as the British supporters of the delegation. In an interview with a CIMRA spokesman it was stated that CIMRA was established in 1977 and was funded by the World Council of Churches. It is believed CIMRA shares offices with the publication “New Internationalist” a working relationship apparently so mutually advantageous that when the “New Internationalist” shifted offices, CIMRA accompanied them.

“From Massacres to Mining” was not Miss Robert’s first publication. In the early and mid-1970’s she produced a series now widely known as the three “Mapoon” books, the last of which was published in 1976 by International Development Action Australia under the title “The Cape York Aluminium Companies and the Native Peoples”.

Grants from the following organisations were acknowledged: The Program to Combat Racism of The World Council of Churches; Community Aid Abroad; Methodist Overseas Missions; The Australian Council of Churches, Christian Education Division; The Australian Freedom From Hunger Campaign; the Australian Union of Students (1974)

One of the major co-workers in these books was a Miss Barbara Russell later Mrs. Barbara Miller. Recommended as a further source of information was the Black Resource Centre, Brisbane, which was extensively funded by the Australian Union of Students (e.g. in 1976 a grant of \$28,000 was made for wages, rent, telephone etc. expenses).

It was reported in 1978 that Janine Roberts worked for International Development Action for some 8 years in Melbourne. In “Mapoon—Book Three” the I.D.A. is described as “a small independent group of people, working on a shoe-string budget, to increase public knowledge and awareness of how our society affects neighbouring peoples”. The I.D.A. originally commenced in Australia but during 1977 and 1978 shifted its emphasis to

Europe, especially Britain and West Germany. It is believed to have close contacts with the World Council of Indigenous Peoples.

On 21st November, 1978 Janine Roberts is quoted as claiming.

“Aborigines are suffering on Reserves the same restrictions and deprivations that the people on the Bantustans in South Africa suffer”.

One existing anomaly is that Mick Miller stated during a television interview in 1978 that the overseas trip was being paid for by an unspecified African nation.

Sweden: During a conference Mick Miller stated “the Aborigines” would get massive support from whites who oppose Atomic power and unionists and demanded to leave Uranium in the ground. He claimed the Queensland Government was worse than the Rhodesian or South African, and threatened confrontations like those of the Vietnam War demonstrations if mining commenced.

November 20th—2 Granada Television employees arrive at Weipa for preliminary research on the making of a documentary “Strangers in Their Own Land” They were accompanied by Shorty O’Neill. The documentary was screened in May 1979 despite requests from the Weipa Community Council that it was not an accurate portrayal of Weipa. A major interview in this documentary was with Mick Miller.

December 8th—Clarrie Grogan, as Field Officer of the North Queensland Land Council responded by a letter to the Editor of the Cairns Post to allegations concerning Council funding.

He stated that a \$15,000 grant from the World Council of Churches had not been used for the purchase of a four wheel drive vehicle, but was to be used

“to hold a full North Queensland Land Council meeting, which means bringing in more than 70 delegates from Reserves and towns all over North Queensland—an expensive business.”

He further stated

“It will also be used to help us present the case of all Queensland Aborigines to the World Council of Churches.”

The four wheel drive vehicle had been purchased from another grant from another source provided for that specific purpose. Mr. Grogan also stated that

“Mick Miller does have the authorisation of the Aurukun, Mornington Island and Weipa Councils for the trip overseas. In fact, he held a meeting in Weipa before leaving for overseas.”

1979—

May—2 representatives of the North Queensland Land Council, Peter Noble and Cilla Pryor (one of the field officers engaged in the Foundation for Aboriginal and Islanders Research Action Survey in 1978) were refused visas to visit the USA where they had been invited to attend “a seminar on human rights by a Black American Student Organisation”.

May—The “Message Stick” where this was reported, attributed the refusal to representations on the part of the Australian Government but acknowledged the “delegates” had been unable to provide sufficient written proof of the purpose of the visit and that Peter Noble had a different name on his birth certificate.

May—Mick Miller and possibly Shorty O’Neill flew to Europe probably West Germany and Britain.

May 22nd—Shorty O’Neill and Peter Noble issued a press release from the offices of the Victorian Aboriginal Health Service (principal Mr. Gary Foley)

June—Mick Miller, Barbara Miller and Clarrie Grogan have meetings in the Northern Territory with the Northern Land Council in an attempt to develop a federation of Land Councils.

July—Mick Miller and Les Collins begin ‘survey’ of medical needs of Aborigines in the Cairns area under a \$21,000 grant from the Commonwealth

Note: It is believed the concept was initiated from discussions between the North Queensland Land Council members and persons associated with the National Aboriginal and Islander Health Organisation in Melbourne in early 1979.

July 23rd—A committee under Les Collins and Clarrie Grogan established to investigate the educational needs of Aboriginal and Islander people.

July/August—North Queensland Land Council instrumental in bids by Yarrabah Council to seek Federal intervention. Also believed involved in disputes concerning Community wage rates at Yarrabah. Shorty O'Neill as adviser accompanied the Yarrabah Council to Canberra for a meeting with Senator Chaney, then Federal Minister for Aboriginal Affairs. Senator Chaney is reported to have refused to have acknowledged Mr. O'Neill's claim to be involved in discussion, and barred him from the meeting

September 27th—Mick Miller stated

"We are planning to combat Mr. Porter's junket to Europe"

in response to plans by the Minister for Aboriginal and Island Affairs to go to Europe to correct the impressions made by Mick Miller, Joyce Hall and Jacob Wolmby on their trip in 1978. Mr. Miller likened Queensland laws to the apartheid system of South Africa.

"He said Aborigines had to have permits to enter, leave and live on Reserves and were not able to own their own homes or land."

Note: Entry to visit or reside on Reserves is determined by local Community Councils elected by residents. No permit is required to leave any Reserve. All Queensland citizens have equal rights to own or deal with non-Reserve land and special leases are available to residents of Reserves who wish to use land or purchase homes.

October/November—Mick Miller and Peter Noble left Australia to attend the World Conference against Uranium Mining on Indigenous Peoples' Land at Copenhagen. He was reported to be "touring Europe to tell the true story about how the racist Frazer and Bjelke-Petersen regimes are denying human rights to Queensland's Aborigines. His goal is to develop an international movement for Aboriginal Land Rights. Miller said the response was overwhelming."

(Message Stick, vol 4 no. 6 October, 1979 page 8)

October 8-10—Shorty O'Neill, Peter Noble and Mark Noble, all members of the North Queensland Land Council, met with members of the Kimberley Land Council in the Kimberleys regarding the establishment of "non-Government controlled Land Councils throughout Australia"

November 30th—Shorty O'Neill in Brisbane prior to flying on to Cairns said he feared for the safety of Federal Aboriginal Affairs Minister (then Senator Chaney) and the State Deputy Premier (Dr. Edwards) if they went to Yarrabah Aboriginal Community.

Mr. O'Neill is reported to have said that Aborigines throughout Australia were looking to Yarrabah as a test case for land rights.

Late 1979-Early 1980—Palm Island "Mystery Disease" occurred. The North Queensland Land Council in conjunction with the Federal-funded Townsville Aboriginal and Islander Community Health Service had an independent test done on the Palm Island water supply, which it is claimed by Shorty O'Neill in "Message Stick" Vol 5 No 1 May 1980 showed that the water

"wasn't fit for animals to drink let alone humans"

Note: Mr Charles Porter, the then Minister for Aboriginal and Island Affairs, claimed at the time the "mystery disease" was related to eating green mangoes. This was dismissed by both the North Queensland Land Council and the Townsville Aboriginal and Islander Community Health Service. In the Courier Mail of 23rd March, 1982, Dr. Douglas Moorhouse Queensland University Reader in Parasitology, was reported to have found after research that toxocara pteropodis worm eggs were found in all mangoes tested from the Island and caused the low fever and dehydration associated with the illness. The illness was said to be especially dangerous for young children.

Dr. Moorhouse said the Palm Island illness was still being investigated but that it was most likely caused by the worms from fruit bats. Tests done by the Department of Health found no fault with the Island's water supply.

January 10th—Shorty O'Neill attends the Seventh Annual State Conference of the Aboriginal and Islanders Catholic Council at Yeppoon. He spoke of the need for a North Queensland Black Publishing Company and claimed to have a \$16,000 press in Melbourne and \$1,500 worth of art equipment. Mr. O'Neill claimed 85% of the houses at Yarrabah were condemned and 14% were in urgent need of repair. He also claimed plans were

under way to install an international airport and deep water port at Yarrabah and that nearly a half of Yarrabah was to become a Defence Department training ground. Mr. O'Neill claimed that Charles Perkins owns four houses in Canberra.

March 24th—North Queensland Land Council and the Townsville Aboriginal and Islander Community Health Service met to discuss a "refugee" crisis from Palm Island. It was agreed to call for a Senate Select Inquiry into the affairs of Palm Island.

April 1—Shorty O'Neill called for a House of Representatives Committee to investigate the "plight of the refugees"

Note: Four Palm Island residents were required by a Court Order not to reside at or visit Palm Island pending the hearing of charges. The order was made by due process of law to prevent intimidation of witnesses. The families of some of the men then voluntarily moved from Palm Island to Townsville over this period. No requests for assistance were made to the Department of Aboriginal and Islanders Advancement until well after Mr O'Neill's call.

April 24th—Shorty O'Neill and Jan Roberts attended annual general meeting of Comalco in Melbourne

Early 1980—Wu Chopperen Medical Service, Cairns (Les Collins and Mick Miller, Principals) release report of survey conducted in 1979. Report strongly criticised State Health programmes and services.

June—North Queensland Land Council attempted to organise an alternative conference to the 2nd World Wilderness Congress held in Cairns 8-13th June

June—"Message Stick" published a map of (quote)

"The White Development Threat to Yarrabah" showing Yarrabah Reserve divided according to proposed industries such as woodchip, sugar farming and tourist development

October—Mick Miller attended Christian Conference at Kobe, Japan and involved himself in anti-uranium demonstration in Tokyo. During a press conference, Mr. Miller is reported to have stated:

"We Aborigines accuse the Australian Government of wanting to commit genocide, and Japan is just as guilty"

Mr. Miller admitted he did not directly represent the Northern Territory Aborigines and described himself "as a Cairns school teacher temporarily out of work after a disagreement with the Queensland Government"

Note: Mr. Miller's education was totally paid for and encouraged by the Queensland Government. He finished training in 1960 but refused an offer of teaching in a school with a predominantly Aboriginal enrolment. As an alternative he was posted to Cairns where he later again refused to teach at a school with a predominantly Aboriginal enrolment. Mr. Miller's "temporary" unemployment as a school teacher has been spasmodic for nearly 20 years.

November 19th—Mick Miller interviewed in Cairns concerning the review of the Queensland Aborigines and Torres Strait Islanders Acts. Mr. Miller stated:

"It's repealed but, you know, being Bjelke-Petersen and in his devious ways he has said to the people "We are going to abolish the Act" but he has never once mentioned about protection for the land—for the Reserve lands. We've been saying "We want the Act abolished and we want land rights given to the Aboriginal people so that all those Reserves might be handed over to the Aboriginal people for the Aboriginal people to run". At the moment Bjelke-Petersen is saying "We'll abolish the Reserves, we'll abolish the Act. All your Reserves will not be Reserves any longer. Nobody will require a permit to go in there. Tourists and business people will have the right to go onto your Reserves, walk all over them and settle there". We don't want that. They're our Reserves—we want to run them ourselves and live there as we see fit. If the Act is abolished they've got no protection from the land. It means that the great big business people from outside—can buy up land. The Aboriginal people haven't any land. And if they haven't got anything to replace that vicious, obnoxious Queensland Aboriginal Act, you know they're doomed—the people are doomed. And Bjelke-Petersen and his Government are taking part in destroying once again Aboriginal people, and Aboriginal lifestyle—the whole Aboriginal culture."

Interviewer—

“It is still a rather severe statement isn't it—that the Government is in fact trying to destroy the Aboriginal people.”

Miller—

“Look this Government in Queensland that we have at the moment now doesn't give a damn about Aboriginal people. Why have they continued up to the present time to deny the Aboriginal people here their land rights? The Northern Territory has started it; South Australia has started it; New South Wales has started it, but not here in Queensland because we have a fascist type Government run by Bjelke-Petersen who has always said that the Aboriginal people in Queensland will get land rights over his dead body. We believe we'll win. You know, we believe that we've struggled long enough that surely Queensland can't be the backwater, you know, in enlightenment that a lot of people . . . ”

December—Australian Council of Churches newly appointed Aboriginal Advisory Group had its first meeting in Sydney. The seven members include Mr. Gary Foley of the National Aboriginal and Islander Health Organisation; Mr. Mick Miller of the North Queensland Land Council; and Mr. Paul Coe of the Aboriginal Legal Service.

Apart from advising the Australian Council of Churches Executive Committee on Aboriginal matters the Advisory Group is also responsible for administering the Aboriginal and Islander Development Fund.

1981—

Early 1981—Shorty O'Neill established the North Queensland Black Publishing Company and Townsville Branch of the North Queensland Land Council, in Townsville. Telex equipment was reported installed at a cost of over \$3,600.

Note: To date two publications are known to have been sponsored by the North Queensland Black Publishing Company, but neither was in fact printed by it.

March 20th—Mr. Shorty O'Neill was reported to have said that

“Aborigines were willing to shed blood during Brisbane's Games to show the world Australia was the lucky country for whites only”

“He said Aborigines would urge Black African and Pacific countries to boycott the Games”

March 21st—Les Collins is reported to have told a rally in Brisbane that Mr. Ordia, President of the African Supreme Council of Sport, and Black African nations would support a boycott of the Commonwealth Games in support of “Aboriginal” demands. The rally was organised by Mr. Bob Weatherall, of the Foundation for Aboriginal and Islander Research Action.

Note: Mr. Ordia later denied Mr. Collins' statement and indicated any problems relating to a boycott did not lie in Australia or Africa.

March 25th—Shorty O'Neill convened a rally in Townsville and is reported to have told it that Aborigines would find themselves with no land at all if Mr. Bjelke-Petersen succeeded in claiming Reserves for private business.

He reportedly said Palm Island would be taken over for tourism unless Aborigines acted quickly and make their objections heard.

In a telex to the Queensland Premier he stated the rally had passed a motion for Federal intervention although this was not otherwise reported.

April 22nd—Mick Miller claimed large tourist and mining companies were waiting for the Premier, Mr. Bjelke-Petersen, to repeal the Aborigines and Torres Strait Islanders Acts. He is also reported to have claimed the Premier would benefit financially from such a decision.

April 29th—Federal Department of Aboriginal Affairs states intention of funding a “half way house” proposal for Cairns initiated by the North Queensland Land Council.

April 27-May 2nd—3rd General Assembly of the World Council of Indigenous Peoples met in Canberra. Attended by Shorty O'Neill and representatives of F.A.I.R.A. and other groups.

April 28th—North Queensland Land Council circulated limited copies of its official policy on land rights as determined at its January 1977 conference.

April 30th—Delegates to the World Council of Indigenous Peoples marched on Parliament House and an Australian Flag was burnt by a small group including Shorty O'Neill and Bob Weatherall of the Foundation for Aboriginal and Islander Research Action.

May—"Message Stick" Vol. 6 No. 2 May 1981 published a map showing "Threats to Aboriginal Reserve Areas in Queensland", detailing mining and other industries and implying they are likely to occur

Note: This map and information are without factual basis

Early June—A one-week visit to Canberra, by 5 Aboriginal Queenslanders, including Mick Miller, Bob Weatherall and Eric Kyle was organised by Marcia Langton (believed associated with the National Aboriginal and Islander Health Organisation) and Les Malezer, formerly associated with the Foundation for Aboriginal and Islander Research Action. The purpose of the visit was to seek meetings with Federal officials to seek Federal intervention in Queensland.

June 3rd—Aboriginal Support Groups A.C.T. organised a public forum with guest speakers, Mr. Mick Miller, Bob Weatherall and Eric Kyle (State President of the Aboriginal and Torres Strait Islanders Legal Service)

Note: The Queensland Aboriginal and Torres Strait Islanders Legal Service was refused funding from November, 1981 on the advice of the Queensland members of the National Aboriginal Commission, as its executive was considered to no longer represent the needs or wishes of its clientele.

June 4th—Mick Miller told a Canberra conference that Queensland Aboriginal Groups are to send representatives to African Commonwealth countries before the Commonwealth Heads of Government, to seek a boycott of the Brisbane Commonwealth Games. He said African countries will be warned that their presence at the Games would be seen as support for "the Queensland apartheid system". He said if the delegation failed to win the support of Black African nations, every effort would be made to disrupt the Games."

June 14th—Mr. Miller responded to the Premier's refusal to meet with the World Council of Churches team by claiming it was virtually an admission that racism existed in Queensland.

"I'm damn sure that in their reports to the Geneva convention, the treatment handed out to our people in Queensland will draw immense criticism from other nations."

he is reported to have said.

June 16th—In response to an interviewer's question regarding what the North Queensland Land Council should show the World Council of Churches and what "North Queensland Aborigines" would be telling the team, Mick Miller indicated assistance in keeping the Premier from abolishing the Reserves and turning them over to "great big multi-national companies"

June 26th—Mick Miller and Eric Kyle accompany W C C team to Palm Island. Mick Miller and Eric Kyle are both reported to have told a meeting of Palm Island people that if a new "Act" came into being the people of Palm Island would be moved off and the existing Reserves sold to the multi-nationals.

July 10th—Mr. Terry O'Shane told rally in Cairns that National Aborigines Day was a day of sorrow and said that compensation should be sought for land already lost. Mick Miller opened the Wu Chopperen Aboriginal Medical Centre. Mr. Les Collins was identified as the co-ordinator of the Centre and reportedly stated:

"The medical profession has developed a myth about doctors, that they are the only people who know about health"

July 25-26th—National Campaign for Land Rights and Self-Management in Queensland formed in Canberra. Les Malezer prominent in formation.

Mr. Shorty O'Neill said at the conclusion of the meeting:

"The National Campaign will be launched with telexes to United Nations bodies. The National Committee will build up pressure on the Prime Minister, Mr. Malcolm Fraser, to stop the Queensland Government from de-gazetting the Aboriginal Reserves and transforming them into mining and tourist development areas, with a few lease holds to so-called non-militant Aboriginal Communities."

Mr. Shorty O'Neill appealed to the representatives at the meeting:

"Your organisations have a responsibility to prevent genocide of Aboriginal and Islander people. Bjelke-Petersen's proposals are absolutely unacceptable to our own people back in Queensland. If he gets away with his sinister plans, if Fraser doesn't step in, Aboriginal Communities will be forcibly dispensed and become outcasts. Don't believe what Baume, the Minister for Aboriginal Affairs, and Bjelke-Petersen say about negotiation and consultation. Aboriginal people don't want 50-year leases. We want freehold title and self-management."

"The national campaign will organise national rallies on 3 August before the Queensland Parliament repeals the legislation and de-gazettes the Reserves.

"The Queensland Government has tried to mislead us by stating in the Courier Mail early last week that the repeal would occur in October or November. We know he has set a date for repeal in early August!"

Note: At no time was it planned to introduce legislation in August 1981. However, a meeting of the Aboriginal and Islander Advisory Councils was scheduled for August to clarify the wishes of the Aboriginal and Islander people on the Reserves.

July 27th—A meeting of "Australia's first National Liberation Conference" was held in Sydney with local representatives of the IRA and PLO, anti South African Pan Africanist Congress and representatives of Aboriginal Land Rights organisations.

Note: Groups associated with the North Queensland Land Council are believed to have attended.

July 28th—Les Malezer as campaign chairman said demonstrations would be held at September's Commonwealth Heads of Government Meeting in Melbourne and at the Commonwealth Games next year "if there is a games".

Mr. Malezer said a delegation of Queensland Aborigines would visit Zimbabwe, Ghana, Uganda, Nigeria and Tanzania.

July 29th—Mick Miller reportedly stated Aborigines and Islanders would not lease their lands from any European or non-Aboriginal government.

"Leases are government manipulated and will result in cultural genocide for Aborigines"

Mr. Miller said

August—"Message Stick" Vol 6 No 3 August 1981 published map of Queensland Reserves with prominent wording, "For Sale—Special Government Subsidies for Foreign Investors who intend to develop Mining, Tourism, Forestry, Fishing, International Airports, Refineries or Deep Water Ports. Prime Real Estate—apply to the Queensland Department of Aboriginal and Islanders Advancement or your local National Party Government Member." Especially prominent were the words—"Aboriginals need not apply."

August 19th—Mr. Les Collins is reported to have said preparations for the trip to African nations were still being made and no date had been set. He said representatives from the Kimberley and Pitjantjartjara would possibly accompany the Queensland delegates and finance for the trip would be shared, in conjunction with the African Nations.

August 27th—Queensland Parliament was told of Shorty O'Neill's descent, criminal record and activities.

September 11th—Mick Miller supports Charles Perkins statements for planned protests during the Commonwealth Games. Mr. Miller is reported to have stated:

"Apartheid systems, whether in Queensland or South Africa, constitute institutional violence against the indigenous black people"

"Any struggle against institutional violence is not an offensive but is in fact a defence of the indigenous people and their rights"

"If the defensive action leads to violence it will be the violence of the apartheid state in its last death-throes"

September 16th—World Council of Churches Grant of \$25,000 to Wu Chopperen Aboriginal Medical Service in Cairns was reported.

The report states the Wu Chopperen is wholly Aboriginal controlled with Committee members being elected annually from 21 communities and towns in north Queensland.

