

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 10 NOVEMBER 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 papers were laid on the table, and ordered to be printed:—

Reports—

Government Gas Engineer and Chief Gas Examiner for the year ended 30 June 1982

Queensland Probation and Parole Service for the year ended 30 June 1982

The following papers were laid on the table:—

Regulations under—

Hospitals Act 1936-1982

Health Act 1936-1981

Ambulance Services Act 1967-1975

Order in Council under the Ambulance Services Act 1967-1975

By-laws under the Psychologists Act 1977.

PETITION

The Clerk announced the receipt of the following petition—

Establishment of Adoption Contact Register

From Mr Fouras (101 signatories) praying that the Parliament of Queensland will reverse Cabinet's decision not to legislate for the establishment of an adoption contact register.

Petition received.

QUESTIONS UPON NOTICE

Questions submitted on notice by members were answered as follows:—

1. Heritage Legislation

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

(1) With reference to the inferences made that he is responsible for the fact that Queensland does not have heritage legislation—has Cabinet rejected his submissions on legislative proposals of this nature on at least two occasions?

(2) If so, what was the basis of these rejections and was it that his proposals were too tough?

(3) Is he prepared to table the submissions in question and will he inform the House as to what heritage guide-lines were submitted to Cabinet?

(4) Is he aware of legislation in other States where unauthorised demolition of a building attracts a fine of \$10,000 as well as prevents the construction on the same site for 10 years?

(5) In view of the public outcry over the demolition of Cloudland, the Bellevue and the ANZ Bank, when does he intend to protect the heritage of Queensland by legislation, and will he give a personal undertaking that he will incorporate in such legislation severe penalties to deter actions such as those relating to Cloudland?

(6) In order to canvass public opinion, will he also agree to prepare a position paper on the question of heritage legislation as a matter of urgency?

Answer:—

(1 to 6) The question asked by the honourable the Leader of the Opposition concerns matters of Government policy, regarding which an announcement will be made at the appropriate time. At the same time, he might reflect on this Government's fine record in preserving its own buildings. As the Honourable the Premier indicated yesterday, in recent years some \$45m has been spent on or committed to restoring such buildings, in addition to the millions spent throughout the State in the last two decades on restoring schools, court-houses, railway stations and the like. The list of restored buildings includes—

- Commissariat Store;
- Old Government House;
- South Brisbane Town Hall;
- Government House, Bardon;
- Parliament House;
- Toowoomba Court House;
- Warwick Court House;
- Maryborough Court House;
- Newstead House;
- Warwick Police Station; and
- Warwick Central State School.

In addition, a number of others are already in the planning and documentation stage. They include—

- Ipswich Court House;
- The Mansions, George Street;
- Harris Court, George Street; and
- Bank of NSW Building, Maryborough.

That amply demonstrates that the Government is setting an outstanding example in restoring its own heritage of historically significant buildings.

Mr SIMPSON: I rise to a point of order. Because of interjections from Opposition members, I cannot hear what the Minister is saying in reply to the question.

Opposition Members interjected.

Mr SPEAKER: Order!

Mr SIMPSON: Thank you, Mr Speaker. As I said, because of the noise from the Opposition, I cannot hear the Minister's reply.

Mr BURNS: I rise to a point of order. With due respect, I say to the honourable member that if the Minister is going to make a laughing-stock of the Parliament, the member has no right to ask the Opposition members to behave.

Mr SPEAKER: Order! I have heard the respective points of order. I seek the co-operation of all members of the House.

2. Demolition of Cloudland

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

With reference to the Cloudland demolition and in view of the fact that he administers the Building Act—

(1) Was he aware of any permit being sought or issued for the demolition, particularly following comments attributed to Peter Kurts in the "Sunday Sun" of 7 November when Kurts not only indicated that the building would stay but also did not even make the slightest mention of any demolition?

(2) Do the standard by-laws of the Building Act make it a prerequisite to submit an application for all forms of building works including demolition?

(3) Furthermore, is approval for demolition not required under the Building Act?

(4) If so, thus implying that the Building Act overrides the standard by-laws of the Building Act, will he give a guarantee that he will introduce urgent amendments to the Building Act to offer at least some protection to our heritage, particularly in view of the absence of heritage legislation?

(5) Will he also explain why no action was taken by police officers under the Noise Abatement Act on the morning of 7 November, even though the demolition started at 4 a.m., which is well before the allowable time?

Answer:—

(1) No.

(2 to 4) I am advised that the position with regard to the relevant provisions of the Building Act 1975-1981 and the Standard Building By-laws thereunder is generally as set out in the honourable member's question.

I have already initiated action to amend the Act to provide for the purposes of public safety that, in future, the approval of the particular local authority must be obtained prior to the demolition of buildings and other structures.

(5) This is a matter for the Honourable the Minister for Environment, Valuation and Administrative Services, who administers the Noise Abatement Act 1978-1982.

3. Overloading by Trucks Registered Interstate

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

What action is taken by his department to make the officers of the Department of Transport aware of overloading by trucks registered interstate?

Answer:—

Government weighbridge checking stations at Coomera, Gailes and Burpengary are staffed by officers of the Transport Department. All vehicles, whether registered in Queensland or elsewhere, passing through those stations are recorded by those officers. Among the items recorded are registered numbers and origin and destination of the loading.

The information recorded is retained by the Transport Department. Where a vehicle is found to be overloaded, a weighing device certificate is completed and forwarded to the Main Roads Department for further action. A copy of this certificate is also retained by the Transport Department.

In the case of all vehicles found to be overloaded when weighed by Main Roads Department inspectors using portable weighing equipment, all information is retained by that department for further action.

QUESTIONS WITHOUT NOTICE

Unemployment

Mr WRIGHT: In directing a question to the Minister for Employment and Labour Relations, I refer to the reported job creation scheme for mature-aged persons proposed by the Federal Minister for Employment and Industrial Relations, Mr Macphee.

I now ask: As Queensland now has a higher unemployment level than Victoria, with the major increase in unemployment now comprising adult males, will Queensland join with the other States in calling on the Federal Government to convene a special Premiers' Conference to discuss the rapidly worsening unemployment? Does the Minister support the regional employment development scheme as proposed by Mr Macphee? And does he agree with the Minister for Local Government and Main Roads (Mr Hince) that the answer to the increasing unemployment problem lies in increased Government expenditure on public works?

Sir WILLIAM KNOX: One of the great traditions of the asking of questions without notice is that the Leader of the Opposition is allowed the first call. It also is traditional for honourable members to ask their questions without reading copious notes. We are getting back to the lazy way in which the Opposition faces its responsibilities in this House.

The level of unemployment in this State is considerably lower than that in Victoria. At the same time, it is still too high, which is something that the Government regrets. Generally, the situation in Australia is that Queensland's position is infinitely better than that of other States. The Government will support any employment scheme that will help people obtain employment. It has co-operated with the Commonwealth Government in a number of schemes, all of which have been very beneficial.

Let me give two recent examples. In providing assistance to disabled persons, the Queensland Government has worked closely with Commonwealth agencies and, as a result, of all the disabled persons in Australia who are employed half their number came from Queensland. That is the result of special efforts made by the Queensland Government to co-operate with the Commonwealth Government.

Next, last year the Queensland Government paid a bonus to employers who employed new apprentices, and Queensland set an all-time record by having 7 500 apprentices employed under that scheme. The Queensland Government will co-operate with the Commonwealth in any scheme that is designed to increase the number of people in employment.

Overseas Tour by Premier, Deputy Premier and Treasurer, and Government Officers

Mr WRIGHT: My next question was to be to the Minister for Tourism, National Parks, Sport and The Arts, but in his absence I direct it to the Deputy Premier and Treasurer. I refer to the purchase of first-class airline tickets for himself, the Premier, Mr Schubert, Mr Walsh and Mr Crooke for the forthcoming 10-day overseas trip. I now ask: Is it correct that the tickets were purchased by a private travel agency direct from Qantas and not through the Queensland Government Tourist Bureau as is the normal practice? Will he advise who paid for the tickets? Is it correct that they were paid for by cash?