Note: No such elections are known

September 16th—Queensland Parliament warned of militant activities of a small minority of Aboriginal people such as Shorty O'Neill, Gary Foley and Dennis Walker. In response, Mr. Gary Foley denied the allegations and is reported to have stated that he had never been a member of the Black Panther Party although he had been a friend of Dennis Walker's for about 15 years

Note: On at least two occasions in the early 1970's Gary Foley was interviewed as a member of the Black Panther Movement for feature articles: The Sunday Australian 5-12-71 and the Daily Mirror 22-2-72.

October 12-15—Clarrie Grogan, Shorty O'Neill, Bob Weatherall and Bertie Button tour northern Communities seeking signatories to petition for CHOGM. Refused entry to two communities and a third publicly denies support

October—World Council of Churches announces grants of \$12,720 to North Queensland Land Council \$8,650 to Townsville Branch of North Queensland Land Council and \$8,650 to the North Queensland Black Publishing Company

October 1st—A press conference organised by the Australian Council of Churches and given by Gary Foley as Secretary of the National Aboriginal and Islander Health Organisation, Mick Miller, Daryl Kickett of the Kimberley Land Council, Canadian Indian Eugene Steinhauser, Maori Rebecca Evans and John Newfong (then of National Aboriginal and Islander Health Organisation in Queensland) violently attacked African nations for ignoring Aboriginal issues at CHOGM.

Mr. Foley said he had spoken with about "half a dozen" African delegates but had not received the support he hoped for.

"Its unfortunate but I believe some of the leaders of African nations have chosen to try and ignore the issue of Aboriginal people"

Mr. Miller said the situation in Queensland was as bad as in South Africa

Mr. Foley stated the whole stance of the African leaders reeks of hypocrisy

November 25th—Donations to the Aboriginals and Islanders Development Fund of the A.C.C. were granted tax deductibility by the Commissioner of Taxation

December 2nd—The Federally established National Aboriginal Conference accused the Federation of Aboriginal Land Councils of being ill-informed after the Federation claimed the NAC had no authority or mandate from Aboriginal people to negotiate a treaty with the Federal Government.

1982—

February (early)—The Aboriginal Advisory Group of Australian Council of Churches set aside \$25,000 for a campaign for Aboriginal Land Rights and human rights. A grant of \$10,000 was also received from a division of the British Council of Churches. Gary Foley was quoted as saying the campaign would have special emphasis on Queensland.

Another report stated \$100,000 had been collected to organise Commonwealth Games demonstrations, including \$25,000 from the Australian Council of Churches.

It was reported the Redfern Legal Service, of whom Paul Coe is a prominent member, was preparing a High Court challenge to the Federal Government's right to fund what the Service called a "racist State where blatant discrimination is practised." (Queensland)

February 9th—Shorty O'Neill claimed in Wellington, New Zealand that a contingent of Maoris would join in possible disruption of the Commonwealth Games.

March 10th—Queensland Police report of Aboriginal activists trained in Libya in tactics of disruption for the Commonwealth Games.

March 10th—Mick Miller said a three man delegation would fly to Africa in April to try to persuade black African countries to boycott the Games in support of Aboriginal Land Rights. Members of the delegation would be Mick Miller, Bob Weatherall and Steve Mam.

Both Mr. Miller and Mr. Weatherall denied plans to learn terrorism in Libya.

March 12th—Mr. Miller denies the Delegation intends to go to Libya.

March 13th—Mr Bill Hartley, a prominent member of the Socialist Left faction of the Victorian Labor Party, said a visit by Aborigines to Libya had been mooted some time this year although plans were still undetermined.

Mr. Hartley dismissed allegations that Aborigines were being sent to Libya for terrorist training as impossible. Mr. Hartley said "If the Libyans recognised the position of Aborigines as one that necessitated blacks engaging in a liberation struggle, and if the Libyans therefore invited Aborigines to their country on that basis, then the visit would take place."

March 19th—Jan Roberts was in Brisbane to publicise her book "From Massacres to Mining".

Ms. Roberts believed the Aboriginal Land Councils should receive greater recognition.

"We don't want clashes—we must try to get some common sense. There is amazingly little violence considering how much frustration there is among the Aborigines," she said.

March 19th—A self-proclaimed Maori colonel of a secret black army allegedly training Aborigines to disrupt the Commonwealth Games was deported to New Zealand.

March 21st—Shorty O'Neill leaves Australia for the U.K. after spending several weeks in Sydney and Melbourne.

5. Funding

The funding of the North Queensland Land Council remains largely unknown.

Known funding from the World Council of Churches is—

	\$
1977—North Queensland Land Council	8,000
1978—North Queensland Land Council	15,240
1981—North Queensland Land Council, Cairns	12,720
1981—North Queensland Land Council, Townsville	8,650
North Queensland Black Publishing Company, Townsville	8,650
Wu Chopperen Medical Services	25,000

Note: Grants made, if any, in 1977, 1979 and 1980 are unknown. Funding has however been substantial. For example, in the period 1977 to 1981 one Australian aid group alone contributed over \$22,500 to the North Queensland Land Council or its agencies.

These funds however, would not make possible the extensive Australian or overseas travel alone of the North Queensland Land Council members.

Perhaps ironically, it is not infeasible that substantial contributions have been made by overseas multi-national mining groups as an "insurance" for the future.

Contributions from the Federal Government not to the North Queensland Land Council but to 'satellite' projects are also substantial.

6. Conclusions

The salient points of the North Queensland Land Council's structure and activities may be summarized as:—

1. Every significant matter in which the North Queensland Land Council has been involved, whether publicised or not, has involved a group of less than 20 people.
2. No knowledge whatsoever exists of any election or major meetings of the North Queensland Land Council.
3. Claims of direct representation are without foundation.
4. The North Queensland Land Council has had progressively worsening relations with North Queensland Aboriginal Communities to the extent that it is now not tolerated at all on three communities and barely tolerated on at least five others.
5. Funding is questionable but appears to be directly linked with a small group of quasi-religious and aid bodies heavily associated with World Council of Churches agencies.
6. Not being a registered organisation, it is unlikely that there is any financial accountability of the organisation and extremely doubtful that it has ever been

subject to an audit. Given the substantial grants it has received on occasions, there must be some concern that its receipt of moneys borders on the fraudulent and that its members may well be at least in breach of taxation requirements.

7. The policies and ideology of the North Queensland Land Council demonstrate a strong drift to the extreme over its period of existence to the extent that it is difficult to determine factual intentions from some peculiar "revolutionary consciousness".

8. Extensive internal and overseas travel has forged strong links with similar fringe minority groups. Members of the North Queensland Land Council have undertaken at least seven overseas trips in the past five years, at times including several members on each trip. Given knowledge of the absurd, sensational and at times violent statements made on some of these trips, it is questionable what these "ambassadors" are in fact doing and with whom they are in fact meeting. Certainly it is clear their intention is to portray Australia and Queensland as "racist regimes".

9. The prolific establishment of related "specialist" agencies must also be regarded as questionable.

10. It is perhaps significant that in not one issue upon which the North Queensland Land Council has crusaded have subsequent events proved them to be other than premature, inaccurate and amateurish. Indeed, their attempts to predict doom for the communities are reprehensible as the most disgusting attempt to manipulate Aborigines and Islanders.

It is remarkable that an organisation such as the North Queensland Land Council has been able to survive, let alone prosper on significant grants and donations. That it has done so indicates a social illness not in Aboriginal affairs but in the Australian society in general.

This point must be quite clear and cannot be over-emphasised. The North Queensland Land Council is a group of social misfits who justify their existence by the most blatant and transparent lies. They travel extensively within Australia and overseas, spreading a psychotic message of 'racism', 'fascist oppression' and 'cultural genocide'. Their entire reason for being is to discredit the work of others, for any positive development is a threat to their sources of income and existence. But, while all this is undertaken in the name of Aboriginal and Islander people, it is neither funded nor supported by indigenous people.

The North Queensland Land Council has been consistently rejected by indigenous people. Its support comes from similar groups such as the Foundation for Aboriginal and Islander Research Action, the Victorian Health Service and the National Aboriginal and Islander Health Organisation, if in fact there can be any real distinction drawn between these groups. Its support comes from non-indigenous people and groups such as Barbara Russell, Shorty O'Neill, Jan Roberts, Jean Skuse, of the Australian Council of Churches, Matt Foley of the Social Work Department of the University of Queensland, Paul Richards, the solicitor of the notorious Dennis Walker, the World Council of Churches and others. It is a moot point whether such people have led and encouraged the development of extremist radicalism or whether they have merely contributed to its enthusiastic growth.

It is important to understand however, that upon their shoulders must fall the responsibility for providing the ideology and information to support that ideology, as well as funds. It is necessary to understand that the Aboriginal activists such as Mick Miller, Gary Foley and Peter Noble are products of a by-gone age when many of the issues they now fight against were existent. Regrettably, like all who tend to extremes, they have not had the flexibility to adapt to a changed situation. They are ageing activists, but not radicals and the struggle in which they are engaged exists more in their psyche than in the real world.

This is adequately demonstrated by the unwillingness of African leaders at CHOGM and elsewhere to be involved in the self-deluded allegations of these activists.

The blame for militancy, unproductive use of vast sums of money, an erroneous destructive image of race relations in Australia and heightened tensions amongst indigenous people must not, as has so often happened in Australia, be attributed to indigenous people. The blame must lie with the insecure elements of non-indigenous Australia who use Aboriginal affairs as a means of promoting both their own self-image and some strange concept of social reform in Australia and internationally. What a wonderful new society they would have, if it is to be the result of such manipulation, deception and promotion of hatred.

39. Comments on Cooper Committee Report on Shopping Centre Leases

Mr Scassola asked the Minister for Commerce and Industry—

(1) Did he recently receive from an organisation known as BOMA an "Interim Report" containing its comments on recommendations in the Cooper Committee report on shopping centre leases?

(2) What has been the fate of that interim report?

(3) Will he make it available to members?

Answer:—

(1) Yes.

(2) This report is being printed at the present time.

(3) I intend to make copies of the report available to members as soon as they become available.

40. Alleged Use by Liberal Party of Police Motor Vehicle

Mr Mackenroth asked the Minister for Local Government, Main Roads and Police—

(1) Who is the registered owner of a blue Falcon sedan, registration number 188-NUT?

(2) If this car is a police or Government car, who was in charge of this vehicle on 27 March between the hours of 8 a.m. and 6 p.m.?

(3) During those hours was any other person authorised to drive that vehicle?

(4) If this car is a police or Government car and was authorised to be in the control of a Police Department employee, did this authorisation include (a) being used by the Liberal Party candidate for Woolloongabba Ward to deliver refreshments to polling booth workers in that ward, and (b) being used for non-Government employees to drive or ride in?

(5) If this car is a police or Government car and was not authorised to be used by the Liberal Party, what action does he intend to take as it can be verified that this car was in fact used by the Liberal Party on 27 March?

Answer:—

(1) The vehicle is registered in the name of the Commissioner of Police and allocated to the Missing Persons Section of the Juvenile Aid Bureau.

(2) P.C. Constable 1/C T. I. McKechnie was in charge of the vehicle from 8 a.m. to 5 p.m. on 27 March 1982. The vehicle was not used between 5 p.m. and 6 p.m. on that date.

(3) Yes.

(4 & 5) (a) No. (b) P.C. Constable 1/C McKechnie used this vehicle to convey an off-duty police officer attached to the Missing Persons Section of the Juvenile Aid Bureau, together with that officer's two sons, from the polling booth at the Salvation Army Hall, Stones Corner, to Police Headquarters for the purpose of that officer assisting in the handling of an urgent inquiry in which he had been previously involved. After delivering the officer's two sons home, the vehicle was then driven to Ashgrove and Sunnybank Hills for the purpose of completing the inquiry.

41. Extension of Carindale Shopping Centre

Mr Mackenroth asked the Minister for Local Government, Main Roads and Police—

(1) Why did he find it necessary to use section 7 of the City of Brisbane Town Planning Act to over-rule the decision of the Brisbane City Council to reject the application by the SGIO to extend the Carindale Shopping Centre?

(2) Has he received any objections to the planned rezoning?

(3) If so, from whom were the objections received and what were their reasons for objecting?

Answer:—

(1) Prior to the current town plan for Brisbane, which came into force in December 1978, the subject land was included in a zone in which shops and shopping centres were a permissible use as of right and a building permit was obtained by the land-owner for the erection of a shopping complex thereon.

Before the erection was completed and the complex brought into use the new town plan came into force, and under this plan the land is included in a zone in which shopping centres are permissible only with the prior consent of the council.

Legal advice obtained by the owner from senior counsel was that, because the complex had not been brought into use at the time of commencement of the new plan, the use of the land as a shopping complex constituted an unlawful use. As a consequence the owner lodged a claim for substantial compensation for injurious affection against the Brisbane City Council.

Honourable members will see that the shopping complex was erected in accordance with a permit obtained from the council and the use for that purpose was a lawful use of the land at the time the erection commenced.

To rectify the position and avoid the payment of injurious affection by the council, Cabinet authorised me to initiate an amendment of the town plan by including the land in the Special Uses (Shopping Centre Purposes) Zone. The council was consulted in this course of action.

The action was taken under the City of Brisbane Town Planning Act 1964-1981 and, following the consideration of objections and the council's representations thereon, the Governor in Council approved the proposed rezoning.

(2) A total of 13 objections were received, comprising seven individual objections and six stereotype objections.

(3) In accordance with accepted practice, I am not prepared to disclose the names of objectors and the grounds of objection. However, all objections were fully considered before a decision was made by the Governor in Council to approve the rezoning.

42. Sand Slip, Stradbroke Island

Mr Mackenroth asked the Minister for Mines and Energy—

(1) Has he ordered his departmental officers to investigate the recent sand slip, which was a result of sand-mining on Stradbroke Island?

(2) Has he ordered his departmental officers to investigate the recent destruction of Aboriginal sites on Stradbroke Island?

(3) If so, what is the result of these investigations?

(4) In view of the failure of the sand-mining company on Stradbroke Island to maintain adequate safeguards, will he order a re-assessment of sand-mining on Moreton Island before sand-mining commences on that island?

Answer:—

(1) An inspection was carried out by my officers on the day the incident occurred, that is, Monday, 22 March 1982. A joint inspection with officers of other departments was carried out on Wednesday, 24 March 1982. I might point out that I am not in the habit of ordering my departmental officers in such instances; they are highly capable and responsible men and act promptly of their own accord when the need arises.

(2) During a routine inspection of mining on North Stradbroke Island on Wednesday, 17 March 1982, the area where alleged destruction of an Aboriginal site had occurred was inspected.

(3) Minor damage to an Aboriginal midden heap at a site which was not effectively marked at the time was observed. In the case of the sand slip, investigations by the Department of Mines in conjunction with the company are continuing.

(4) The sand slip does not necessarily indicate the company has failed to maintain adequate safeguards on Stradbroke Island. As I have already said, the investigation into this question is continuing. I am confident that the limited sand-mining proposed on Moreton Island can be carried out with a minimum of environmental disturbance.

43. Special Education Unit, Miami Primary School

Mr Borbidge asked the Minister for Education—

At what stage are investigations into the provision of a special education unit at Miami Primary School?

Answer:—

All site investigations relating to the construction of a special education unit at the Miami State School have been completed and the unit is listed as part of the 1982-83 special education building program. Although the project has been given a high priority, naturally, the actual letting of a contract will be dependent upon the availability of funds.

44. Bulimba Memorial Park

Mr Kaus asked the Minister for Local Government, Main Roads and Police—

(1) Is he aware that the Brisbane City Council has applied to the Lands Department for closure of a gazetted road running through Bulimba Memorial Park?

(2) Is he aware that only two tiny signs mounted on eight-foot-high poles are the only advice to the people of Bulimba of its intention to apply for the closure?

(3) Is he aware that the park comprises land originally donated to the people of Bulimba by Mr Robert Jamieson, and that the park was opened in 1919 as a memorial to soldiers, sailors and nurses from the area who served in World War I?

(4) Is he aware the council's action may be the forerunner of a move by the council to have the park fenced and effectively closed to the public of Bulimba?

Answer:—

(1 to 4) I am not aware of the matters raised by the honourable member. However, I will take the matters up with the council and advise him of the outcome.

45. Supply of Power to State System by Private Enterprise

Mr Vaughan asked the Minister for Mines and Energy—

With reference to the Financial Report on the Electricity Supply Industry in Queensland for the year ended 30 June 1981, according to which the North Queensland Electricity Board in that year purchased 796 643 334 kwh of power from the Queensland Electricity Generating Board at a cost of \$19,030,000 or 2.36 cents per kwh, and 100 686 506 kwh of power from Mt Isa Mines Ltd at a cost of \$4,491,000 or 4.46 cents per kwh—

(1) Why is the power supplied by Mt Isa Mines Ltd to the North Queensland Electricity Board almost double the price of power supplied to the NQEB by the QEGB?

(2) As Mt Isa Mines Ltd in fact operates a private-enterprise power-station to provide power also for its mining operation and since the Government has indicated that it is considering allowing private enterprise to construct and operate a power-station to supply power to the State system, what guarantees will he give that such power will also not be substantially more expensive than power generated by the QEGB thus resulting in even higher electricity charges for ordinary consumers?

Answer:—

(1) In the Queensland Electricity Generating Board network the cost of electricity production has been kept low by installing large efficient generating units and by using cheap open-cut coal. However, at Mt Isa the generating units are quite small (only 30 megawatts) and the coal is expensive underground coal which has to be transported a long distance from Collinsville to Mt Isa.

(2) The inquiry and registration document issued by the State Electricity Commission of Queensland inviting companies to register their interest in a proposal to construct and operate a private power-station clearly indicated that, to be accepted,

the cost of electricity to consumers from a private power-station would have to be no greater than would result from conventional development and operation of the State's generating facilities.

46. Forfeiture of Mining Leases

Mr Vaughan asked the Minister for Mines and Energy—

(1) Has the Mines Department written to a number of mining companies calling on them to show cause why their leases should not be forfeited?

(2) If so, (a) what are the names of those companies, (b) what leases held by these companies are involved, (c) where are such leases located and (d) how long has each respective company held each lease?

Answer:—

(1) As Minister for Mines, I have recently called on a number of lessees to show cause why their respective mining leases should not be forfeited or a penalty not imposed on them.

(2) Details of the information sought are confidential between myself, the Department of Mines and the particular lessees involved. However, most concern the Central Queensland gemfields and relate to the apparent failure of lessees to observe special conditions attached to the leases.

47. Sale of Bottled or Canned Liquor by Bowls and Golf Clubs

Mr Vaughan asked the Minister for Justice and Attorney-General—

(1) Why are bowls clubs and golf clubs, the members of which are mainly mature adults and participants in these sports, not allowed to sell bottled or canned liquor to their members, even in a limited form, when other sporting clubs and other clubs are allowed to do so?

(2) Since the existing law which prohibits bowls clubs and golf clubs from selling bottled or canned beer to their members is not being applied uniformly, will he consider amending the relevant provisions of the Liquor Act to allow the members of bowls clubs and golf clubs to enjoy the same facilities as members of other clubs?

(3) If not, what is the reason?

Answer:—

(1 to 3) Representations from interested parties for golf and bowling clubs to sell packaged liquor to their members will receive careful consideration in the review of the Liquor Act which I propose to undertake this year.

48. Cane-growing, Ord River Scheme, Western Australia

Mr Randell asked the Minister for Primary Industries—

With reference to the gloomy outlook facing the Queensland sugar industry and the concern that is being expressed by Queensland cane growers about the effect the Ord River scheme in Western Australia will have on their industry—

(1) What stage has the Ord River scheme reached?

(2) Would all regulations and controls which govern the Queensland industry apply equally to Western Australia in regard to (a) mill peaks, (b) expansion, (c) cane varieties, (d) guaranteed supply to domestic market, (e) marketing costs, (f) bulk sugar terminals and ports and (g) quality control?

(3) Will the Ord scheme share any of our existing export markets?

(4) Could overseas interests set up an industry in the Ord, thus disrupting the existing structure of the Queensland sugar industry?

(5) Will he at all times, in all negotiations, endeavour to protect the interests of the Queensland sugar industry, its cane growers and workers?

Answer:—

(1) My information is that trials by the Western Australian Government have demonstrated that cane can be grown very successfully on land to be irrigated under

the Ord River scheme. The Western Australian Government has announced that it would like to proceed with the establishment of a sugar industry in this area at an early date.

Recently, CSR Ltd and Bundaberg Sugar Company Ltd announced the formation of a consortium to consider the feasibility and consequences of sugar-cane processing in the Ord. All owners of Australian sugar mills have been invited to join the consortium.

The consortium is apparently designed to ensure a continuing Australian interest in the project and will attempt to ensure that the organisation and development of the existing industry will not be disrupted.

Although I believe that there may be some possibility of the production of crystal sugar in the Ord at some time in the future, any expansion of sugar production would appear to be most economical in existing sugar-growing areas.

(2 & 3) The Western Australian Government would have the constitutional right to develop its own legislative framework for any industry in that State. However, the marketing of sugar in Australia is subject to the terms and conditions of an agreement between the Queensland and Commonwealth Governments and between the Queensland Sugar Board and the New South Wales industry.

Australia is a member of the International Sugar Agreement and, as such, has accepted the constraints and obligations of that agreement. Australia currently has a basic export tonnage under this agreement of 3.3 million tonnes per annum and an adjusted quota in effect of 2.83 million tonnes. In addition, obligations have recently been reintroduced for the holding of special stocks. Any further growth in exports of Australian sugar will have to be made in line with Australia's commitments under the ISA.

I recently led a deputation to the Commonwealth Minister for Primary Industry (Mr Peter Nixon), where sugar industry organisations voiced their concern about any possible reduction to existing growers or millers in market access. The point was made to the Minister that the existing international quota had been built up through past export performance. However, acceptance of the constraints of the ISA had meant that the industry had not been able to expand at the rate which may have been possible in the absence of these constraints. The Western Australian Government, in discussions with the Premier and myself last year, indicated that it recognised the need to work closely with the existing industry to avoid disruption.

(4) I am informed that some overseas organisations have expressed interest in participating in a sugar industry on the Ord River. Matters relating to foreign investment are the province of the Commonwealth Government. I am confident that both the Commonwealth and Western Australian Governments would not want to see any development undertaken which might disrupt the existing industry.

(5) I can assure the honourable member that I am more than aware of the vital importance of the sugar industry to Queensland and the employment it provides in our State. I consider my role in this matter is to protect the interests of the Queensland sugar industry. However, I am concerned that there should be urgent and direct consultation between the Western Australian authorities and a representative group of Queensland sugar industry leaders. The consortium proposal does not meet this urgent need.

49. Blackwater-Yamala Section, Capricorn Highway

Mr Lester asked the Minister for Local Government, Main Roads and Police—

Will urgent action be taken to widen the Capricorn Highway on the busy section of road between Blackwater and Yamala?

Answer:—

Widening from Blackwater to the Curragh turn-off will be undertaken this year in conjunction with the approaches to the rail overpass to be provided by Curragh.

The need for widening between the Emerald Shire boundary and Yamala is recognised and this section was included in the program for regional road improvements. Funding of this program is still under discussion.

QUESTIONS WITHOUT NOTICE

Mr CASEY having asked a question without notice—

Mr HINZE: I ask the honourable member to place the question on notice.

Mr CASEY: That is a deliberate avoidance. I do so accordingly.

Education Department Brochure

Mr CASEY: In asking the Minister for Education a question, I refer to his recent publication on education which he circulated to every student in every school throughout Queensland to try to argue the Government's case on the class size issue, and I ask: Is he aware that, in this brochure, the statistics quoted in relation to enrolments are, according to his department's statistical information statement number 55, which was a supplement to the Education Office Gazette 1981, the enrolment figures for the year 1981, whilst the statistics shown in his pamphlet on the number of State teachers, are the numbers for 1982. As this information was used deliberately and deceitfully by him to try to make the Government's effort look better, will he explain to the Parliament why he had to be devious and misleading on this issue?

Mr GUNN: I have never been devious. I point out that it was not difficult to put the Government's case.

The 1982 figures were not available when the brochure was prepared. In case the honourable member does not know it, I inform him that this is 1982.

This morning I answered a question on enrolments. The increase was due to migration. I told the House that, in 1981, 54 500 people migrated to Queensland from other States. There was a miscalculation, which I admitted, and I told the House that this morning. The figure for the year before was 31 400. I am pleased that the document did so much good. I gave the department an opportunity to tell the people of Queensland the truth, which the media at no time allowed me to do.

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

POLICE COMPLAINTS TRIBUNAL BILL

Second Reading—Resumption of Debate

Debate resumed from 30 March (see p. 5288) on Mr Hinze's motion—

“That the Bill be now read a second time.”

Mr R. J. GIBBS (Wolston) (12.28 p.m.): In opening the debate on this Bill on behalf of the Opposition, may I express my extreme concern and disappointment at what seems to be a move that is gathering some support in the House, because it seems the popular opinion among Government members, that this should be the last of the sitting. Already there seems to be a move from the Government parties to gag this debate during the afternoon. I appeal to the fair-mindedness of Government members and point out that five Opposition members desire to speak to the Bill. I sound a note of warning to the Government on the basis that this is a highly contentious piece of legislation, and it is my belief that it should be fully debated.

Mr Sullivan: Aren't you capable of putting the Opposition's point of view?

Mr R. J. GIBBS: Of course I am. The Minister is incapable of putting a point of view. Obviously Government back-benchers share my opinion because they are plotting his downfall as deputy leader of the National Party.

This highly contentious Bill deserves the broadest criticism that the Opposition can level. It was introduced in haste. Later in my speech I shall outline some deficiencies in drafting and some total inadequacies.

Before going into the Bill in detail, I think that it is worthwhile pointing out the reasons why this Bill was introduced into the House at such short notice. Firstly, on a number of occasions, the Opposition has been highly critical of certain activities of the Queensland Police Force. I qualify that statement by saying it is my earnest and sincere belief that,

by and large, the criticisms that the Opposition has made in this Chamber have been made in the interests of the people of Queensland. I qualify the statement further by saying that the Minister for Police, who is afraid of his own position in the Government, has decided deliberately not to undertake an investigation of complaints made against certain members of the Police Force. On a number of occasions, my colleague the honourable member for Archerfield has laid facts before this Parliament. I believe that the Minister had an obligation to ascertain whether substantial charges could be laid against certain people, but he has failed to do so.

Criticism of the Queensland Police Force has come not only from the Opposition. The Minister made an absolute ass of himself on the television program "Nationwide". He did his own public image, and that of the Queensland Police Force, an enormous amount of harm. We have seen similar instances on other television programs, such as "Today Tonight" and "State Affair". A certain Queensland newspaper chain, which, over the years, could not be accused of being a supporter of the Labor Party, has been critical of the Minister, the Government and certain sections of the Queensland Police Force.

Even if all the people I have mentioned so far were wrong, there is one group of people who are not wrong, and that is the general public. I would be very surprised if there was a member in this Chamber who, over the past three or four years, has not received in his or her electoral office an increasing number of complaints against the Police Force. They range from minor to major complaints.

A woman rang me last Saturday afternoon. She was highly distressed. I arranged to see her in my electorate office. She told me that when her son and a friend were walking along Beaudesert Road they were pulled to the side of the road by two policemen. They were threatened by the policemen, driven to the Woolloongabba Police Station and made to stand naked against a wall for an hour, for absolutely no reason whatsoever. That woman has proceeded to lay a complaint, but she does not know the names of the two police officers concerned. That is just one instance, but there are many others. It seems that little, if any, investigation is made into these complaints. Over the past couple of years, the complaints have been coming in thick and fast.

I think that the media have correctly interpreted this Bill. It is a deliberate attempt to remove from the Minister for Police some of the pressure that has been applied to him over the past couple of weeks by some members of the Police Force, because of the increased amount of criticism that has been levelled against them.

I think that this legislation indicates the general attitude of the Government and, more particularly, of the Minister to the police, and to the responsibility, openness and accountability of government. Since the heavy criticism began, it has taken the Government only two weeks to dream up this Bill, to call people together to plan and draft it and to rush it into this Chamber last Tuesday so that it could be debated today.

The Queensland Government took two weeks to prepare what should be complex and wide-ranging legislation. In comparison, the Federal legislation took seven years to prepare. I might add that at present, in relation to investigation of police, that legislation is held up as a model of consistency and a model of good legislation not only by leading officials of the Federal Police Force and Ministers of the Liberal-National Country Party Government in Canberra—one of the same colour as the Queensland Government—but also by some members of Police Forces in other States of Australia. If honourable members care to look, they will see the different physical size of the two pieces of legislation. The Federal legislation is quite bulky, especially when compared with the Queensland legislation, which is an eight-page document that purports to carry the same meaning as the Federal legislation.

If anybody doubts my sincerity in putting forward that point of view, I point out that it was on 7 August 1975, in response to a reference dated 16 May 1975 from the then Attorney-General, Kep Enderby, that the Law Reform Commission presented to the Parliament a report requiring the establishment of a Federal tribunal to investigate police complaints, which actually commenced on that date. As a result of that, the Federal legislation came into operation on 19 October 1979—almost three years ago. For that period the legislation has operated without adverse comment from either the Federal Labor Government that initiated it or the Federal Liberal-National Country Party Government.

Before going into the detail of the clauses of the Bill, it is appropriate for me to make some comparisons with trends overseas and to compare the legislation with legislation that has been proposed in countries around the world. In a summary from the Australian

Law Reform Commission, which initially had the responsibility of investigating the establishment of such a tribunal, the learned people comprising that commission—certainly they had much more expertise and ability in the law than is possessed by any member of this Parliament and their impartiality could never be questioned—had a number of very pertinent comments to make. The summary said—

“The police are in the vanguard of the administration of justice in our society. The honour and discipline of the force are integral to its effectiveness and must be maintained. Complaints do occur and are likely to increase with growing knowledge of and sensitivity to rights. Some will be vexatious. Others will be unjust. Still others will be justified and will require action. The machinery for action must be fair and just to the police and public alike.”

That is certainly a point to which I have no objection.

“For the appearance of justice and for the protection of the standing of the police, the procedure cannot be left wholly to the police themselves. As much as possible should be.”

The summary continued—

“In his recent report to the Minister for Administrative Services, Sir Robert Mark considered that an effective system for handling complaints against police was essential to any modern police force: the object should be to satisfy the public that every complaint is investigated thoroughly and impartially. In Sir Robert Mark’s view the essential requirement of any machinery is the assurance of an initial investigation of manifest thoroughness and impartiality.”

I could cite many other parts to the House, but I shall not do that because I propose to give honourable members an insight into some overseas trends before I come to the details of the Bill. I shall now make members au fait with what has become an established fact in the United Kingdom, as appears in the Police Act 1976.

The Law Reform Commission had this to say about the Police Act 1976 in the United Kingdom—

“Introduction of the Act. On 6 August 1976 the Royal Assent was given to the Police Act 1976. The Act is now fully in force. Its central feature, the Police Complaints Board, commenced operation on 1 June 1977. The provisions enacted supplement reforms introduced earlier as a result of the Final Report of the Royal Commission on Police, 1962, and administrative reforms introduced by Sir Robert Mark.”

I note that the Minister himself has made some highly critical comments from time to time about Sir Robert Mark. However, I point out to the Minister that Sir Robert Mark was a highly respected member of an international police force and a man who is considered to have done much to establish a reputation for thoroughness and scrupulous honesty within the police force that certainly could not be said to exist in Queensland at the present time.

The report goes on to say—

“Since its creation, the unit has played an important role in internal discipline and in the removal of more than 450 men from the Metropolitan Police Force. It took a crucial part in the investigations leading to recent successful criminal prosecutions of members of the Force’s vice squad concerning their involvement in a pornography protection conspiracy. Indeed the danger of leaving complaints to be handled within the ordinary line of command is demonstrated by that case. A Commander who was the head of the squad received six official complaints of misconduct by his subordinates. However he dismissed all of these complaints, labelling them as ‘scurrilous’.”

Doesn’t that have a familiar ring? How many times have we heard the Minister for Police, the Premier and other prominent personalities on the front bench on the Government side of the Chamber labelling accusations made by members of the Opposition as scurrilous? Of course, no investigatory action has ever been taken to follow up those complaints or allegations made in Parliament.

After saying that he dismissed them as “scurrilous”, the report continues—

“One newspaper commented:

'[I]f the independent police complaint board which is just opening for business needed any further justification, all it needs to do is to point to the six complaints which sat on [the Commander's] desk—unattended and uninvestigated'—"

until such time as that tribunal moved in and the six complaints were acted upon, when it was found that the policemen involved were crooked to the eyeballs. They were consequently prosecuted and dismissed from the Police Force.

Mr Hinze: Where was that?

Mr R. J. GIBBS: In the United Kingdom.

The report continues—

"Under the new Act, reports of investigations carried out by the police into complaints made by members of the public are to be passed to a Police Complaints Board. If the relevant chief officer has decided that disciplinary charges should be brought against an officer, it will be for the Complaints Board to decide whether they should be heard by the chief officer alone or by a new tribunal."

It then goes on to outline a number of other very important points, but it basically deals with the system that presently operates in the United Kingdom.

I shall now make other references to the report of the Law Reform Commission, because I believe they provide important information for honourable members. It says that the composition of the Police Complaints Board—and I am still talking about the United Kingdom—"is left at not less than nine members." I reiterate that it is "not less than nine members", because here we have the farcical proposal that the Police Complaints Tribunal to be established under the Bill will consist of three people only. I have no doubt that when he replies to me later this afternoon the Minister will argue that three is ample. I submit that three is certainly not ample. Certainly the three who are mentioned in the legislation do not represent a sufficiently broad scope of opinion from the community as a whole. I repeat the statement in the report—

"The composition of the Police Complaints Board is left at not less than nine members. It is specified that the Board shall not include any person who is or has been a constable in any part of the United Kingdom, a provision presumably designed to emphasise the lay standards to which police must ultimately answer."

That is a very pertinent comment: "the lay standards to which police must ultimately answer." Again, I dismiss the comments made by the Minister over the last couple of weeks about the Queensland Law Society and the Bar Association investigating people in their own organisations who have committed a crime. I have long advocated and supported in the Parliament—it is on record in "Hansard"—the concept of at least one public representative on the boards of those bodies for investigatory purposes.

The report cited the medical profession as one profession that investigates its members. Whether or not it may seem unpalatable to have that profession investigating its members, the fact is that those members who are being investigated have broken the law. That is conceded. At times, medical officers assist police in the administration of the law. However, there is a vast difference between members of the medical profession and members of the Police Force whose duty it is to administer and enforce the law. The constitution of the tribunal should be much broader than is proposed in the Bill. The Police Force does not make its own laws; it is there only to enforce the law.

Canada has a Police Complaints Tribunal. Prior to the establishment of that tribunal, Mr Arthur Moloney, QC, made the following recommendations—

"The judicial branch would be presided over by a 'commissioner of citizen complaints'. He would be appointed by the Metropolitan Toronto Council. The commissioner should be a lawyer or retired judge. His function should be 'to review' all files arising from citizen complaints prepared by the investigation branch. He would 'refer back' those files to the judicial branch . . ."

His recommendation then outlined the procedures to be followed. The Queensland public will be interested in the major complaints laid before the proposed tribunal.

Mr Moloney made the following recommendation under the heading "'Major' Complaints"—

"Where the commissioner determines that the complaint disclosed evidence of a major offence, he is obliged to select a trial tribunal to determine the issue . . ."

The trial tribunal would consist of three persons. One should be a lawyer but not one with a criminal law background; the second should be a police officer of the same rank as the person accused; the third, a citizen of good repute and integrity."

The system in the United Kingdom is different from that applying in Canada. The Canadian system allows a police officer to sit on the tribunal, which includes a citizen of good repute and integrity and a lawyer who does not have a background in criminal law. Although there is merit in that system, I would stand by my initial argument that a tribunal comprising three persons is far too small.

Under the heading of "Royal Commission into Metropolitan Toronto Police Practices", the summary states—

"In October 1974 the Hon. Mr Justice Donald R. Morand of the Supreme Court of Ontario was appointed to inquire into allegations of misconduct made against certain members of the Metropolitan Toronto Police Force. Among other matters Mr Justice Morand was asked to report on matters relevant to complaints against police. The report was presented to the Lieutenant Governor of Ontario on 30 June 1976. The inquiry was wide-ranging."

It then outlines a number of recommendations that were made at the conclusion of that inquiry. Indeed, it was more than an inquiry, it was a royal commission. The following recommendation was made—

"A system must be developed for the prompt, impartial, vigorous and independent investigation of such complaints, incorporating appropriate safeguards for the rights of police officers."

The Opposition agrees with that. Further—

"Such a system must be highly visible and manned by personnel who command the respect of the force and of the public. The design of such a system is beyond the scope of this report."

Mr Moloney concluded by saying—

"Neither of these objections commend themselves to me. In the system envisaged by Mr Moloney the Chief retains the right of assigning the penalty in every case. It is only the determination of the validity of the complaint which is removed to another tribunal. In my view it is fundamentally important that the public be confident that a full and impartial investigation has been carried out and that the adjudication had been made by an independent person or tribunal. Justice does not appear to be done when the entire procedure is in the hands of the very body against which the complaint is made and as I have pointed out, in some cases not only is justice not seen to be done, it is not being done. These considerations must be paramount in any decision made concerning citizen complaint procedure."

I could quote from other sections, but I do not intend to. I have placed certain facts before the House.

Mr Akers: You have not said anything.

Mr R. J. GIBBS: My information is that when the Bill was first put before members in the joint parties room the members who eagerly clutched at it with their greedy hands were the Liberal back-benchers. I am told that one member actually opened up the Bill and said, "Gee, this is good stuff. This will put the lid on the can of worms that we have been carrying around for a few weeks. We all accept it." That is still basically the attitude of the back-bench Liberal members. Not one of them has come out publicly and made any adverse comment on the Bill. I suppose that this afternoon some Liberal back-benchers will attempt to grandstand. However, the people are waking up to the antics of the back-bench Liberal members.

I turn now to the Bill. It causes me grave concern. I refer firstly to clause 4, which is headed "Tribunal". It sets out who will constitute the tribunal. At the outset I say that the Opposition has no argument whatever against the appointment of a judge of the Supreme Court or of District Courts as chairman of the tribunal. The Opposition totally agrees with that provision.

The bone of contention is subclause (2) (b), which provides for the appointment of a person nominated by the Queensland Police Union. No member of the Opposition, no member of the legal profession and no thinking person in Queensland could be

convinced of the need to have a representative of the union appointed to the tribunal. Within a very short time the Government will find that the Police Union representative on the tribunal will be placed in a very compromising and invidious position.

It is with some interest that I note that clause 6 requires the Police Union to furnish the Minister with a panel of names of at least three persons, including that of the president for the time being of the union, as its nominees for appointment to the tribunal. Why is the Government requiring the union to furnish him with three names? Is it because it fears that a police officer of high repute and of undoubted dedication and loyalty will be appointed to the position of president of the union? Is it because some members of the Government would find that situation objectionable? Is it because they would not like to see such a person appointed to the tribunal? What is this obsession that the Government has with requiring panels of names to be submitted? It seems to be a hangover from the days when it required the nomination of Albert Patrick Field and a number of other persons. The Government cannot seem to get away from that type of mentality. I am totally opposed to the appointment to the tribunal of a person nominated by the Queensland Police Union.

Take Sergeant Col Chant as an example. Even he would not be without some ambition. Imagine the embarrassment that he would be caused if a complaint were laid against the Commissioner of Police and he was a member of the tribunal investigating the commissioner. What would happen if as a result of such an investigation the Commissioner was prosecuted for having committed an offence under the Bill, was found guilty and was dismissed from the Police Force? I should imagine that Sergeant Chant would be despised and held in a very low regard by certain of his colleagues. He would find himself in a most untenable position.

The third member of the tribunal shall be a person whose appointment shall be at the discretion of the Governor in Council. I suppose that I could not have any quarrel against that provision, because I have embodied it in an amendment that I shall move at the Committee stage. My amendment is what I regard as a sensible compromise, and I shall be moving it in the hope that the Government will agree to it.

The Opposition is certainly not happy with the suggestion that a member should be appointed at the discretion of the Governor in Council. Theoretically, the Government could appoint the magnifico from Spring Hill (Mike Evans) to the committee. There would be nothing to stop the Government's doing that. Incidentally, he owes me \$20 over a bet on the result of the local authority elections.

At a later stage I propose to move an amendment to that clause. The Opposition has no objection to the tribunal being chaired by a judge of the Supreme or District Courts, but one member should be nominated by the Queensland Law Society Incorporated or the Bar Association of Queensland, so that there may be legal expertise on the tribunal other than that of the person chairing it.

The Opposition also believes that one member of the tribunal should be nominated by the person holding or acting in the office of the Crown Solicitor. That involves a Government department. Government members could not object strongly to that. Another person should be nominated by the Local Government Association of Queensland, because that association represents a broad spectrum of the people at the grass-roots level of government throughout the State. That organisation's representative would be well qualified to put forward the views of the rank-and-file people in the community.

The Opposition believes that, to protect the interests of members of the Queensland Police Force, a retired member of the force who held commissioned rank should be appointed to the tribunal.

Some years ago, the Government appointed Mr Becker to serve on the Lucas committee of inquiry, and it was widely recognised that he did an excellent job. I see nothing wrong in having a person of his standing representing the interests of the Queensland Police Force on the tribunal.

The Opposition is concerned with other provisions. For example, clause 5 deals with the term of appointment of members of the tribunal. It provides that each member will hold office for a period of one year. In all seriousness, I ask the Minister, when he is summing up, to give Parliament some instances of people being appointed to responsible positions on boards, tribunals or royal commissions for only one year. Certainly that

restriction did not apply to Mr Camm's appointment to the Sugar Board, nor did it apply in other instances of jobs for the boys. Why should a member of this tribunal be appointed for only one year?

The Minister must know of a statement made recently by the Queensland Parliamentary Commissioner for Administrative Investigations—he should be admired for making it—that he has an enormous job in cutting through the red tape of various Government departments—in finding the quickest and most expedient way around it. It will take more than a year's experience for members of this tribunal to become totally au fait with their duties and fully aware of the problems they face.

I suspect that the reason for the one-year appointments is because the Government considers that a member of the tribunal could be a little over-zealous in his activities. I have in mind a member who might want to cut through the red tape or change the procedure provided in this legislation.

Appointments to the proposed tribunal are being made in direct contrast with the provisions of the Commonwealth legislation, which provides that appointments to the Commonwealth tribunal are based, firstly, on experience.

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

Mr R. J. GIBBS: Before the luncheon recess I was commenting on the clauses and had completed my remarks on clause 6.

Clause 7 provides for the secretary of the tribunal. In the discussions that I had recently with the Minister's advisers, I was told that the secretary of the tribunal would be a full-time employee. I wonder what the staff requirements of the tribunal will be. I hoped that the Bill would spell that out more clearly. It sets out the responsibilities and duties of the tribunal but it does not indicate the staff or back-up staff envisaged.