Dr EDWARDS: I would have thought that the Leader of the Opposition would be aware that a Minister does not know who buys the tickets or where they are bought. If the honourable member's question indicates the manner in which he would run a Government, there is no doubt that he will never be in government. I have no idea where the tickets were purchased. However, I can assure the honourable member that they were not paid for by cash. I shall obtain the information and pass it on to him.

Protection of Small Business Proprietors in Shopping Centres

Mr WRIGHT: In directing a question to the Minister for Commerce and Industry, I refer to his previous undertakings regarding a model lease and protection for small business proprietors, especially those in shopping centres. I ask: When is it now expected that

the model lease will be presented to Parliament? When will action be taken, as recommended in the Cooper inquiry, to bring forward legislation to protect small business, in view of the fact that industry self-regulation has not worked? Will he table the recommendations of the joint parliamentary committee on justice and commerce and industry relating to this matter?

Mr SULLIVAN: The question is a Dorothy Dixier.

Mr Wright: I knew you had a meeting this morning.

Mr SULLIVAN: The Attorney-General and I will be making a statement this afternoon. It is being prepared at the present time. It is a detailed statement.

Mr Wright: Why don't you make it now?

Mr SULLIVAN: I said that we will be making it this afternoon. I will not be dictated to by the Leader of the Opposition.

The joint committee has been examining this problem for a considerable time. It is a very complex matter. The committee has reached certain conclusions and, as I said, we will be making an announcement this afternoon as to what the findings are.

Hearing Impaired Unit, Gold Coast

Mr BORBRIDGE: I ask the Minister for Education: What is the present position regarding the establishment of a special education unit for hearing impaired children on the Gold Coast?

Mr GUNN: I appreciate the honourable member's interest in special education. I assure him that my Government has a continuing commitment to children with special needs in this State, and we are doing our utmost to meet those needs.

I know that the honourable member will be pleased to learn that a hearing impaired unit will be established on the Gold Coast at the beginning of the 1983 school year, and that the site at Miami that he and I inspected recently will be the site of that new unit.

Reduction in Working Hours in the Building Industry

Mr JENNINGS: I ask the Minister for Employment and Labour Relations: Is he aware of a move by certain building union leaders to seek a reduction in working hours to 36 and of threats by those unions that they will take industrial action if they do not achieve their demands? As it is only 12 months since similar demands by union leaders for strike action for shorter hours was rejected by building workers on the Gold Coast, and as the Minister quite rightly warned at that time—it has come to pass—that shorter hours and higher costs would put some developers and building workers out of work because the community would not be able to afford the houses and other buildings, what will be the effect on the industry and the economy if these irresponsible demands for shorter hours are successful, bearing in mind that there are many building workers now out of a job who would be only too pleased to go back to work on a 40-hour week at the old money to provide houses and other buildings at a cost that people can afford?

Sir WILLIAM KNOX: The honourable member quite rightly referred to statements that I made 12 months ago in which I said that there was a danger that those sorts of moves would cause problems for the building industry.

Since that time there has been approximately a one-third reduction in the number of houses approved in the area. The reduction in the number of general buildings approved has been about 50 per cent. Why people would want to increase the cost of houses by 9 per cent by a shorter working week—

Mr R. J. Gibbs: That's a lot of garbage. You know it is not true.

Sir WILLIAM KNOX: I know that it is perfectly true. That is the cost that would be passed on to the consumer—the small home buyer. Why they would want to do it in the circumstances that presently exist is beyond me. All I can say is that they must be trying to sabotage their own people. It amazes me that people in the Labor Party on the other side of the House support such a move.

Flying of the Eureka Flag; Policy of the Ipswich City Council

Mr PRENTICE: I ask the Deputy Premier and Treasurer: Is he aware of the decision of the Ipswich City Council to fly the Eureka flag for the next 10 days? What is the Government's policy and attitude to that decision?

Dr EDWARDS: I am well aware of the Ipswich City Council's policy to allow the flying of the Eureka flag in Ipswich over the next 10 days. That indeed is a devastating decision by a Labor council, which has decided to allow the flying of the Eureka flag in place of the Australian flag and the Queensland flag, especially on Remembrance Day.