Power is given in the Bill for the tribunal to consult experts or to recruit persons with expertise at any time or place it sees fit to assist in a particular inquiry. Such an important tribunal, which will assist to uphold the good reputation of the majority of policemen, requires a full back-up staff, certainly more than a secretary, who appears to be the only staff member provided for.

I am concerned about the implications of clause 8, which deals with the functions of the tribunal. I believe that clause 8 has been designed deliberately to get at, if I may use those words, Opposition members who have used this Parliament on a number of occasions to raise matters on behalf of certain officers in the Police Force. However, I believe that the true reason for the inclusion of clause 8 in the Bill is to bring before the tribunal the two former officers of the Queensland Police Force, Campbell and Fancourt, who appeared on "Nationwide"

Clause 14 reads—

"Subject to this Act, the Tribunal shall be deemed to be a Commission of Inquiry within the meaning of The Commissions of Inquiry Acts 1950 to 1954 . . ."

Section 5 of the Commissions of Inquiry Act provides—

"Power to summon witnesses and to require production of books, etc. A chairman—"

I assume that that would be a judge of the District Courts or of the Supreme Court—

"may, by writing under his hand, summon any person to attend before the Commission at a time and place named in the summons, and then and there to give evidence and may further require him to produce any books, documents, or writings in his custody or control, which he is required by the summons to produce."

I believe that we can expect some heavy-handedness by the Government from time to time in dealing with the members of the tribunal. I am far from convinced that discussions will not take place between members of the tribunal and the Government concerning certain complaints that may be laid before the tribunal. A classic example is the strong rumour in political and judicial circles that the Premier has made a personal approach to Judge Carter to head the tribunal. I expect, and all fair-minded persons in the community expect, that somewhere along the line a political contact will be made.

We recall what happened recently with the appointment of the Chief Justice of Queensland. Whenever an approach is made to the judiciary, it is always made by the person whose credibility in this Parliament and in the community stands at an all-time low, because of his interference in the judicial system. I refer to the Premier. If an approach is to be made to Judge Carter or to anybody else, it should be made by the Minister for Justice and Attorney-General.

Mr Innes: By "contact", I am wondering whether you are suggesting that the judge is in any way involved in any agreement to abrogate his responsibility.

Mr R. J. GIBBS: I am not suggesting that for one moment; but the honourable member is as aware as I am of what happened recently with the appointment of the Chief Justice. Regrettably, because of that, the Government has created a situation in this State in which I believe that some members of the judiciary may be prepared to compromise themselves, if the political pressure to do so is sufficient, and I make no apologies for saying that in this Parliament. That is one of my fears about clause 8. It will open the way for the tribunal to summon persons to appear. The Minister intends to do that, because he has spelt it out in this House on a number of occasions.

But I believe that the matter goes further than that. When the Minister replies to this debate, I would like him to tell me what will be the position of a member of this Parliament who makes an accusation under the privilege of this Parliament. I repeat what the Commissions of Inquiry Acts state—

"A chairman may... summon any person..."

It makes no distinction. It could include a politician making accusations under privilege.

Mr Hinze: If you made a statement—

Mr R. J. GIBBS: The Minister can have his say when I have finished. I have asked him to clarify the point when he replies to the debate.

Will the members of the tribunal have the right to ask any politician from any party who makes accusations under privilege to appear before the tribunal? Section 8 (4) of the Commissions of Inquiry Acts states—

"A warrant issued under this section may be executed by any member of the Police Force, or by any person to whom it is addressed, and the person executing it shall have power to break and enter any place, building, or vessel for the purpose of executing it."

I am aware of the privileges of this Parliament, as no doubt other members are. Does that section mean that, if the tribunal summons a member of this Parliament to appear before it and if he refuses to appear before it, a member of the Police Force may come to Parliament House and execute a warrant against him, thus taking away a privilege that has been jealously guarded for many years? Could more devious steps be taken? For example, would it be fit and proper for the members of the tribunal to say, "We require a certain honourable member to appear before the tribunal.", and then for a member of the Government to move that that honourable member should be compelled to appear before the tribunal? If that does not succeed, what is to stop the Government of the day from taking action under clause 8 (c) of this Bill? That clause provides—

"The functions of the Tribunal are—

...
(c) to consider matters of public knowledge that involve allegations of misconduct, improper conduct or neglect of duty by any member of the Police Force..."

Will it not be possible for the Parliament to say, "We believe that this is a matter of public knowledge", and then refer it to the tribunal for interpretation? I see clause 8 as being extremely dangerous. It has been deliberately designed to have the effect, because of allegations that they have made in the past, of bringing a number of people before the tribunal.

I am somewhat disappointed with clause 9 which is headed "Powers of Tribunal". However, I am pleased that subclause (b) makes allowance, if my interpretation is correct, for the tribunal to conduct its own investigations. The clause goes on to say—

"Conduct its own investigations or cause investigations to be made on its behalf..."

I am pleased with that provision because that is sensible legislation, although it does not go far enough. I would have hoped that the tribunal at all times would have been the body that not only initiated the inquiry but also carried it out. That is the reason that the tribunal needs to be a stronger body comprised of a broader representation of people and, certainly, it should have more teeth.

Earlier in my speech I mentioned that the Bill has a mere 19 clauses. After two weeks of slap-happy preparation and a haphazard manner of compilation, it ends up with 19 clauses compared with the Complaints Against Australian Federal Police Act 1981, which took six years to compile, has been in operation for more than two years and contains 87 sections. That shows the haste and the ill-thought-out manner with which the whole subject has been approached. The headings of the sections in the Federal legislation show the thoroughness and the thought that went into it, especially when it is compared with the legislation before us.

A perusal of clause 9 reveals that the tribunal will investigate and work hand in hand with the Internal Investigations Section within the Police Department. As long as that happens in an even-handed manner and the inquiries are not given over totally to the Internal Investigations Section, then the provision has a semblance of respectability about it. But if the Government wants that respectability to be maintained—I intend to mention the gentleman's name under the privilege of Parliament—the worst person in the world to investigate allegations against police officers is one Kevin John Dorries. He is not a fit person to occupy such a position of importance within the Police Force. His reputation is widely known among his own colleagues within the Police Force, and if ever there was an example of his inadequacy it was displayed during his investigation into the recent incident involving two police officers and the death of a young woman at Mt Coot-tha. The way in which he handled that inquiry brought disrepute to his fellow officers.

Clause 10 is headed "Tribunal's Discretion", and I wonder if the Minister, in his reply, could explain the necessity for subclause (3) which states—

"Where the Tribunal declines to make or have made an investigation in respect of a particular complaint it shall notify—

- (a) the Commissioner;
- (b) the complainant, if he is known; and
- (c) every member of the Police Force to whose conduct the complaint relates,

that it proposes to take no action."

I have no argument with (a) because that is probably a correct way to legislate. The sub-clause means that if any member of the public—a member of Parliament, for example—makes a complaint to the tribunal concerning the behaviour of a number of police officers and the tribunal finds that an investigation is not warranted into the issue, that a tremendous amount of red tape has to be gone through, which will consume a great deal of time of the tribunal and also other members of the Queensland Police Force who will have to advise a number of their colleagues, who in the first place are probably not aware that complaints have been brought against them, the tribunal will take no action. I wonder if I have interpreted that clause correctly.

I am extremely cautious about clause 11 which is headed "Malicious complaints". The clause will not have the desired effect of encouraging people to take complaints before senior members of the Police Force or to lodge those complaints before the tribunal. To the contrary, perhaps it will discourage them.

I find it objectionable that legislation establishing a tribunal or any similar body should include a provision that a person making a complaint that is found to be malicious must "show cause why he should not pay the expenses of the making of investigations in respect of the complaint." I appreciate that a situation could arise in which a person made a malicious complaint before the tribunal but was able to convince the tribunal of his genuine feeling about it. Many thousands of dollars could be spent investigating to a conclusion a complaint that may eventually be found to be malicious and false. Because of the time taken and the expense incurred, the person concerned could find himself in severe financial straits.

I do not sympathise in any way with a person who makes a false or malicious complaint to a tribunal. However, the penalty stated in the Bill is far too severe. At the Committee stage I intend to move an amendment to clause 11, substituting the following—

“11. Malicious complaints. (1) A person who maliciously makes to the Tribunal a complaint that is false commits an offence against this Act and is liable to a penalty not exceeding \$1 000.

(2) A document purporting to be certified by the secretary of the Tribunal as a copy of a complaint made to the Tribunal shall be admissible in any proceeding as conclusive evidence that the complaint embodied therein was made to the Tribunal by the complainant named therein on the date shown therein as the date of the complaint.”

That would be sensible legislation for the Government to accept. The Minister should give serious consideration to the amendment that I have foreshadowed. Under the Bill as it stands, the tribunal will say to the person making a complaint, “You are guilty of making a malicious complaint.” If my interpretation of the provision is correct, he will not have recourse to any avenue of appeal. If my amendment were accepted, he would have to appear before the Magistrates Court and it would have to be proven that the complaint was false and malicious. If he were found guilty, he would be liable to a penalty not exceeding \$1,000. The proposed amendment is highly desirable to protect the interests of those who will be called before the tribunal from time to time.

In fairness to members of the Police Force, I suggest that clause 13 is one that has been hastily put together and given very little intelligent thought. For example, subclause (1) (b)—

Mr DEPUTY SPEAKER (Mr Miller): Order! Would the honourable member refer to the Bill as a whole rather than to the clauses?

Mr R. J. GIBBS: Yes, Mr Deputy Speaker.

I find it objectionable that the Bill says that a person who commits an offence against the Act is liable to imprisonment for six months, without the option of a fine or other penalty. If not acting as an inducement, it could certainly influence the chairman of the tribunal. That penalty is far too severe. I suggest that it will have the effect of deterring a judge from making such a decision. If the offence is minor or one that could not be put into the category of “serious”, it is objectionable that a judge should be able to sentence a person to imprisonment for six months. In my opinion, that provision should be reconsidered.

I am concerned about other parts of the legislation. For example, it provides that the taking of evidence before the tribunal shall be in camera in the presence of such persons as the tribunal permits, and no other persons. Again, I point out the distinct difference between the Bill and legislation relating to investigations into members of the Commonwealth Police Force. Under the Commonwealth legislation there is provision to hold a hearing in camera. By and large, most hearings are held in public. However, the tribunal has the power to refuse admission to certain persons and to give directions as to the persons who may be present during a hearing in camera.

When called before a tribunal of this nature, many intelligent people become very nervous, lose their ability to put their case clearly, and panic and worry. Are we to interpret that to mean that a person who is somewhat illiterate or is not well educated can be called before the tribunal and be denied legal representation? Nowhere in the legislation can I find any provision saying that either the police or members of the public, if called before the tribunal, are entitled to legal representation. That right should apply to the police as well as to the public.

The Federal Act provides that the proceedings shall be held in camera only in specific instances and that in other instances persons appearing before the tribunal are entitled to legal representation. The right of people appearing before the tribunal to protection under the law has been obliterated by clause 14 of the Bill. Under the Federal legislation, any person who is required to appear before Federal tribunal is entitled to immunity.

I am amazed at the Minister's saying that this tribunal shall be deemed to be a commission of inquiry. The people who have master-minded the legislation want the

very best of both worlds. On the one hand, they are saying that it should come under the Commissions of Inquiry Acts, 1950 to 1954; on the other hand, they have taken out of that legislation certain aspects that guarantee privilege and protection to witnesses appearing before that tribunal.

Clause 14 (4) states—

“The rule of law that excuses a person from providing evidence that may be used upon a charge against him shall not apply in respect of an investigation or proceeding before the Tribunal unless the Tribunal forms the view that the charge that might arise from the investigation or proceeding would relate to an offence of a serious nature”

It is not the job of a tribunal of this nature to sit as judge and jury and determine what will be classified at a later date as a serious charge. That is the type of thing that happens at a committal hearing when a person faces a charge. It should not be the function of three persons on a tribunal to make that determination.

The clause continues—

“. . . shall inform the person concerned of its view and issue to him an appropriate warning.”

Section 14 of the Commissions of Inquiry Acts provides that a person who is required to appear before a commission is given immunity. Subsection (2) of that section, under the heading “Statements made by witness not admissible in evidence against him”, states—

“A statement or disclosure made by a witness in answer to any question put to him by the Tribunal or any member thereof shall not (except in proceedings in respect of contempt of the Tribunal or of an offence against any of the sections of The Criminal Code specified in section 22 of The Commissions of Inquiry Acts 1950 to 1954) be admissible in evidence against him in any civil or criminal proceedings.”

I cannot see why that same privilege should not apply under this legislation. Consequently, it is my intention to move an amendment at a later stage to ensure that that privilege will apply to people appearing before the proposed tribunal. The wording of my amendment will be exactly the same as that of the section contained in the Commissions of Inquiry Acts, 1950 to 1954, which the Minister has said that the Bill is basically designed to work around.

I have stated the main complaints that the Opposition has about the legislation. I conclude by saying that the Minister and his advisers, by introducing this legislation, have done the public and the members of the Queensland Police Force a great disservice. The Government has missed a golden opportunity to restore a sense of credibility to the Police Force by establishing a tribunal that will be seen to be fair and open by the public and by honest members of the Queensland Police Force. Of course, the majority of police officers are honest.

The Government could have set up a tribunal that would be beyond reproach and political interference. It could have set up a tribunal that would not be subject to accusations of acting in an impartial and improper manner. The Government has missed the opportunity and thereby has done a gross disservice to the Queensland Police Force.

The Opposition will be supporting the legislation. I should like to think that the Minister will be sufficiently fair-minded to accept a number of amendments that the Opposition will move. They are sensible amendments and are designed for the purpose not of political point-scoring but of tightening up the legislation so that it will be better for the members of the Queensland Police Force, members of the public and honourable members who want to be convinced that the tribunal is capable of working in a fair and impartial manner.

Mr HOOPER (Archerfield) (2.42 p.m.): Although I support the Bill, I have certain reservations about it. There is an old adage that half a loaf is better than none. At the outset, however, I state that I will not be appearing before any police complaints tribunal. The establishment of the tribunal will not deter me from carrying out my duties as a member of Parliament. It will not stop me coming into this Chamber, which is my forum, and exposing police corruption. I make it quite clear that I will not be intimidated or cowed by the Minister or any of his police bully boys.

After the intimidatory remarks made in recent weeks by the Premier, the Minister for Police, Police Union officials and police officers themselves, who would appear before the tribunal? Who would risk having to pay out large sums of money after an Internal Investigations Section cover-up determines that a complaint is malicious? This legislation is intimidatory. It certainly will not encourage people to come forward and tell the truth.

My opinion is that the tribunal should be constituted by a judge sitting alone and that an appeal should be provided to three judges. Counsel assisting the tribunal should be selected very carefully. Because barristers may have been involved in defending corrupt police officers, the appointment of counsel assisting the tribunal should be on a rotation basis.

Mr Tenni: Should the judge be a member of the Labor Party, too?

Mr HOOPER: I do not care whether he is a member of the Labor Party, the National Party or the Liberal Party, provided he is honest. Unfortunately, if he does happen to be a member of the National Party, serious doubts will be cast on his honesty.

Since when have members of the Police Force been elevated to the status of the judiciary? The Police Union representative will suffer from a serious conflict of interests because of the obvious, close and deceitful marriage between the Police Union and the present police administration. It is to some of the members of the present police administration that complaints refer.

Let me deal with the role of the Police Union representative. He will be nothing more than the eyes and ears of his corrupt mates in the police administration, mates who have looked after his executive cronies, protected them, reclassified their position and ensured that their known malpractices were not subjected to intensive investigation.

What happens to a legitimate complaint made against a senior police officer? It is forwarded to the Internal Investigations Section, where junior officers are expected to diligently investigate their superiors. Anyone with common sense—even the honourable member for Barron River, who does not have too much between the ears—would realise that no-one would be so “diligent” as to jeopardise his future career.

What I would like to see is a tribunal based on the New South Wales police tribunal, which has all the powers of a royal commission. It has the power to subpoena, to protect the identity of witnesses and to consider hearsay evidence. Witnesses appearing before that tribunal have total, unqualified privilege. The New South Wales experience is that this power is vital and the benefit far outweighs the problems that might be caused by the very few frivolous and vexatious complaints received.

Mr Katter interjected.

Mr HOOPER: What was that inane interjection?

Mr Katter: The Police Force in New South Wales is reputed to have a list setting out that certain graft is paid for certain things.

Mr HOOPER: The Queensland Police Force certainly runs a close second. A recent survey reveals that the New South Wales force has the lowest credibility rating of all forces in the Commonwealth. It is followed closely by the Queensland force, which has a credibility rating only 0.07 per cent higher. The credibility of the Queensland Police Force is in tatters because of the rotten, corrupt, National Party-dominated Government.

Mr DEPUTY SPEAKER (Mr Miller): Order! I ask the honourable member to withdraw the unparliamentary word “corrupt”.

Mr HOOPER: In deference to you, Mr Deputy Speaker, I do so.

The trouble is caused by the decadence of the National Party-controlled Government.

Mr KATTER: I rise to a point of order! The use of the word “decadence” is unparliamentary. I ask that it be withdrawn.

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

Mr HOOPER: I withdraw the word “decadence”, and say that the probity of the National Party-dominated Government leaves much to be desired.

What has the Internal Investigations Section been doing of late? Its members have anticipated the attacks that might be levelled against their corrupt superiors. They have embarked on a program of intimidation of potential witnesses by threatening them with transfer and suggesting that their future in the Police Force is in grave doubt. That has been done in conjunction with the trumping up of evidence that could be vital in protecting some senior officers who are well aware of the amount of evidence against them.

Let the Police Commissioner try to deny that that is going on. He cannot truthfully do so. If he denies it that will vindicate my argument that he does not know what is happening in his own department.

Mr Menzel: Why don't you tell him?

Mr HOOPER: I will tell him; let there be no mistake about that.

When this legislation becomes law, members of the Internal Investigations Section in breach of clause 13 of the Bill should be dealt with immediately. That will test the intentions of the Government and show whether or not the tribunal is fair dinkum.

To put the record straight, who are the criminals in the Police Force who are being protected? They include none other than the commissioner himself (Mr Terence Murray Lewis), and his assistant commissioner (Tony Murphy). Both officers have had meteoric rises. As boys, they were banished to the bush by a former honest police commissioner for their conduct, but have risen to stardom under this National Party-controlled Government. This Parliament is well aware of Mr Lewis's conduct.

Mr HINZE: I rise to a point of order. Very simply, the honourable member who is speaking, under the privilege of this Parliament—

Mr HOOPER: What is your point of order?

Mr HINZE: If the honourable member will wait, he will hear it. Under the privilege of this Parliament the honourable member has condemned the Commissioner of Police and his deputy. At the outset of his speech, the honourable member said, "There is no way in the world that I will appear before the tribunal."

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

Mr HOOPER: The Minister is only trying to ingratiate himself with the Police Commissioner, whom he has defended very ineptly in the past few weeks. If the Police Commissioner, who is one of the most silent commissioners in my memory, hitches his star to the Minister for Local Government, Main Roads and Police, and shelters behind his ability, he will be sadly disillusioned.

As I was saying, Parliament is well aware of Mr Lewis's conduct in the Lyons fiasco. It has been well documented by me. I might add that the commissioner has never bothered to publicly refute the allegations. He dare not! He may yet have to explain under oath his actions that night. If he and Sir Edward Lyons think that that disgraceful performance is gone and forgotten, they are sadly mistaken. I have not forgotten and neither have the people of Queensland. The day of reckoning will arrive.

Mr Murphy is deeply indebted to the Queensland Police Union for its financial support when he was charged with perjury. That charge followed his conduct during the National Hotel royal commission. I might add that he was not convicted.

Mr Prest: Who else was mentioned during that National Hotel inquiry?

Mr HOOPER: Many people were mentioned. I suggest honourable members should read a book entitled "In Search of Justice", written by Peter James, which gives a resume of what transpired in the National Hotel inquiry. The chief witness against Mr Murphy was Shirley Brifman who was not available owing to her timely death. The anomalies in the police investigation—or should I say the lack of investigations?—into the death of Brifman were well documented in 1972. They would no doubt have been brought up in a royal commission into the Police Force. His protection of a former police commissioner has also been well documented.

Who has been singing the praises of Murphy for many years? None other than the Police Minister, Mr Hinze! At page 1057 of "Hansard" dated 13 October 1971 he said—

"Everybody knows that Hallahan and Murphy are highly respected police officers."

High praise indeed. Unfortunately the praise was misplaced and Hallahan was subsequently kicked out of the Police Force because of his criminal activities.

Mr Hinze interjected.

Mr HOOPER: I suggest that the Minister is on the way out as Police Minister and I do not intend to treat him unkindly. But, as I have told him before, if a fool rushes in where angels fear to tread, he is fair game.

The praise given by the Minister to those two gentlemen came after he had attacked Brifman in a manner that we have come to expect.

Later in his speech the Minister said—

“I conclude by saying that it is a sad day for Queensland when week after week police inquiries are held into graft and corruption on the say-so of crooks, spivs, bludgers, prostitutes, and anyone else. If that is what we are coming to, it is about time we gave the game away.”

What a remarkable statement again. The Minister suggested that people should not make corruption charges against the police. The Minister's statements of late have been virtual reruns of his vintage remark of 13 October 1971.

Mr Hinze interjected.

Mr HOOPER: I warn the Minister that if he keeps buying in, I will give him a good biff.

Mr Hinze: It was true then and it is true now.

Mr HOOPER: It was not true and the Minister knows it.

Mr Hinze: You know that.

Mr HOOPER: I do not. If the Minister and I continue our argument across the Chamber it will be very interesting but it will chase all of the children out of the gallery.

It is now April 1982, almost 11 years later, and the same charges are being laid and there is still no investigation. It has been business as usual under this Government for the last 11 years. The Premier is always talking about the Westminster system. I should like him to tell me of any other Government that has adopted that system that has the record of this Government. Murphy's protection of gambling joints and massage parlours is legend in the Police Force. I suppose this will be denied, as the Minister assures us that they do not exist and are figments of my imagination. It is well known that the Minister was kicked out of the “Golden Hands” massage parlour for refusing to pay the fee.

Mr Hinze: What about the little girl in Malaya?

Mr HOOPER: I have never been to Malaya.

All of this would come out before a royal commission but not before this toothless tiger tribunal. Let me now move to more recent times—9 March 1982 to be exact. A document was read to this House by the Police Minister. After attacking the credibility of the two former police officers who had made allegations of corruption in high places in the Queensland Police Force, the Minister concluded his speech by saying—

“The Commissioner has my complete confidence.”

In that document there was a paragraph that was not read by the Minister. It reads—

“He tells me Assistant Commissioner Tony Murphy is an outstanding officer who is widely known as a person who has a complete aversion to drug offenders and that he has worked hard and with considerable success to put such offenders down. I accept unreservedly what the Commissioner says. I do not doubt it would be of great comfort to the drug offenders of this State if Assistant Commissioner Tony Murphy were removed from his important work during his involvement in a Royal Commission.”

Why did the Minister or whoever prepared that document for him provide what can be described only as a defence of Mr Murphy in relation to drugs and pre-empt his appearance before a royal commission should one be commissioned? That paragraph is all the more baffling when it is remembered that no person had publicly raised the name of Mr Murphy in relation to drugs or even suggested that he would be named as one

of the senior police officers involved in corruption charges. So how did the paragraph come about? Has someone in the Minister's office or at police headquarters got a good crystal ball? Or could they sniff the way the breeze was blowing? I will tell the House why it was prepared. The allegations that I am making are such common knowledge inside the force that the paragraph was typed up as a matter of course on that assumption. Those matters were common knowledge outside the Police Force in the public arena, so that is why they were typed into the paragraph. The defence was prepared, but someone picked up the gaffe and the Minister did not make his remarks.

I presume that this National Party kangaroo court will have the power to subpoena persons to testify. They will have no immunity and they may be charged for their statements. What a marvellous way to silence critics of the Queensland Police Force! If people refuse to testify before this kangaroo court, what is to happen to them? Will they be transported to Palm Island? While awaiting transportation, where will they be held? If this National Party Government emulates its counterpart in South Africa, they will be held in the police building in Herschel Street. Will we then see what happens in South Africa—people falling from seventh floor windows? The people of Queensland are not going to cop this whitewash.

The criticism of the Police Force has been so long, so sustained and so well documented that only a royal commission can unearth the true facts. Will this National Party Star Chamber act upon and investigate such abuses of police power as happened in the case of the Allens? A young fellow by the name of Gary Allen lives in my area. On occasions, he has been a bad boy; he has committed a few minor offences. But on a Saturday afternoon about two months ago, the police arrived at his front door in Skylark Street, Inala, to execute a warrant for his not paying a fine. While he was at the front door showing some police the receipt for that fine, other police were at the back door bashing it in with a cricket bat.

Mr Turner: That is not cricket.

Mr HOOPER: The honourable member for Warrego, who is one of the more astute members of the National Party, says that that it is not cricket. It is certainly not cricket. It certainly leaves a lot to be desired.

In another case the Drug Squad made a 6 a.m. raid—one of those raids that are so loved by fascist Governments. They arrived at a house in Inala to search for drugs. I might add that they did not find any. They would not even allow the lady of the house to get dressed. They did not lay any charges. I came to the conclusion that they must have been a mob of perverts or voyeurs.

Mr Hansen: What is a "voyeur"?

Mr HOOPER: A voyeur is a person who takes delight in watching people engage in sexual activity.

Will this National Party kangaroo court discipline the police concerned in these cases, or will it make recommendations to the silent commissioner, Mr Terence Murray Lewis, to give them their usual slap on the wrist?

The tribunal will be empowered to take up allegations made against police in this House. What colossal impertinence! The Premier talks long and loud about following the Westminster system. He would not know the meaning of the expression. If the Premier is fair dinkum, he knows as well as I do that this National Party Star Chamber has no power to subpoena members of this Parliament for what they have said in the House. If they try, they will clearly be in breach of privilege and should be brought before the Bar of the Parliament and dealt with. Where is Mr Speaker? He is supposed to be the custodian and guardian of the rights of this House. Sir Robert Sparkes, the leader of the National Party, is on record recently as saying that he wants to curb the privileges of this House. Shades of Charles I!

Where are the so-called Liberals? Mr Deputy Speaker, I exclude the member for Ithaca from what I am saying.

Mr Davis: He is all right.

Mr HOOPER: Of course he is all right.

The Attorney-General is clearly out of his depth. As I have pointed out on numerous occasions, his advice counts for naught in the corridors of power in Queensland. What about the young Turks in the Liberal Party who are usually so vocal in defence of people's rights, when it suits them? Where are they now? Where are the honourable members for Salisbury, Sherwood, Toowong, Pine Rivers and Stafford? They are deathly silent.

Mr Underwood: Clawing their way into Cabinet.

Mr HOOPER: They will not have to try too hard because there is a palace coup afoot in the Liberal Party. It is well known that the days of the Deputy Premier and Treasurer (Dr Edwards) are numbered. I predict that the next Leader of the Liberal Party will be the honourable member for Sherwood (Mr Innes).

The Liberal Ministers are too busy looking after their perks of office to worry about such minor matters as civil liberties.

Mr Hinze: They are telling us that you are the biggest leader of the ALP; is that right?

Mr HOOPER: If one has greatness thrust upon one, one has to accept it.

For many years the Minister for Police and I have been great protagonists, but I make my next comment as a friend. This sordid episode is clearly his swan-song, so why doesn't he go out gracefully by appointing a royal commission into the Queensland Police Force? Of course, a few of his mates sitting behind him will get a bit of a splash, but so what? He should retire and be remembered by the people of Queensland as the Police Minister who got rid of the grafters and crooks in the Queensland Police Force.

Although the Minister is not listening at the moment, I say to him that if he was to heed my advice and appoint a royal commission into the Queensland Police Force, it would be a fitting tribute to the honourable member for South Coast for his long years of public service.

Dr SCOTT-YOUNG (Townsville) (3.1 p.m.): After listening to the tirade opposite—

Mr Hooper: What do you mean by a "tirade"? It was a narration.

Dr SCOTT-YOUNG: It was a tirade against the establishment.

Today's "Telegraph" contains a rather amusing yet cynical cartoon that depicts the Police Minister sitting quite calm and collected, as I have seen him do during many debates, but in his back is a knife from the casinos, a knife from the media, a knife from the police and a knife from Thiess. The cartoonist forgot to put a knife of balanced judgment in his back. Since I have been in this House that is what he has displayed to me. He is one who always listens to reason. Even though I happen to be in that group known as the despised Liberals, he has always listened to my reasoning. He listens to the meaning of the uttered word with the result that most of his legislation is balanced and sensible. I strongly support the Bill.

In 1950 when I was in England a police sergeant was charged with aiding and abetting the theft of a wireless, which had been stolen by a junior constable. The sergeant had been sitting in the car. However, he was sentenced to 15 years' imprisonment. When the media, which always harangues the Queensland Force, commenced to harangue in England, the judge took the rather unusual step of making a statement and said that the policeman had been treated in that manner because he had set a bad example to the force, which until that time had been above reproach. That is exactly what has to be done in Queensland: the force must be made to be above reproach. If the Police Force is ever above reproach, then the public has a means of redress.

The opening words from the member for Archerfield were, "I will never appear before a tribunal." He can utter those words in this House with immunity, because we are covered by parliamentary privilege, but if he makes similar statements outside the House, not only will he be arrested and charged with a criminal offence, but he will get his bloody head knocked off by any policeman. Once a person puts on a uniform, he assumes responsibility for his colleagues who wear the same uniform. It is the same in the Army. In past years if people played up in the Army, their colleagues kicked

their backsides because they disgraced the uniform. That is exactly the same with the police: they have cohesion and honour and they should protect their own honour. The Police Force should not need a tribunal to protect its honour and integrity.

I will admit that members of the Police Force suffer from the same weaknesses as every other human being, but unfortunately the Press and members of this House have suddenly decided that they will denigrate and castigate those who wear the police uniform. I object to that very strongly.

Some years ago, when I resided in New South Wales, the Government decided that some peculiar dealings were occurring in that State's Lands Department. I will now give honourable members an example of the difficulty of getting inquiries off the ground.

In 1950 it was decided to appoint a royal commission into the administration of the Lands Department. A lot of funny business was going on. Before very long it was found that the royal commission was completely and utterly hamstrung. Within three months the legislation was changed three times to enforce the attendance of witnesses, compel the production of books and documents, compel witnesses to answer questions and punish people for contempt for disobedience of any summons issued by the commissioner. That was the first addition to the legislation.

A month later it was found that that was not adequate, so a further amendment was passed empowering the commissioner to summon a person to attend and produce property, and to punish for contempt any person disobeying such summons. If after a summons was issued the property was not produced, the commissioner could issue a warrant to search for and produce such property. A person to whom such warrant was granted was permitted to enter by day or night to search, use force for such purpose and convey property so found before the commissioner. The commissioner was empowered to order force to be used to open any receptacle of property in his possession, custody or control. That power was not vested in a royal commissioner by the 1923 Act.

Again, it was found that the legislation was not adequate. A further amendment provided that a witness was not excused from answering any question on the ground of privilege, on the basis that the answer may tend to incriminate him. It was found that the original Act, being too gentlemanly, was not sufficient to allow an investigation of corruption and under-the-carpet dealings.

I have only one complaint about the Bill: it does not go far enough. It should incorporate many more of the powers contained in Queensland's Commissions of Inquiry Acts, 1950 to 1954. The Bill should vest more powers in the chairman of the tribunal; otherwise it will be found that the Press and other members of our society who proclaim themselves as protectors of civil rights will forget that a civil right is a right for all the community rather than a right for an individual. That is happening already in America and Australia. Take the right to carry arms. For the overall good of the community, some people will have to forgo the so-called right to carry arms.

The Bill should be much broader and the tribunal should have wider powers. The commissioner should have the powers laid down in the Royal Commission Act of 1923 in New South Wales. I commend the Bill to the House.

Mr TENNI (Barron River) (3.8 p.m.): I support the Bill, but the statements made by the member for Archerfield worry me and I wish to comment on them.

Two names have been mentioned in the House today. The person who mentioned them said that he was not prepared to go before any tribunal. That is shocking.

I refer first to Superintendent Murphy. As you probably know, Mr Deputy Speaker, Superintendent Murphy was the superintendent in charge of the Cairns police. He spent between 14 and 18 months in the Cairns area. I have never known such a competent and highly respected police officer. I did not know him before he came to Cairns, so I can speak only from my contact with him during that period. In my book, he was an excellent person and a good family man. I knew his wife, Maureen, and his family very well. It disgusts me that the name of such a person should be pulled down to gutter level in the debate today.

He plans to retire to Cairns electorate where a house is being constructed for him. He was one of the finest detectives that this State has ever seen, and we should be proud of the number of offenders he brought to justice. When he was the superintendent in

charge of the Cairns Police Station, morale could not have been higher. He was responsible for removing the problems associated with hippies, drugs and illegal gambling. He even travelled by helicopter to places in the jungle to confront hippies armed with high-powered rifles. The member for Archerfield denigrated a respected superintendent of police who was held in high regard. The people of Far North Queensland regretted the day when he transferred to Brisbane, even though it meant a promotion for him.

It was unfortunate that we had to listen to the remarks made by the member for Archerfield. On the occasions that I have spoken to the Commissioner for Police I have respected him. He is doing an excellent job for Queensland. The allegations made by the member for Archerfield were totally false and were embarrassing to Superintendent Murphy and his family. The member for Archerfield should be brought before the Bar of this House and forced to prove his allegations. He knows as well as I do that he cannot prove them.

The people of this State are, in the main, good people, no matter what their political views. They will treat the allegations made by the member for Archerfield in the way in which they should be treated.

I support the Bill, which will benefit everybody in this State. As soon as the Bill becomes law all the other States will introduce similar legislation.

Mr BORBIDGE (Surfers Paradise) (3.13 p.m.): I rise to join my Government colleagues in supporting the legislation that has been introduced by the Minister. I express my concern about the behaviour of the member for Archerfield. He seriously embarrassed Opposition members and the case they are putting forward. He seriously embarrassed this Parliament. It is beyond my comprehension how anyone could make such statements before a gallery of schoolchildren. The member for Archerfield bitterly attacked the composition of the proposed Police Complaints Tribunal. Its establishment shows the responsible approach adopted by the Government and the Minister. I am disappointed that the composition of the tribunal has been criticised. The tribunal will comprise a member of the judiciary, a person appointed by the Governor in Council and a representative of the Queensland Police Union. The 4 000 police in this State have a right to be represented on this tribunal. How anyone can suggest that that right should be denied to them is totally beyond comprehension. The Government is acting in a responsible manner, and I offer it my support.

Mr Davis interjected.

Mr BORBIDGE: As usual, the honourable member for Brisbane Central has a lot to say, but he never says anything constructive.

The establishment of the tribunal gives to persons who make accusations and claims an opportunity to put up or shut up. This afternoon the No. 1 culprit rose in this Chamber and said that he is not prepared to appear before the tribunal and that he will not have any part of it. That is strange, because a couple of weeks ago, after the Minister announced in the House that the tribunal would be set up, the honourable member for Archerfield was reported in "The Courier-Mail" of 19 March as saying, "But the tribunal is better than nothing, and it is a remarkable about-face by Mr Hinze." From the honourable member's comment one could have expected him to give unqualified support to the establishment of the tribunal. Yet this afternoon he said that he will not have anything to do with the tribunal.

I am sure that all responsible honourable members will agree that the tribunal will have a very important role to play and that all members of the community have a responsibility to get behind the proposal and to ensure that the Police Force continues to have the capability of getting on with its job. This whole Bill centres on the effectiveness of the Police Force, in an increasingly complex world, in upholding the laws of this State—laws that are made by us as the elected representatives of the people.

I pay a tribute to the Queensland Police Force. The honourable member for Brisbane Central probably would not like to see the results that the Police Force has managed to achieve in recent times. In 1976 it had a clear-up rate of 46 per cent and last year, 1981, it had a clear-up rate of 52 per cent. Queensland has one of the best police forces in the world. Admittedly, from time to time problems arise; nobody disputes that. The Bill is aimed at overcoming those problems in a manner that will be acceptable to the people of Queensland, to the Police Force and, I am confident, to Parliament.

In his second-reading speech, the Minister said that the tribunal will have powers based on those set out in the Commissions of Inquiry Act, 1950 to 1954, as modified by the Bill. What could be fairer than that to achieve what the Government sets out to achieve?

The Bill has three basic aims: to provide a free and independent forum for the evaluation and investigation of complaints against police; to clear away the smears, suspicions and innuendoes that have been cast over the vast majority of good police officers by cowards operating under parliamentary privilege—

Mr Davis interjected.

Mr BORBIDGE: The honourable member does not like it, because he has been a party to that smear campaign. If the honourable member does not like it, he should go home.

The Bill will give persons who have embarked upon that smear campaign an opportunity to follow a responsible course of action and to put any evidence or information that they do have before the tribunal.

It is interesting to see who supports the establishment of the tribunal. Some members of the Opposition have sought to imply that it does not have the full support of the Government. I am sorry to disappoint them; it does. There is no division in the Government ranks. The establishment of the tribunal is supported by all Government members; it has the unanimous support of the joint Government parties, as well as the support of the Queensland Law Society, the National Party organisation and the Liberal Party organisation.

Mr R. J. Gibbs: Where is that said?

Mr BORBIDGE: It is stated in "The Courier-Mail" of 19 March. I have not seen any disclaimer put forward by the Queensland Law Society to the effect that it does not accept or approve of the proposal.

I have pleasure in supporting the Bill, which will give the police of this State a very valuable opportunity to get on with their job.

Mr VAUGHAN (Nudgee) (3.20 p.m.): I welcome the opportunity to speak on this measure to establish the Police Complaints Tribunal. Although it remains to be seen whether the tribunal will be successful in repairing the damage to the image of the Queensland Police Force, I believe that, in the light of the nature and extent of the complaints that I received when I was the Opposition's spokesman on police matters, and which I continue to receive as the member for Nudgee, some action had to be taken along the lines proposed.

In his second-reading speech, the Minister referred to the apparent concern expressed about police investigating police. I want to express my concern and refer to matters that I have brought to the Minister's notice on behalf of my constituents. I must say that I have not been satisfied.

Mr Hinze: That would not be true.

Mr VAUGHAN: I have not been satisfied with the replies that I have received.

I intend to deal with a couple of complaints that I have raised on behalf of my constituents. I preface my remarks by explaining that when I was the Opposition's police spokesman, I insisted that any person who came to me with a complaint about the police should put it in writing. From the time that I entered Parliament, I was the Opposition's spokesman on police matters as well as its spokesman on mines and energy matters. It was said to me at the time that to protect myself and in the interests of fairness and justice, if anybody with a complaint was not prepared to put it in writing it was not worth handling. I adopted that policy, and I understand that it is followed by all other members.

I have dossier of representations that I have made to the present Minister and to two former Ministers in charge of police. I repeat that I am not completely satisfied with the replies that I have received. When I make representations on behalf of constituents, I receive with monotonous regularity a reply in these terms: "There is no evidence of any impropriety on behalf of the police officer or officers involved." I am concerned, because the replies have been of very little comfort to my constituents.

I have taken only two cases from my file, but I could have padded my half-hour speech with similar complaints. The first one, which was made by a woman, is—

“I wish to draw your attention to an incident which happened to me on Saturday night 27 September which has upset me greatly and leaving me with a very poor opinion of a member of the Police Force.

I was stopped by (I will not mention the constable's name; the letter was sent to the Police Department and is on file) on Petrie Tce. He claimed I was driving without care, after explaining that I was . . . ”

I am having difficulty in reading this letter because our former photocopier was not of a high standard. The letter continues—

“. . . after explaining that I was lighting a cigarette and that I may not have been as careful as I should, I expected him to reprimand me and allow me on my way, as the reason he stopped me, was for changing lanes. But he requested me to take an alcotest, which I did.

I explained to him I had been out to dinner with two other people, and had a bottle of wine between three of us, with the meal, and later gone to a Disco. I had one glass of wine in the three hours there. I pointed out the fact that his common sense should be able to show him I was not under the influence of alcohol and capable of driving myself and my cousin home. But never the less he told me the procedure was to take me to Headquarters for a further test.

When asked about my cousin, he said she could not come in the Police Car, as he did not take passengers, she could stay where she was or she could take a taxi. She explained she was from Sydney and did not know where she was and it did not make any difference to his attitude as it was appalling. My cousin asked what would happen if she was attacked and his answer was, ‘You’ll have to report it.’ (Petrie Terrace not being a very good area to have a woman on the side of the road.) After having a further breath test at the station, the reading was .02 which proved I was far from under the influence of alcohol and that Constable— should have used his common sense to judge, as well as his authority. I am afraid his actions and attitude has left a lady from New South Wales with a very poor opinion of the Queensland Police Department and myself very shaken and very disillusioned. I realise not all police officers have the attitude of Constable— but I would like to be able to continue to teach my children to respect the law and to be able to approach a police officer if the need arises. I feel Constable— has done a lot of damage to the public relations of the department and the image of the Policeman as his attitude and manner left a lot to be desired.”

That letter was sent to the Police Minister (Mr Hinze). I received a reply saying that the matter was being investigated. The Minister's letter dated 16 December 1980 reads—

“I refer again to your personal representations on behalf of Mrs. . . . , concerning the actions of a member of the Police Force . . .

My Commissioner of Police has informed me that investigations have failed to obtain evidence to indicate that the police officer concerned carried out his duty in other than a lawful and proper manner.

Mrs. . . . has since been interviewed by a Commissioned Officer of Police and acquainted with the investigations conducted into her complaint.”

The second matter is worse than the first. A young lad called on me. He was very distressed. I told him to put his complaint in writing, which he did. It reads—

“I wish to bring to your attention the fact that I have been incorrectly charged on two Traffic offences, I truly feel that I have been a victim of police harassment.

I received these two bookings from a Plain Clothed Officer and a Police Officer travelling together in a ‘Q’ Car on Tuesday, 23rd June 1981—each of them giving me a separate Traffic Offence Ticket.

I will now endeavour to explain to you the actual happenings just prior to, during, and after my bookings by these two Officers.

I was travelling along Rode Road, Chermside West, at approximately 9.00 p.m. heading towards Gympie Road. As I approached the intersection at Rode Road and Maundrell Terrace the traffic lights changed from Green to Amber and in

my opinion I could not safely pull up to a halt. I did accelerate slightly as I passed the traffic lights to clear the intersection, however, I removed my foot from the accelerator as soon as I crossed the intersection.

I was aware of the fact that as soon as I went through the intersection that the car on my right followed me around the corner and a siren was sounded almost immediately. I was then conscious that it was in actual fact a 'Q' Car and commenced to stop, however, I was also worried about stopping on top of a hill, so I drove slowly over the peak of the hill (when the Police Car had drawn alongside of my vehicle and the Officer told me to pull in around the next corner on the left, Carnbourne Street, which I did.)

I got straight out of my car and the Policemen asked me for my Driver's Licence, which I gave to them. As I handed over my Licence the Plain Clothed Officer said, 'This guy's a Hoodlum' and on looking at my Licence, straight off said, 'Oh! he is a Banyo Hood'.

The Police Officer then said I was doing 95 kmph through the intersection to which I replied I couldn't have been going that fast. To which he said 'Shut Up!' and continued to write out the ticket. The Police Officer wrote out one ticket for my 'so called' failing to stop at a Red Traffic Control Light Signal. (Which in my opinion I did not have time to stop safely before the Control Light Signal, turned from Amber to Red, taking into consideration the 'very' downhill road.)

During all this time from when they first pulled me over I had not spoken back to either Officer at all and I had certainly not given them any reason to threaten my rights.

However, the Police Officer then 'threatened' if I took the matter to Court he would like that, and if I tried to take it to court it would end up costing me \$200.00.

The tickets were then handed to me and to quote the officers in question they told me me to ' . . . ! ! ' twice and the Plain Clothed Officer then said 'If he ever saw me around this area again I'd regret it, because we don't want any hoods around this area,' so I then got in my car and drove off—after the two officers in question had already 'sped' off.

Here is a bit of a sketch to explain exactly where the booking took place."

The lad then drew a sketch showing exactly what had happened. He continued—

"I then took the first street on the right, Mews Road and the Police Officers had turned right further down into Bamber Street. I went across Cherston Street and continued down Blenheim Street. When I was approximately 50 metres from the end of Blenheim Street I then saw the Police Car go from a very slow speed, and on seeing my vehicle they accelerated heavily out of my sight once again. (It was definitely as if they were just waiting for me I must admit).

I then turned into Ashworth Street and back onto Rode Road, I continued along towards Gympie Road, only to find the Police Car once again waiting for me at the intersection of Henry Road and Rode Road, where the officers took off in front of my vehicle once again and then turned left into Gympie Road, and that was where I last saw the officers.

Here is another sketch to try explain the above (I'm not sure on the exact route taken by the Officers' Car between their turn into Bamber Street and our 'meeting' at the end of Blenheim Street):—"

Again he gave a sketch showing what had happened. He continued—

"I truly cannot see why these two Police Officers have the right to treat me, and book me the way they did. For a start, how could I have possibly been travelling at the speed of 95 kmph, when I had pulled up in a distance of approximately 300 metres (400 metres at the outside), when the 'Q' Car was already alongside my vehicle—there had been no screeching of brakes etc, I had pulled to a halt by normal application of brakes—and the Police Officers had caught me in that short distance from their stationary position. Besides that, how could the Officers possibly estimate that I was allegedly going 95 kmph, when they did not have any mechanical read out on my actual speed—if they did, then they would certainly know I was not travelling at any such speed, it was a speed they plucked out of the air.

I also add the fact that what right did the Officers have to infer straight off that I was a Hoodlum or a Banyo Hood, when I had done nothing to indicate anything of the sort? I was in actual fact returning from a visit to my girlfriend's at her parents' home at Ferny Hills, and this is a visit I make seven days a week—I was indeed not loitering around, and how can any Police Officer therefore tell me to ‘...!!!’ twice and inform me ‘If he ever saw me around this area again I’d regret it, because we don’t want any Hoods around this area’? Is every young guy, who pays the Main Roads Registration on his vehicle, and goes to visit his girlfriend, of over three years, a Hood or Hoodlum?

Why in fact wasn’t I given one ticket, if I was to be booked at all, which I don’t consider was truly warranted, however, why was I booked by both Officers in question?

As I honestly feel that I have been a victim of “powercrazy” Police Officers, I would appreciate your urgent investigation into this matter and I would certainly appreciate any assistance you may offer in seeing that justice is done, as I feel I have been very wrongly judged and incorrectly booked.”

On 2 July 1981, I wrote to the Minister and, amongst other things, said—

“As I am extremely concerned at the alleged conduct of the Police Officers concerned I hereby request that this matter be investigated by your Office and I be advised accordingly.”

The Minister acknowledged my letter. Then in a letter dated 17 December 1981, he said—

“Dear Mr Vaughan,

I refer again to your personal representations on behalf of (so and so) concerning the actions and attitudes of two police officers when he was issued with two traffic offence notices on 23 June 1981.

My Acting Commissioner of Police has informed me that (so and so’s) complaint has been the subject of a lengthy investigation which has now been finalised.

The investigation failed to substantiate the allegations of impropriety by the police officers concerned.

The matter of the traffic offence notices has also been examined.”

The second penalty for speeding was waived.

I do not know whether other members are confronted with the same sorts of problems, but with monotonous regularity I receive the same reply when I raise matters concerning the police. I am always told that there is no evidence of any impropriety on the part of the police officer or officers concerned. If we, as the representatives of our constituents, are to try to uphold the good name of the Police Force, we should be treated far better than simply be wiped off in the manner that I have mentioned.

I shall refer to a recent case involving a young lad from Nudgee Beach. I have written to the Minister twice on this matter. When I refer a complaint to the police, particularly if it is in writing, I expect the Internal Investigations Section of the department to interview the person making the complaint.

The reply concerning the first problem stated that the action was justified, and the lad was required to pay his fine. I subsequently ascertained that the lad had never been approached, let alone interviewed. I wrote to the Minister and used the old cliché: not only must justice be done, it must appear to be done. That young lad, his family and all the people who live at Nudgee Beach are of the opinion that police do not even bother to investigate complaints.

The thrust of my argument is that in this State police officers are their own worst enemies. That is the cause of their poor public image. When I was the Opposition police spokesman—the present spokesman does the same—I went out of my way to try to create in the minds of the public the necessity to have respect and confidence in the Police Force. If that is not there, how can crime be solved in the State? If it is not there, how the hell can police get the co-operation of the community?

Recently I was approached by one of my law-abiding constituents who said to me, “There is no justice in this world.” I said, “What is the problem?” He told me that at 7 a.m. on a public holiday in the Banyo area he was booked for crossing double lines. In that area, if a person drives down towards the railway gates and, instead of

turning right, goes straight ahead, he goes onto railway property; it is a dead-end. That is what he did. There was not a soul in sight; he turned around and drove back up the street and then a policeman on a motor bike booked him. That sort of thing occurs every day of the week.

If a serious breach is committed, that is fair enough, but too much emphasis is placed on booking people to get figures. A great number of members of the Police Force are prepared to speak to people on this side of the House, and are prepared to talk to their own members. I have asked questions in this place about the field investigation reports; members of the police force will state openly that they are required to get their numbers up. These days the emphasis is on getting numbers, nothing else.

One of my constituents did a U-turn in Sandgate Road at 6 o'clock on a Sunday morning when he was on his way to get a newspaper. That was his first traffic ticket ever, and he is incensed about it. I had to explain to him that he had done a U-turn at traffic lights and therefore had breached the law. When I wrote to the Minister the reply indicated that that was a correct view of the law. My point is that if the police pinprick for every fiddly little misdemeanour, then they will get a reaction from the people. The people will get their backs up and say, "To hell with the Police Force." There will be no co-operation, and that is exactly what is happening throughout the length and breadth of the State.

"The Courier-Mail" of 26 February this year carried a story of a policeman, a man without a very good public reputation, who was found guilty of an offence and ordered to pay costs of \$600. But who paid those costs—the Police Department! What sort of an attitude does that create in the minds of the community? I do not know whether other members have had this sort of thing reported to them, but I have been told that young police officers proposition young females when they pull them up.

There appears to be a lack of discipline in the Police Force, and the force badly needs cleaning up. If the current state of affairs is allowed to continue, the public's confidence in the Police Force will disappear altogether.

Of course, there was the infamous Mt Coot-tha incident, when it was claimed that the two police officers were only drinking soft drink. How gullible do they believe the people of this State are? Once a series of complaints appear, further complaints roll in in ever-increasing numbers. I could enumerate numerous instances of people complaining to me about police hiding round corners in patrol cars waiting for cars to be driven through an amber light and then booking the drivers for going through a red light.

Last week I wanted to speak about the provisions of the Traffic Act relating to amber lights because the Minister for Transport issued a statement about the incidence of accidents at controlled traffic lights. He gave a series of figures. I questioned him about them. The figures he gave were five times more than the factual position. They related to uncontrolled intersections. He issued a statement that there would be a clamp-down on people travelling through amber lights and cited those figures. To me, that seemed to be an attempt to justify a move by the Police Force to increase revenue.

The police are their own worst enemies. They must not have any brains. Recently a constituent came to me with this incredible story. Two police cars were parked outside a home. The police officers were inside swimming in the pool and drinking cans of beer. When an inspector subsequently investigated the matter, he tried to get people in the neighbourhood to give evidence. My constituent said to me, "I would be a fool to give evidence about that. What a reaction that would cause! My name would be on the records and I could expect to be penalised." That is the attitude of people in the community.

Another person approached me about an incident when he was on his way from Mt Gravatt to the airport early one morning. He stopped at a set of traffic lights and was sitting there waiting. A big semi-trailer went straight through the red light. He waited and then thought to himself that there must be something wrong with the red light and went through it. He was stopped down the road by a young constable who had a gun at his side. He had a bit of growth round his face—apparently he had been on duty all night—and was fondling the revolver in its holster. The man was concerned about the way in which the constable was conducting himself. He thought that the revolver would be drawn.

When I was the Opposition's spokesman on police matters, I commented on the extent to which emphasis was being placed by some police officers on carrying firearms. I am concerned that some police officers have firearms slung on their hip as though they are Wyatt Earp. If police officers want to carry firearms for security—and I do not blame them for wanting to do so—why not use a shoulder holster?

I have raised the question of the identification of Q-car drivers. The RACQ "Road Ahead" carried an article about that. When I was the Opposition's spokesman on police matters, I raised the question of people being pulled up and plain-clothes police not showing their identification. When I asked a question about it, I was assured by the Minister that all police officers are required to show their identification immediately. The fact is that they do not.

Mr Hinze: Do you hate the police?

Mr VAUGHAN: No, I do not. What I say to the Minister is that I do not want ordinary people in the community to hate the police, either. I repeat that the police are their own worst enemy.

If the Minister tries to cover up what is happening in the State, he will not be doing the State or its police a service. I do not hate the police, and I will let my record speak for itself. When I was the Opposition's spokesman on police matters, I tried to carry out that responsibility in a correct and proper manner. I am sure that the Commissioner of Police would agree. However, the Minister does not help himself. The police do not help themselves. There is too much of a Starsky and Hutch attitude in the Police Force, but I will not deal with that in this debate.

There have been many cases in which plainclothes police officers and members of the Police Task Force have acted like thugs. Very little appears to be done about that type of conduct. The community's respect for the Police Force is reduced when they see such conduct.

When I was the Opposition police spokesman I raised the issue of police chases and accidents involving police vehicles. At that time I was told that a six-man committee was being established to investigate those matters and that recommendations would be made. However, police chases still take place, with police cars being smashed and people being killed and injured. Every time an accident involving a police vehicle occurs, the image of the police is affected.

The problem of police drinking alcohol during working hours still exists. Some police officers can be found drinking in back rooms of hotels and at certain clubs. I do not know what action senior police officers in the department are taking to overcome that problem. There has been a tightening-up in respect to the misuse of police cars since the Mt Coot-tha incident. I understand that police officers are contacted and asked to designate their positions and speedo reading and that that information is then checked. Action must be taken to improve the image of the Queensland Police Force. It should be second to none. The whole Police Force should be examined, from the highest-ranking officer to the lowest.

The Queensland Police Union has filed in the State Industrial Commission a log of claims for a wage increase citing increased demands on police officers. The job of a police officer is an onerous one and at times difficult circumstances are encountered. However, something must be done to smarten up the force instead of sweeping problems under the carpet. If that is not done, the standard of the Police Force will deteriorate.

The Police Minister said that there are no gambling casinos in Fortitude Valley. He also said that there is no prostitution in Queensland. However, anybody who reads a newspaper can turn to the back pages and see a list of massage parlours and escort agencies. Why are they allowed to continue to operate? Is there something wrong with the Queensland Police Force? Something is wrong when prostitution is allowed to flourish in this State.

Mr Moore: How are you going to stop it?

Mr VAUGHAN: There are laws to stop it. The Government has introduced this Bill, but it has not used the existing legislation to correct the situation.

The Queensland Police Force must have the respect and confidence of the community if it is to be an effective force against crime. The majority of police officers correctly

carry out their job, but the number of bad apples is increasing. Police officers are carrying out a difficult job, but the problems associated with their work should not be swept under the carpet.

Because of the Government's attitude, some police officers think that they can do no wrong. The introduction of the street march legislation meant that police officers were placed in direct confrontation with the people of Queensland. That did not do one thing for the image of the Police Force. To the detriment of the State's Police Force, the number of police officers who think they have the complete protection of the Minister and the Government is growing.

Two years ago, during a debate on the police superannuation scheme, I said that there would be problems in this State because experienced police officers would be lost. I said that junior police officers would be working together in patrol cars. That is happening now. Inexperienced police officers are not able to handle the problems that they encounter with the public.

Mr KATTER (Flinders) (3.50 p.m.): At the outset, I acknowledge and appreciate the admission by the honourable member for Archerfield that the Queensland Police Force is far freer of corruption than the New South Wales Police Force and also that the Queensland Police Force is far better than that in the Labor State of New South Wales. Of course, it would have been peculiar if the honourable member for Archerfield had not made such an admission. Anyone who has given even a cursory glance to the articles written by Bob Bottoms in "The Bulletin" could not fail to be shocked and horrified by some of the happenings in New South Wales. That writer's revelations are in stark contrast with the ridiculous, infantile rubbish that members of the Opposition have uttered about the Queensland Police Force.

Reports from New South Wales concern the protection of a multimillion-dollar drug racket and of people who are making huge sums of money from illegal operations. Bob Bottoms has produced evidence that would stand up in court. Nothing that is even remotely comparable has been brought forward in Queensland.

As for the ALP's comments on corruption—does any honourable member over the age of 35 years forget the days under a Labor Government when anyone who wanted a licence of any description merely went to the ground floor of the Carlton Hotel to make the necessary arrangements? Does any honourable member forget the Dutton River Station incident, in which a Labor Minister of the day said, "Yes, we will renew your leases on the payment of a certain sum of money."? If I remember correctly, the sum involved was \$30,000. It went into the coffers of the ALP and into the pockets of certain gentlemen at that time. That Minister was eventually dismissed.

Does any honourable member forget what took place in the State of Queensland under Theodore and McCormack? I do not denigrate Mr Theodore—he was probably one of Queensland's greatest sons—but he was involved in a series of most unfortunate incidents.

Does any honourable member forget the manner in which the Mt Isa railway line was constructed and the fact that shares had to be given to certain persons to enable the line to be built?

I remember a humorous incident concerning Tom Aikens. The ALP asked him to rejoin the party. He said, "What? Join with your bunch of robbers, thieves and rogues!" The then secretary of the parliamentary wing of the ALP said, "Tom, that is unfair." Tom Aikens asked, "What about Theodore and McCormack?" To that the ALP's parliamentary secretary replied, "Now, that is unfair, Tom. All the money we got out of that was divided up equally amongst all the ALP members in the House." I am quoting verbatim the words told to me by Tom Aikens, who is a man of great honesty.

On a more serious note—unfair attacks have been made on the Commissioner of Police, Mr Terry Lewis. I am not one who withdraws from criticism of departmental officials; my record indicates that that is so. However, I state quite emphatically that the denigration of Terry Lewis leaves a bad taste in the mouth of every fair-minded person. This public official, who does his job very well, has been subjected to totally unsubstantiated accusations and charges.

I touch on the incident involving Sir Edward Lyons. The honourable member for Archerfield was the member who first drew it to our attention. In the past, the member for Archerfield did many good things. He showed a good deal of courage, and I admired

him for it. Unfortunately, however, as the years went by he failed to do his homework. Perhaps he fell in love with the news media. He began to make allegations that were totally irresponsible and lacked foundation. He continues to do so. His remarks concerning Terry Lewis fall into that category.

I can recall the incidents at Cedar Bay. I watched them on television. I was told by one of the persons involved with the television program "TDT" that one of the incidents was reconstructed for the sake of the television program. What was seen on television was merely a doctored version of the original incident. That is bad enough in itself; but I, together with two other members of the National Party, was taken aback by allegations made by the the police.

The next morning, at breakfast time, I raised the matter with the Premier. I said that I was a little taken aback and that something should be done about it. This was some considerable time after the event. The Premier said to me, "Those men went into the area in the middle of the night. They were risking their lives." That was true because firearms were discharged by the people the police were trying to apprehend. There was a large number of firearms, and some of them were automatic weapons. The discharge of firearms, all the other facts about Cedar Bay are on record. The Premier's remark that those people took their lives into their hands was valid.

Probably members on both sides of the House acknowledge that Cedar Bay is the centre of drug trading and trafficking and that drugs from the northern jungles are spread through Queensland. The honourable member for Barron River has done a wonderful job in exposing what has happened. The Premier said, "Those men went in there risking their lives to stop a multimillion-dollar business that is corrupting the youth of the State of Queensland. What happened after that raid? Only two lousy charges were laid."

We were trying to do something about the allegations made by Mr Bob Bottoms that the police in New South Wales were profiting from what was taking place there. When we tried to stop what was happening at Cedar Bay, we were criticised by the media and members of the Opposition.

The Premier said to me, "Only two lousy charges were laid. The people charged were each fined \$200 for the possession of marijuana, but three police were put on very serious charges relating to destruction of property and assault." Those could be very serious criminal charges. The Premier then said, "Do you think the police will go in there again?" His remarks were valid and had a profound impression on me at the time. I had been influenced very badly by the media. I realised clearly that the police would be most reluctant to revisit the area.

I will return to that subject later on. The problems relating to police are very difficult to handle. The honourable member for Nudgee told us about a young man who, after getting into trouble with the police, was called a hoon. At some time or another all honourable members must have been confronted with a similar situation. On many occasions the police have been very much in the wrong, and badly needed pulling into gear. On the other hand, at some time or another, all of us have been told by people that the hoons who drive their cars on the streets at mad speeds and bash up people, should be pulled into gear. The policeman, in a very real sense, is the meat in the sandwich. Firstly, he has to avoid persecuting young people. Secondly, he has to pull some of them into gear to make sure that they obey the laws of the State and have respect for others. The lot of policemen is a very difficult one. They have to draw a line between two opposing points of view.

As to the allegations made by members of the Opposition—I must ask what is wrong with them that they seriously question the ability of Mr Lewis compared with that of his predecessor. If we had allowed Mr Whitrod to remain in charge of the police, in 16 or 17 years virtually no police would have been left in Queensland.

Mr Vaughan interjected.

Mr KATTER: The facts prove that. In 1976, 141 police officers resigned and 29 others left medically unfit, making a total of 171. In 1981, the ordinary resignations were down to 67 and resignations because of unfitness were down to three. The crime rate, using the indicators that were in vogue under Whitrod, increased from 42 per cent to 52 per cent at that time. Need I say more?

Members of Parliament on both sides of the House come under public pressure. If we do our jobs properly, people walk into our offices to express opinions on the police and the conduct of young hoons and bullies. I cannot accept that any Opposition member would believe for a moment that the police in Queensland are worse now than they were under Whitrod.

I am not criticising the honourable member for Nudgee; I agree with what he said. But the remarks of the other speakers were lamentable because they were made publicly by people in positions of responsibility and importance.

Mr R. J. Gibbs: What did I say?

Mr KATTER: I did not include all Opposition speakers. I heard the speech of the honourable member for Archerfield, and I thought that it was very unfortunate that he had fallen from the heights that he had attained when I first came into the House. He brought up silly, nit-picking matters and made very irresponsible statements about people who are doing a really good job. If the Government got rid of Commissioner Lewis, there might not be anyone like him to take his place and the people of Queensland would be able to sheet the blame home to the people who shot their mouths off quite irresponsibly in this House.

The Bill will go a long way towards overcoming the problems that were outlined by the honourable member for Nudgee. All of us have had similar problems. The fact is that in most cases a complaint comes forward and it is difficult for anything to be done because evidence must be obtained and somebody must be prepared to put himself on the line and make a complaint against the police.

When a complaint is made against a certain policeman it is recorded. If that policeman has any brains he will not act in a way that will enable other people to make more complaints about him. Once a large number of complaints have been made against him a heavy onus will rest on him to prove that he has been doing the right thing by the people of Queensland.

I think that all honourable members agree that the Bill is a giant step forward and will overcome many of the problems. It does not go so far that the police will constantly be harassed and have people breathing down their necks.

I make the point forcibly to the House that, in the early days of Mount Isa Mines, a large number of brothels, as well as sly grog and gambling joints, operated in Mt Isa. Two police officers were sent from Brisbane to clean up Mt Isa. They quickly brought a large number of cases against people for running those establishments. The cases went to court. The juries went out and did not even sit down in the jury room. They simply walked into the room, walked straight back into court and let everyone off. The following day charges were laid against the two police officers for wrongful arrest.

That illustrates graphically the problems and pressures that confront policemen not only in Queensland but in other States. The police must be given some sort of protection so that, when they are sent to do a job, they do not end up having charges laid against them for wrongful arrest or assault, such as followed the Cedar Bay incident. If they are not given protection, they will simply not do their job. And who can blame them?

A series of very nasty incidents arose in public dance halls in Charters Towers. The police had to go in and they became involved in the most terrible fights, following which a number of them required hospital attention. The police had a very difficult task to perform. Had those dances been continued the police would have repeatedly been asked to go into the halls, and they would have been punched up and suffered physical injury.

I am trying to illustrate the terrific pressures on police officers. If they are required to protect people and prevent their being bashed up by bullies, and if they are required to clean up brothels, sly grog joints and drug-trafficking they must not be subjected to the treatment to which they were subjected by the former Commissioner. I do not want to be critical of him, but he was responsible for the action taken against the police at that time.

How could Mr Whitrod expect to receive any loyalty from his police officers? He sold them out at every twist and turn. He was running one of the most shocking and appalling Police Forces in Australia. One of the reasons why Mr Whitrod is one of the darlings of the academics now is that he had police officers continually submitting

reports. All police officers in Queensland were being turned into examination-takers and report-putter-inners. They were not out in the streets trying to catch criminals or to control the bullying element, or doing the job that they were supposed to be doing. They were all in their offices filling out reports. They spent four, five and six hours a day doing paperwork.

Mr Davis: Don't give me that!

Mr KATTER: I shall give the honourable member an example. Instructions were issued that all policemen had to submit a full report of their day's activities every day. In many instances, they had to do that by radio. They had to drive a number of miles out of town, set up a transmitter, make their report, pack up the transmitter and then return to town. It took them a good two hours to do that. Submissions were made to the commissioner about that, and he said, "Yes, that is what I want them to do." Far from backing down, he was pleased that that was happening in Queensland. In addition to making verbal reports, the police officers had to submit written reports. To get any sort of promotion, they had to turn themselves into academics. Quite frankly, academics are not needed in the Police Force. What are needed are tough and intelligent men who are skilled in their particular area. They will not obtain those sorts of skills by running around a university learning about sociology. There is only one school they should attend, and that is the school of hard knocks.

Mr Vaughan interjected.

Mr KATTER: Unfortunately, there is still far too much of that going on; but at least police officers now are reasonably confident that they will not be driven into the situation where they will all have to obtain Bachelor of Arts degrees in sociology to get promotion.

I conclude on that note. It is with a great deal of regret that I have to listen to the criticism being levelled at the Police Force. I think that every member in this Chamber knows in his own heart that the Police Force now is so much better than it was three or five years ago, or whenever it was that Mr Whitrod was in charge.

Mr DAVIS (Brisbane Central) (4.7 p.m.): I shall not take up too much time, but I wish to make a couple of points. Firstly, I wish to refer to the denigration of the former Police Commissioner, Mr Whitrod, by the member for Flinders. I found Mr Whitrod to be a gentleman of the first order. I would like the honourable member for Flinders to go outside this House and repeat the statements that he has just made. He will not do it. That is typical of the way in which National Party members work in this House. Speaker after speaker from the National Party—no Liberal has spoken in the debate—has got up and said the same things that I have heard them say since I was elected to this Parliament in 1969.

Whenever a member dares to say something about the Police Force, he is attacked personally by members of the National Party. To me, that is a lot of nonsense. I treat the members of the Police Force in the same way as I treat public servants or any other person in the Government service. If a policeman is not doing his duty, I believe that it is the role of a parliamentarian to report that officer to higher authorities. The quicker an investigation is made into the complaints that are made about the Police Force, the better it will be for everyone. Police should not be able to investigate police.

I have not got any quarrel with the Police Commissioner, Terry Lewis. I have known him for a long time and, on most matters, I have always found him to be quite courteous. I personally hold him in high regard. But I resent the way in which people like the honourable member for Flinders and other members of the National Party attack Mr Whitrod. Mr Whitrod was sabotaged from the word "go" by members of the National Party.

Commissioner Whitrod created a very good image for the Queensland Police Force. He left it in a much better condition than he found it. Commissioner Whitrod showed his humanity in the way that he handled the Police Force during the Springbok tour. He did a great job for Queensland. I would like the member for Flinders to repeat his comments outside this place, because he has been quite loud-mouthed in telling the member for Archerfield to get out of this "coward's castle", which was his term, and make his allegations outside.

Mr Katter: I did not say that.

Mr DAVIS: The honourable member for Flinders made denigrating remarks.

Mr KATTER: I rise to a point of order. The member for Brisbane Central has made certain remarks that I find both offensive and extremely inaccurate.

Mr DAVIS: The honourable member knows that he said that if Commissioner Whitrod had remained in the Police Force he would have run it down. All I did was to urge him to repeat his comments outside this place.

Time after time members of the National Party have grovelled in this place. A classic example of that was the performance of the member for Surfers Paradise—

Mr Hinze: Do not worry about the member for Surfers Paradise, speak to the Bill.

Mr DAVIS: I have to mention the member for Surfers Paradise because it gives the Minister some idea of the calibre of those who support the Bill.

The member for Surfers Paradise was laudatory of the Police Minister and the Police Force, but I wish to refer to a speech he made on 23 March when he referred to a nightclub at Surfers Paradise. He said—

“Many people seem to fall down the stairs at the Terrace Club. Many people seem to get into trouble at the Terrace Club. Many people come to grief at the Terrace Club. The laws of this State appear to be inadequate”

He also said that as far as he was aware that nightclub had never had a licence and he wanted to know why it was allowed to continue to operate.

Mr BORBIDGE: I rise to a point of order. I point out for the benefit of the honourable member, who seems to delight in taking statements out of context, that that club has been raided on several occasions, as I mentioned during that debate.

Mr DAVIS: At least I have not got a hang-up about the police. I adopt the same attitude as any other member of this place; if the police are doing their duty, that is fair enough. But I get sick and tired of the smart alec remarks they have made and the sarcasm that they have exhibited over the years. Terry Lewis would be much better off if he gave the Police Force a great injection of public relations serum because that is what the Police Force needs more than anything else—decent public relations. I realise that a public relations section already exists but everybody knows of the way in which the great bulk of the Police Force speak to ordinary citizens. The member for Nudgee mentioned that, and almost every other member has mentioned it time and time again. They are not isolated cases. It is all very well for members of Parliament who receive the red-carpet treatment and are always addressed as “Mister”. However, nine times out of 10 the ordinary citizen is treated like dirt. I would like to see the tribunal investigate that type of thing.

Last Tuesday in this place I gave a classic example of what I call police harassment of and discourtesy to the general public. I asked the Minister for Transport about what is happening at the South Brisbane Interstate Railway Station. In his reply in that debate the Minister substantiated my claim that up to five members of the Police Force are harassing people with long beards who wear jeans—people whom the police consider do not conform with their so-called decent standards of dress. That harassment goes on in the full view of the general public. No wonder the Police Force has a bad public image. There is no excuse for that sort of thing.

Mr Frawley: You had better stay away from that station.

Mr DAVIS: The member for Caboolture can laugh and giggle. The member for Windsor was the first to criticise me on Tuesday night.

Mr Moore: What did I do?

Mr DAVIS: When I was on my feet on Tuesday the member for Windsor interjected, “Show me proof.” I did not have to do that because the Minister did just that in his reply. The following day the “Telegraph” disclosed what is occurring at that railway station. It is shocking, and I want it stopped. For police officers to harass train travellers purely and simply because their dress does not conform with that of the remainder of society is

not right and I want it stopped. It is a bad image for tourists. If the man from Galilee had arrived on the Brisbane Limited, I am sure he would have ended up in the watch-house, too.

Mr JENNINGS (Southport) (4.15 p.m.): I will be brief, but I wish to make a couple of points. All Governments from time to time are faced with the problem of accusations being made against the Police Force. The accusations are made in various quarters. I compliment the Minister and the Government for introducing the legislation so quickly. It is important that the people have confidence in the police. Members of the Police Force rely on public confidence. Often we forget their wives and families. I have recently spoken to the families of police and they are very concerned about criticism. The children are criticised at school because of irresponsible statements that are made.

I was pleased to hear the Labor spokesman say that basically the Opposition supports the legislation. It is most important that there be unanimity in the House and total support for the legislation. However, when he said that the introduction of the tribunal was a gross disservice to the public, I thought he went too far. That is not right. A great service is being done to the public.

The member for Archerfield made a most unfortunate contribution—unfortunate in a number of ways. Labor's shadow spokesman (Mr R. J. Gibbs) put forward a number of intelligent points. However, I was very sorry to hear him make a personal reference to Inspector Kevin Dorries. It is wrong that in this debate a person such as Inspector Dorries should be singled out. It detracted from the honourable member's contribution.

He spoke about a tribunal of nine instead of three. In the circumstances, a tribunal of nine would be unwieldy. His criticism of the one-year term is not valid. Very often responsible people who have had experience will say, "Yes, I'll take that on for a year." Mr Gibbs mentioned that they would get experience in that year. Those appointed to the tribunal will already have experience. If the appointment is for a year, they will come in fresh. They are then well qualified to handle the position.

It is not right to criticise the tribunal's having a police representative. It seems to be the attitude that, because there is a police representative, he will be there to protect the policeman wholly and solely. Most policemen have a genuine interest in proudly displaying their code of behaviour. There are 4 000 police officers. They are always intent on being held in high regard in the eyes of the public. It will be extremely valuable to have a policeman on the tribunal.

People in the bush realise that the local policeman carries out many duties. We are all only human. If someone abuses us, we feel like hauling off and taking a swing at him. A policeman is expected to have self-control; but the best policeman can be tired after a late night. There is no doubt that if a policeman can smile and say "Good-day", he makes a good impression, but it is only human nature that on some occasions he may not feel like doing that. I mentioned to the Minister for Works and Housing the situation of the counter at the Southport Police Station. The first impression is so important. A smile and a reasonable appearance count for so much. The police station is to be remodelled, but I have asked the Minister to see if temporary modifications can be made. The building is dilapidated.

When we are in trouble, whom do we call? It is fair to say that we call the police. We expect them to do the job. We expect a lot from them. We never expect them to make mistakes. The legislation is sound, and great credit is due to the Minister that the legislation is unanimously supported in the House.

Mr MOORE (Windsor) (4.19 p.m.): Even though there is a desire to close the debate, I wish to make a point or two. One thing that comes to mind is that in any force of authority—the Army, for example—some people take advantage of their position. That is bound to happen.

One of the duties of a police officer is to apprehend traffic offenders, and this places an added burden on them. One wonders whether we should have wardens dealing with traffic so that the resources of the Police Force could be directed to other areas. The majority of complaints I receive about police officers result from their harassment of traffic offenders. The Police Force is necessary, just like an army in war-time. It is something we cannot do without. In times of trouble we look to the Police Force.

When I see police officers helping people in trouble, especially after a bad accident, I am proud of them. The public appreciates the protection offered by the police, particularly when they behave like the London bobbies.

Police officers now have to deal with too many traffic problems. The work of the Traffic Branch should be allocated to traffic wardens. That would go a long way towards improving the image of the police.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Police) (4.21 p.m.), in reply: I thank honourable members for their contributions to this debate. Before analysing the points raised by various speakers, it is necessary to recap the Government's rationale behind the establishment of the proposed Police Complaints Tribunal. For as long as I have been a member in this House, police have been made fair game for anyone who wanted to make non-specific and sensational allegations with malicious political intent. In fact, that has become fashionable not only in Queensland but also throughout the rest of Australia. The police force in all States are perpetually under attack.

The Ministers who have held the police portfolio before me, including Max Hodges, Ron Camm and Tom Newbery, have had to put up with the same type of criticism I am experiencing now. I am sick and tired of "Blue Hills"—the continual attack by Opposition members. In the past few months endless allegations have been made against officers of the Queensland Police Department, but nothing that could, by any stretch of the imagination, be called evidence has been forthcoming to support those allegations.

The Government will no longer tolerate open-slasher criticism of our Police Force by people who lack the necessary evidence to back up their claims. The proposed tribunal will provide a permanent and independent forum for the hearing of allegations against our Police Force. The independence of this body, as designated by this legislation, is beyond question.

The honourable member for Wolston led off his address with serious, but again non-specific, allegations against the Police Force. He referred to claims that at Woolloomgatta unnamed persons had been forced to stand naked for a period. Again, the honourable member failed to provide dates, names, times and addresses.

Mr R. J. GIBBS: I rise to a point of order. I did not see it as my responsibility to name the officer or the person concerned. When I made that allegation, I said that, as far as I was aware, the parents of those boys have lodged a formal complaint to a solicitor who has supposedly written to the Commissioner for Police. The Minister's comments are extremely unfair.

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

Mr HINZE: I would have invited the honourable member to immediately forward these specifics to me so that they could be investigated and a reply made available before the House rose this evening, but that is now impossible.

If the honourable member is prepared to provide me with further information, I will investigate the matter on his behalf.

I am sure that honourable members realise that the honourable member for Wolston had nothing concrete to produce. He attempted to draw a parallel between the proposed police tribunal and other investigative bodies interstate and overseas. I understand that the Labor Government in New South Wales is grossly dissatisfied with its current system of independent investigations into allegations against police and that it is considering a complete revision of the existing concept.

Throughout Australia there seems to be a general trend towards attacking police by making unsubstantiated allegations that capture the headlines and then refusing to supply specific information. The proposed tribunal will put an end to that.

Individuals who make allegations against the police will be encouraged to bring those allegations forward for investigation by the Internal Investigations Section, whose record of efficiency is undisputed. If individuals feel that their allegations are not properly looked into, they will be able to take them to the Police Complaints Tribunal.

Reference was made to the Federal system of investigating complaints against Commonwealth Police. Apparently the honourable member for Wolston is not aware that the Commonwealth Police Force is in the process of establishing an internal investigation unit which, as I understand it, will be similar to the existing unit in Queensland. To my way of thinking, that reflects Commonwealth disenchantment with the current system of referring complaints against Federal police to the Federal Ombudsman. Queensland is breaking new ground in this vital area to ensure the protection of police and aggrieved members of the public.

The honourable member for Wolston referred to the former head of the Metropolitan Police Force, London, Sir Robert Mark. The honourable member asserted that Sir Robert's investigation of police corruption had resulted in the removal of 450 men between 1972 and 1977. I should like to know where the honourable member obtained his information. The 1977 annual report of Sir Robert Mark shows that the honourable member's statement is not factual. Between 1972 and 1977, 40 officers of the Metropolitan Police Force, London, were required to resign and another 56 were dismissed. I should like the honourable member to state the basis of his information and to table it.

Mr R. J. Gibbs: I will table the documentation.

Mr HINZE: The honourable member for Archerfield, in running true to form, made a mockery of the protection of the House and simply emphasised the urgent necessity for the establishment of the Police Complaints Tribunal.

The attitude of the honourable member for Archerfield should be placed on record. I cannot believe that even members of the ALP would want to support his actions. For so long the Police Force has had to take his criticisms. I realise that the honourable member likes to get to the news media and to lurk in the corridors waiting for the news media to contact him. I know that he likes to whisper in the corridors to the news media.

Mr Prest: He's a friend of yours.

Mr HINZE: Sometimes he gives me the impression that he wants to be; but then he slips the knife in between my shoulders. If he is a friend, I could do with enemies.

The honourable member for Archerfield has demonstrated quite clearly to Parliament and to Queensland his obsession with the Police Force. Today he showed his true colours. He said, "Even if you set up the tribunal, there is no way in the world that you will drag me to it."

Mr Prest: You are lucky he is tied up in a meeting.

Mr HINZE: He waited till 2 o'clock in the morning, after I had gone home, to have a chop at me. I do not think he and I need kid one another.

The honourable member for Archerfield is having his days of glory, but I would not want to be in his shoes. He has offended 3 999 police officers in Queensland. A few days ago he took on the Catholic Church. The only people he has not taken on are the Masons; but I suppose it will not be long before he has a crack at them, too.

The honourable member has indicated that he is not prepared to go before the tribunal and stand by his despicable statements.

Mr Moore: He had a go at Lyons the other day.

Mr HINZE: Everybody is getting a touch-up from him now and again.

By his actions today, the honourable member for Archerfield has stamped himself as a political coward. His hatred for the Police Force is well known. He is bordering on complete hysteria. More so than anyone else in Queensland, he has been a vocal critic of the Police Force for many years. One could reasonably assume that he would welcome the establishment of a police tribunal in which to air his complaints and give them some credence.

The honourable member for Archerfield staunchly defended one of his associates, that is, Gary Allen of 44 Skylark Street, Inala. I can only say that if a person lies with dogs, he will get fleas. The honourable member referred to his mate Gary Allen and tried to convey to the House that he had been the victim of police harassment and that his record scarcely warranted any police interest.

Gary Allen, of 44 Skylark Street, Inala, certainly has a record, Mr Speaker. It is about as long as your arm. Between 1975 and 1981, Gary Allen was charged on no less than 30 occasions. The charges against Mr Hooper's friend, or mate, include: breaking, entering and stealing; wilful destruction of property; going armed in a public place so as to cause fear; possession of an unlicensed concealable firearm; unlawful assault; assaulting police; possession of prohibited plants; obscene language; indecent behaviour; and resisting arrest. If there is any other charge in the book, I guess he could be charged with that, too.

Surely the honourable member, to exemplify his argument, could have selected a much better stooge than someone who has a long and violent record but who is described by Mr Hooper simply as a "bad little boy".

An Honourable Member: He was unlucky.

Mr HINZE: Heavens above! Unlucky! Unlucky that he was caught.

The member for Archerfield has been content to abuse the privilege offered by this House and to attack well-respected officers of our Police Force at every level. The honourable member, more than any other member, is responsible for the low level of public esteem for this Chamber.

I believe that if the honourable member for Archerfield refuses to appear before the tribunal voluntarily, then in the interests of the public and the police officers whom he has defamed in a cowardly way, he should be requested to appear. The public has every right to brand the honourable member for Archerfield as a coward if he refuses the opportunity to appear before an independent forum and stand by his claims.

The honourable member for Surfers Paradise is to be heartily commended for his speech in the Chamber this afternoon. He demonstrated a responsible attitude by not centring his speech on fairy-tale, one-sided accounts of his experiences with the Police Force. He recognises that this legislation is a positive move by the Queensland Government to satisfy aggrieved members of the public and clear the tide of smut generated by the member for Archerfield against our Police Force.

Clause 13, which relates to any person who obstructs or hinders another person involved in making a complaint or giving evidence to the tribunal, needs some clarification in the eyes of some honourable members. The concern centres around penalty provisions contained in the clause.

I refer honourable members to clause 20 of the Bill, which states that proceedings for offences against this Act shall be by way of summary proceedings under the Justices Act 1886-1980. In short, charges of interference will be dealt with by a magistrate and certainly not by the tribunal.

I thank the members for Windsor, Southport, Nudgee, Brisbane Central and Flinders for their contributions. I know that they do not wish me at this stage to go into detail in reply.

The honourable member for Gladstone wanted to make a contribution, also. Because time is running short, I asked him to refrain from doing so at this stage and to make his comments at the Committee stage.

Motion (Mr Hinze) agreed to.

Committee

The Chairman of Committees (Mr Miller, Ithaca) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Police) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—Tribunal—

Mr R. J. GIBBS (4.35 p.m.): I move the following amendment—

"At page 2, omit all words comprising lines 23 to 30 and substitute the following words—

'(2) The Tribunal shall consist of five members appointed by Order in Council of whom—

(a) one shall be a Judge of the Supreme Court or of District Courts, who shall be the Chairman;

(b) one shall be a person nominated by the Queensland Law Society Incorporated or the Bar Association of Queensland;

(c) one shall be a person nominated by the person holding or acting in the office of Crown Solicitor;

(d) one shall be a person nominated by The Local Government Association of Queensland; and

(e) one shall be a retired commissioned member of the Police Force.’”

Earlier this afternoon I outlined at length the reasons why I considered that the representation on the tribunal should be enlarged. I do not propose to expand on what I said. I recommend the amendment to the Committee.

Mr HINZE: The Government does not propose to accept the amendment. No doubt the honourable member himself would appreciate that three members should be sufficient to constitute the tribunal at this very early stage. In years to come the membership can be enlarged if the Parliament believes that is necessary. The mind boggles at the thought of all the bodies that could be represented on the tribunal. After giving the matter many weeks of consideration the Government believes that a membership of three is sensible.

Question—That the words proposed to be omitted from clause 4 (Mr R. J. Gibbs’s amendment) stand part of the clause—put; and the Committee divided—

Ayes, 46

Ahern	Hewitt	Powell
Austin	Hinze	Prentice
Bertoni	Innes	Randell
Bird	Jennings	Row
Bjelke-Petersen	Katter	Scassola
Booth	Kaus	Simpson
Borbidge	Knox	Stephan
Doumany	Kyburz	Sullivan
Elliott	Lane	Tomkins
FitzGerald	Lee	Turner
Frawley	Lester	Warner
Gibbs, I. J.	Lickiss	Wharton
Glasson	Lockwood	
Greenwood	McKechnie	<i>Tellers:</i>
Gunn	Moore	Neal
Harper	Muntz	Nelson

Noes, 23

Blake	Kruger	Warburton
Burns	Mackenroth	Wright
Casey	Milliner	Yewdale
D’Arcy	Prest	
Davis	Scott	
Eaton	Shaw	<i>Tellers:</i>
Fouras	Smith	
Gibbs, R. J.	Underwood	Hansen
Jones	Vaughan	McLean

Pairs:

Edwards	Wilson
Goleby	Hooper

Resolved in the affirmative.

Mr HINZE: I move the following amendment—

“At page 2, after line 30, add the following words—

‘(3) Each member of the Tribunal shall be required to take an oath or make an affirmation to preserve secrecy concerning matters coming to his knowledge in the course of his duty as a member except to the extent that disclosure of information concerning such matters is required for the purposes of this Act.

Such an oath may be administered by and such an affirmation may be made before any justice.’”

The reason for the amendment is that it is considered appropriate that the members of the tribunal should also be bound by oath to keep secret matters coming to their knowledge, unless otherwise authorised by the Bill to reveal same.

Mr KATTER: I want to know what happens in the case of a member of the Police Force who builds up against him a long record of complaint after complaint of, for example, physical violence. Is a record of such complaints to be kept, and will departmental officials have access to that information?

The reason I ask this question is that for a long period members of the Queensland Police Force were asked for results. Prosecutions were wanted. The result was that, in 1976, 684 cautions were issued to juveniles and 4218 charges were laid against them. In 1981 the number of charges dropped. Obviously the police have now been asked to caution juveniles rather than to charge them. Officials of the Police Department should have access to records that might reveal a course of conduct over a long period.

Mr HINZE: The department does keep the records referred to by the honourable member.

Amendment (Mr Hinze) agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6, as read, agreed to.

Clause 7—Secretary of Tribunal—

Mr HINZE (4.50 p.m.): I move the following amendment—

“At page 3, line 23, after the words ‘oath or’ insert the words—
‘make an’.”

It is simply that a person takes an oath but makes an affirmation.

Amendment (Mr Hinze) agreed to.

Clause 7, as amended, agreed to.

Clause 8—Functions of Tribunal—

Mr PREST (4.51 p.m.): The tribunal is being set up because important matters have been raised in the Parliament. Also the general public feel that a far-reaching inquiry is warranted. The tribunal will deal with some of the most trivial matters. They should be dealt with as a matter of course by the Police Force. No member of the Police Force—or any similar organisation for that matter—should be afforded protection against misconduct. Police should act responsibly, as other members of the public are required to. Certainly policemen have a responsibility to carry out the law, but it is important that they act within the law.

Today we have heard about police being involved in high-speed chases and travelling through red lights. Surely the tribunal will not have to deal with matters such as that. Only last week a sergeant of police assaulted a young boy at the Kin Kora Mall in Gladstone. Gladstone is no longer a police district. No-one of sufficient authority can be called upon to conduct an investigation or to take other action. I rang the inspector of police in Rockhampton, but he was not available. His office said that I would be contacted. I have heard nothing. I want to know what action has been taken.

Two other police officers arrived at the mall by car. No action appeared to be taken against the police officer who was assaulting the boy. Numerous witnesses are available to say that the boy was assaulted; so it looks as though it will be another cover-up. It will not be the first time. I want to know where they took the assaulted person. Was he taken to hospital for treatment? I am told that he definitely needed medical attention. However, I have still heard nothing from the inspector at Rockhampton.

I have spoken previously about a young boy who was assaulted by policemen in Gladstone after a high-speed chase. He was charged with resisting arrest and, although his car had been bashed with boots and batons, the police threw the book at him. They charged him with dangerous driving, speeding and many other offences. When the matter went before

the magistrate, the charge of resisting arrest was dismissed. The magistrate was quite convinced by the medical evidence and the photographs that were produced that the boy had been assaulted. We asked what action was to be taken against—

The CHAIRMAN: Order! Would the honourable member make the point he wishes to make? We are dealing with clause 8, which deals with the functions of the tribunal. The honourable member is dealing with matters unconnected with the tribunal.

Mr PREST: Those matters will be presented to the tribunal. Of course, nothing has been done about them.

Mr Moore: Keep saying the word "tribunal" and you will get away with it.

Mr PREST: I thank the honourable member for Windsor.

It has been claimed that it does not happen in the Queensland Police Force. Because the parents do not intend to press charges, no further action will be taken against the officers. I am not concerned about the small fish. If things do not happen in public, as occurred at the Kin Kora Mall, they happen inside. The paramount concern of the tribunal should be the apprehension of the big fish against whom serious allegations are made.

Mr R. J. GIBBS: During the debate I have asked the Minister for clarification of a number of points about this clause. Because it was pointed out that the proposed tribunal was to operate to a large degree under the guide-lines of the Commissions of Inquiry Acts, I asked the Minister whether the tribunal will have power to summon members of this Parliament before it concerning what it may consider is an allegation concerning police officers.

If that is not within the power of the tribunal, will the provisions that apply within the Commissions of Inquiry Acts, which allow an officer of the Queensland Police Force to break and enter any place to serve a warrant, apply to the privilege of this Parliament? Could a member of Parliament be served with a warrant while he is in the precincts of the House? Will it be possible for members of the Government of the day to move a motion that information that may be public knowledge and involves allegations of misconduct, improper conduct or neglect of duty by any member of the Police Force be relayed to the tribunal?

Mr HINZE: I can only offer my interpretation. This Parliament is supreme. The Speaker of the Parliament will be making decisions on what he is prepared to accept in speeches from Government and Opposition members. Despite the outburst by the member for Archerfield, in which he said that he will completely ignore the wishes of the tribunal, responsible members, if requested, will assist the tribunal. They will not need to be dragged into the tribunal to give their version of a problem. As responsible people, they will go along willingly. I do not foresee that the tribunal will force members of this Parliament to appear before it.

Mr Moore: It has not got the power; it couldn't do it.

Mr HINZE: The member for Windsor has made a good point. There are two bodies, the Parliament and the tribunal that the Parliament is setting up.

Clause 8, as read, agreed to.

Clauses 9 and 10, as read, agreed to.

Clause 11—Malicious complaints—

Mr R. J. GIBBS (5 p.m.): I have already expressed grave concern about clause 11. I believe that it will leave the way open for persons to make malicious complaints to the tribunal. As I have said before, I hold no brief for persons who make malicious complaints. The clause provides that a person who is found to have made a malicious complaint can be ordered to pay the costs incurred by the tribunal. A substantial sum could be involved. The clause dispenses with the due process of law in that the tribunal will be allowed to come to the decision that the person making a malicious complaint is guilty of an offence. In other words, it is trial by a jury of three persons. That is not a healthy situation. A person who is charged with an offence should be tried before the court.

I therefore move the following amendment—

“At page 5, omit all words comprising lines 8 to 26 and substitute the following words—

‘11. Malicious complaints. (1) A person who maliciously makes to the Tribunal a complaint that is false commits an offence against this Act and is liable to a penalty not exceeding \$1 000.

(2) A document purporting to be certified by the secretary of the Tribunal as a copy of a complaint made to the Tribunal shall be admissible in any proceeding as conclusive evidence that the complaint embodied therein was made to the Tribunal by the complainant named therein on the date shown therein as the date of the complaint.’”

That amendment is a sensible alternative to the provision in the Bill. It will allow a person who is charged with the offence of laying a false or malicious complaint to plead his case in the Magistrates Court. If he is found guilty by the magistrate he will face a penalty of up to \$1,000. I believe the amendment offers a sensible compromise, and I urge Government members to support it.

Mr INNES: Certain discussions have taken place with the Minister and I understand he will be moving an amendment to the clause. The Minister's amendment will have a bearing on the argument put forward by the honourable member for Wolston.

One has to understand that the tribunal will have the right to admit representation if it thinks fit in an appropriate case. It is in charge of its own affairs. Where there is a finding that a person has made a false complaint and that it was malicious, he may be asked to pay the cost of the investigation. As I understand it, the Minister has seen fit to provide an entitlement to legal representation on such a matter, so that a person cannot be asked to pay compensation without his usual right to representation before the tribunal. I applaud the Minister for that eminently sensible amendment.

An element of paranoia has run through the debate on this issue. I am not saying that it has been shown in any great quantity by the honourable member for Wolston, but it has been shown in great quantity by other Opposition members.

The tribunal has to be looked at on the face of the legislation. Its conduct will depend significantly on the conduct of the persons who first constitute it. Because its chairman will be either a Supreme Court judge or a District Court judge, it will have great prestige.

Many of the complaints considered by the tribunal will be of a minor nature. In a sense, it will be a disciplinary tribunal dealing with small offences. I assume that it will rarely be asked to consider grave charges.

If the tribunal forms a certain opinion it is empowered to refer the matter for prosecution. A trial will be conducted in the normal way. The tribunal's greatest strength is that it will be independent. A member of the Police Force will be able to say, “A complaint was made. I was found guilty.”, or, “A complaint was made. I was found completely blameless.”

As I said, the tribunal will be independent. Its prestige and ability to operate will depend on the attitude adopted by members of the Chamber, who are so quick to condemn. The main principle of justice is that a person is innocent until he is proved guilty. This afternoon, people in eminent positions have absolutely lambasted others, and found them guilty before anything has been put before any tribunal. That was totally unfair and improper. It was a complete contradiction of the principle supposedly professed by other speakers.

The Minister's good intentions are demonstrated by a simple, clearly expressed Bill. It seems inevitable that complaints are made about the complexity of legislation, but essentially this Bill sets up, in simple terms, an independent tribunal. The Minister has provided something that can be equated with a penalty that can rebound on a complainant, but now set into the legislation will be an entitlement to legal representation. That is proper, because it takes away a lot of the force of the argument raised by the honourable member for Wolston. He will recall, I am sure, in relation to the other offences set out in clause 13, relating to obstruction or hindering a complainant, that they must be proceeded with under the Justices Act in the Magistrates Court. Much of the force of his argument on this issue is taken away. The amendment that I understand will be moved, will improve an already very commendable Bill.

Mr PREST: I am very concerned about these words in clause 11, relating to malicious complaints—

“If the Tribunal finds that a complaint is false and has been made maliciously, it may cause notice to be given to the complainant calling upon him to appear at a time and place specified therein and to show cause why he should not pay the expenses of the making of investigations in respect of the complaint.”

We have dealt with the composition of the tribunal. It will comprise a District or Supreme Court judge, a person nominated by the Police Union and another appointed at the discretion of the Governor in Council. Will the decision of the tribunal be that of the chairman, or will it be a unanimous or a majority decision? In other appeal tribunals there is usually a chairman who is assisted by a representative of the employer and a member of the union. Because of the way in which the tribunal is established, it will be very hard for a person who makes a complaint to have a decision made in his favour, or prove that the complaint he made was reasonable. I predict that the majority of judgments will be 2 to 1, because the proposed system will be very much like the present system of police investigating police.

Members of the public will learn that if they cannot make accusations stick, they will have to pay for the investigation. That in itself will deter people from giving evidence or making accusations or complaints. It happens not only with this tribunal but also with appeals against town-planning decisions.

As soon as a person is told that if he goes to court the cost is his, he will say, “Forget it. It is not worth it. I will pull out.” This is another cover up. Once people are told that they have no protection, that they made the complaint and that they will have to foot the bill, they will back off. It is the ordinary person who can ill afford to go to court who is being mistreated. I am not concerned about the big fellow in the \$500 to \$600 a week bracket. He can afford to go to court. He does not get into trouble with the police. I am concerned about the little fellow. He is being told, “If you make a complaint, you will have to make it stick or you will be up for the bill.”

Mr R. J. GIBBS: I am afraid that I cannot accept the point of view put forward by the member for Sherwood. In his explanation he referred to the foreshadowed amendment to be moved by the Minister. I am aware of that amendment. If a word has been missed out I can be excused for misinterpreting it. It reads—

“A person called upon to show cause shall be entitled to appear before the Tribunal by his counsel or solicitor or by any other agent acceptable to the Tribunal.”

Unless the word “accompanied” has been omitted, it could be interpreted as meaning that he can have representation before the tribunal but cannot appear personally.

Mr Innes: No.

Mr R. J. GIBBS: That is what the foreshadowed amendment means. I suggest that the word “accompanied” has been omitted and that the amendment should read—

“ appear before the Tribunal accompanied by ”

I still cannot accept the argument put forward by the honourable member for Sherwood. He referred to clause 13. There is no reference in clause 13 to suggest that a person found guilty of making a false complaint before the tribunal will be taken to the Magistrates Court or to any other court for the hearing to be dealt with. Clause 13 is headed, “Offence to hinder complainants, etc.” It provides a penalty which I have already said is extremely severe—imprisonment for six months rather than a fine for what is essentially a minor complaint.

I repeat that clause 11 is completely unjust and that my amendment deserves support.

Mr INNES: The words in the foreshadowed amendment are in the usual and typical form. It means that, apart from the person himself appearing, he is entitled to make his representations through his solicitor or barrister. It does not mean that he will be debarred from the proceedings. It would be unthinkable that a person should be debarred from the proceedings.

I should not be taken to have said that the rights under clause 11 will be judged in the Magistrates Court as they would be under clause 13. It was really an argument and an analogy that I was using.

The honourable member for Port Curtis really gives some of the substance. I guarantee that in a few years' time people such as the member for Archerfield will still be howling about police corruption. It never stops. The theme is the same. It is constant. Month after month and year after year he does not want to believe the best or what is good. He constantly harps on what is bad. He is saying, "Find a tittle of evidence, create your own theory and condemn.

No evidence has been put before this Chamber or before any other forum. We are not just talking about a little man with a just cause who is seeking to vindicate himself. That is commendable. Indeed, before the little man, or any man, will be in any danger, there will have to be a finding of falsehood, which is a very clear and absolute thing. There will also have to be a finding of malice. They are two very important components. If a person makes, firstly, a false complaint and, secondly, does so maliciously, why should not some consequences rebound?

Is this tribunal to be just a shooting gallery to shoot policemen? Is it to try them and hang them before they are found guilty? Are they just to be put to the worry of appearing before the tribunal? No, there has to be some control. There has to be an even approach.

As I said before, the hint that runs through the allegations that are made by Opposition members is, "We want a tribunal that accepts everything I say, believes everything I allege and hangs anybody whose view is contrary and anybody about whom I beg to make an allegation." No civilisation can be based on a tribunal like that. That is really what the honourable member for Archerfield was saying. He takes the whole matter to the extreme. He is not asking for an independent tribunal; he is asking for a tribunal that accepts everything he says, even if it is mostly hearsay. The honourable member says, "Everything we say about other people is correct, and they are guilty." No tribunal should ever be set up in that fashion by a civilised community. This tribunal will not be set up in that fashion. A person will appear before the tribunal and have his case tested. That will protect the little man and also the police.

Mr FOURAS: The Opposition does not want people to perpetrate falsehoods with malicious intent. Our concern is that it was spelt out in newspaper reports prior to the introduction of this legislation that everybody had better watch himself because if he was not 100 per cent correct, he would be taken to the cleaners. We want people with a complaint to go willingly to the tribunal and not to be worried about being bankrupted in the process. The Minister is indirectly threatening people with clauses, such as the one we are considering.

The people outside do not have legal minds, as the member for Sherwood has. They will have to decide whether it is worth while making an allegation. If they think that the policemen on the tribunal might be able to set them up, they will not come forward to the tribunal with any surety. I believe that this clause is designed to threaten people. We do not want to support people who will tell falsehoods and act maliciously; but we are concerned that people who have legitimate complaints will be scared off and not voice their complaints. We are concerned that those people might be set up for making a legitimate complaint. That is what our opposition to that clause is about. We discussed that matter at our party meeting, and everybody was concerned about the statements that appeared in the Press before the legislation was introduced. The tone of those statements was, "Watch yourself, or we will get you."

Mr PRENTICE: In replying to the honourable member for South Brisbane, I point out that it appears to me from the debate that the Opposition has looked at this Bill, found that it is an honest, reasonable and fair approach to overcome a problem that some people believe exists and decided that it does not like it. I suggest that Opposition members should put aside all the publicity about this Bill and look at this clause. The reality is that this tribunal will be chaired by a judge of the Supreme Court or District Court. The judge in that position, regardless of who his companions will be, will not allow the tribunal to be misused in any way.

If people are fair dinkum, are telling the truth and are genuinely concerned, they need have no fear. The proposal is eminently reasonable. It says that if people tell a maliciously false story to the tribunal it might cost them some money, an end result that they may not like. People cannot expect to be able to go before this tribunal and tell any sort of story under the sun with deliberate intent to smear the name of a policeman.

That would be absurd and the Opposition should know better. The clause, together with the foreshadowed amendment, complements what is a very good Bill.

Mr MOORE: If I had my way, this clause would not appear in the Bill. I would have had it prepared to be inserted, if necessary. The reason for the clause is that it was felt that the tribunal would be inundated with frivolous and malicious claims. I would not include the clause now. I would wait until three months' time or six months' time and, if it was found necessary, I would insert it.

Government members have said that people will not be fitted. That is correct. But the man in the street will not be convinced of that. As I say, the clause should not be in the Bill, but it is there. In my heart I know that the intention of the Minister is absolutely honest, clear and fair.

Mr PREST: When I spoke earlier on this clause I asked the Minister whether the decision would be made by the chairman or whether it would be a unanimous or majority decision of the tribunal. I asked that because the clause could be a get-square clause. On page 7 of the Minister's prepared second-reading speech he outlined the three basic aims of the tribunal. He said—

"1. It will provide an independent forum for the evaluation and investigation of complaints against police;

2. It will clear away the cloud of suspicion over the 99 per cent of hard-working, honest and dedicated police men and women in this State; and

3. It will give the member for Archerfield and his cronies an opportunity to 'put up or shut up' and end their malicious and unsubstantiated accusations against the finest police force in Australia."

Mr Hinze: If you read "Hansard" you will see that I did not read the third part.

Mr PREST: I was simply reading the prepared speech.

The Minister has not had an open mind in setting up the tribunal. He said that he is not prepared to investigate accusations that are, in his view, poppycock. Yet in the second of the three basic aims of the tribunal outlined in his prepared second-reading speech, the Minister states that 99 per cent of the Police Force in the State are hard-working, honest and dedicated police men and women. I agree with that statement. I would have hoped that the figure would be higher than 99 per cent.

I am concerned about the 1 per cent of bad policemen who are not doing the job that is expected of them. They are the police that the honourable member for Archerfield referred to. He did not accuse members of the Police Force from the top to the bottom. He is not in the Chamber this evening. I support him by saying that the tribunal should be an open one. His criticism is directed at policemen at the top of the Police Force administration and he wants the tribunal to investigate whether the accusations can be substantiated. The Minister should not be saying, "If you can't substantiate your accusations, we will make you pay. You will be the one declared guilty." That is why I am totally opposed to the clause.

Question—That the words proposed to be omitted from clause 11 (Mr R. J. Gibbs's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 42

Ahern	Hewitt	Nelson
Austin	Hinze	Powell
Bertoni	Innes	Prentice
Bird	Jennings	Randell
Bjelke-Petersen	Katter	Row
Booth	Kaus	Scassola
Borbidge	Knox	Simpson
Doumany	Lane	Stephan
Elliott	Lee	Turner
FitzGerald	Lester	Wharton
Frawley	Lickiss	
Gibbs, I. J.	Lockwood	<i>Tellers:</i>
Glasson	McKechnie	
Greenwood	Moore	Kyburz
Gunn	Muntz	Neal

Noes, 19

Blake	Gibbs, R. J.	Underwood
Burns	Hooper	Vaughan
Casey	Kruger	Warburton
D'Arcy	McLean	
Davis	Milliner	<i>Tellers:</i>
Eaton	Prest	Hansen
Fouras	Shaw	Mackenroth

Pairs:

Edwards	Wilson
Goleby	Wright
Scott-Young	Yewdale
White	Scott
Tenni	Jones
Menzel	Smith

Resolved in the affirmative.

Mr HINZE: I move the following amendment—

“At page 5, after line 26, add the following words—

‘(5) A person called upon to show cause shall be entitled to appear before the Tribunal accompanied by his counsel or solicitor or by any other agent acceptable to the Tribunal.’”

It has been suggested that because the cost of the investigation could be quite substantial, a person who appears before the tribunal to show cause why he should not pay the expenses of the investigation should be able to have legal representation. In this instance the suggestion is agreed to.

Amendment (Mr Hinze) agreed to.

Clause 11, as amended, agreed to.

Clauses 12 and 13, as read, agreed to.

Clause 14—Tribunal as a Commission of Inquiry—

Mr R. J. GIBBS (5.33 p.m.): I intend to move an amendment to clause 14. I have already spelt out my reservations in relation to the clause. It removes the right of privilege and protection of people who appear before the tribunal. They leave themselves open to criminal charges at a later date. That possibility does not exist under section 45 of the Federal Act. Although the Minister makes great play of this legislation, the Commissions of Inquiry Acts, 1950 to 1954, applies in many cases. That protection has been removed from clause 14. I find that objectionable. It is a blatant case of stripping away from a person his right of protection before the tribunal. Consequently, I move the following amendment—

“At page 6, omit all words from and including the word ‘unless’ in line 41 to and including the word ‘warning’ in line 45.”

Question—That the words proposed to be omitted from clause 14 (Mr R. J. Gibbs's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 42

Ahern	Hewitt	Muntz
Austin	Hinze	Nelson
Bertoni	Innes	Powell
Bird	Jennings	Randell
Bjelke-Petersen	Katter	Row
Booth	Kaus	Scassola
Borbidge	Knox	Simpson
Doumany	Kyburz	Stephan
Elliott	Lane	Turner
FitzGerald	Lee	Wharton
Frawley	Lester	
Gibbs, I. J.	Lickiss	<i>Tellers:</i>
Glasson	Lockwood	Neal
Greenwood	McKechnie	Prentice
Gunn	Moore	

Noes, 19

Blake
Burns
Casey
D'Arcy
Davis
Eaton
Fouras

Gibbs, R. J.
Hooper
Kruger
Mackenroth
McLean
Milliner
Prest

Underwood
Vaughan
Warburton

Tellers:

Hansen
Shaw

Pairs

Edwards
Goleby
Harper
White
Menzel
Tenni

Wilson
Wright
Yewdale
Scott
Smith
Jones

Resolved in the affirmative.

Mr R. J. GIBBS: I move the following further amendment—

“At page 6, after line 45, add the following words—

‘(5) A statement or disclosure made by a witness in answer to any question put to him by the Tribunal or any member thereof shall not (except in proceedings in respect of contempt of the Tribunal or of an offence against any of the sections of The Criminal Code specified in section 22 of The Commissions of Inquiry Acts, 1950 to 1954) be admissible in evidence against him in any civil or criminal proceedings.’”

Amendment negatived.

Clause 14, as read, agreed to.

Clauses 15 to 20, as read, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mr Hinze, by leave, read a third time.

The House adjourned at 5.45 p.m.