Mr R. J. Gibbs: Hear, hear!

Dr EDWARDS: The honourable member for Wolston says, "Hear, hear!"

Mr R. J. Gibbs: There should be more of it. I'll say, "Hear, hear!" You're a little ferret and a fraud.

Dr EDWARDS: The honourable member for Wolston identifies himself with that rabid group of people—

Mr R. J. Gibbs: You'll know at the next election, when the people of Ipswich kick you right out of your seat.

Mr SPEAKER: Order! I ask the honourable member for Wolston to contain his emotions.

Dr EDWARDS: The honourable member for Wolston is very sensitive on this issue. I am absolutely amazed that he identifies himself with those people who want to devastate the flags of Australia and Queensland. He may want to do that, but I will have no part of it.

Mr R. J. GIBBS: I rise to a point of order. I find that remark by the honourable member for Ipswich to be offensive. He has accused me of believing in the devastation of the Queensland and Australian flags. I did not say that they should be devastated at all. I believe that they should be replaced. I find the remarks offensive and ask that they be withdrawn.

Dr EDWARDS: The honourable member has admitted exactly what I said. The replacement of the Australian flag, under which our people have fought for the future of this country, is to my mind devastation. It is absolutely disgraceful that the Ipswich City Council would allow the Eureka flag to be flown in place of the Australian flag and the Queensland flag. That type of sinister attitude that is creeping into our community is destroying our standards. I will have no part of any devastation of our standards for the right of our heritage. We heard outbursts by the Opposition this morning, standing up for Cloudland. Why don't they stand up for the Australian flag?

Government Members: Hear, hear!

Dr EDWARDS: That is the kind of thing that Opposition members should be upstanding and outspoken about. If they spent more time paying tribute to our forbears who honoured the flag, this country would be a better place in which to live. I make no apology for my stance.

Mr Wright interjected.

Dr EDWARDS: I challenge the honourable gentleman to go up to Ipswich on Friday and say what I am now saying. The Leader of the Opposition will not do that. When he gets up there with the trade union movement he will say what the trade unions want him to say. But when he comes out from behind the doors he will tell me and other people what he thinks of the trade union movement.

Let us identify the position. The Labor Ipswich City Council and the honourable member for Wolston (Mr R. J. Gibbs), because of his identification with that council this morning, stand condemned. I identify myself and the Government with the Australian and Queensland flags.

Bicentennial Projects

Mr HANSEN: I ask the Deputy Premier and Treasurer: Apart from the upgrading of national highways to be financed by a levy on fuel, can he advise of any funds available for bicentennial projects initiated by local, State or Federal Governments to mark the bicentennial year?

Dr EDWARDS: The honourable member may not be aware that discussions are taking place between the various State bicentennial authorities as well as the State and Federal Governments on the type of levy that will be paid by the States on an annual basis over the next six years for the building up of a fund for the Australian Bicentennial Road Development Program so that the States will be able to undertake various projects.

As far as I am aware, Queensland's contribution this year was approximately \$190,000 and the State will continue to contribute to that program. As well as that the Government has had certain discussions with the Commonwealth about specific bicentennial proposals with which the Government can be associated, and announcements will be made about them in due course.

Deficit Budgeting

Mr SCASSOLA: In directing a question to the Deputy Premier and Treasurer, I point out to him that Opposition members in this Chamber have made repeated calls for Queensland to adopt deficit budgeting as part of the State's economic planning. I now ask: Can he indicate what the implications of such a policy are and what effects such a policy would have on the State's reputation?

Dr EDWARDS: On a number of occasions members of the Labor Party have made such a statement.

Mr R. J. Gibbs interjected.

Dr EDWARDS: The member for Townsville West (Mr Smith) made it very clear during the Budget debate, as did two or three other Opposition members, that deficit budgeting was Labor Party policy. I should be delighted to hear the view of the Leader of the Opposition on that matter. If he is prepared to say that deficit budgeting is not part of his policy, he will be contradicting what he said in earlier speeches that he made in this Chamber. Perhaps the Leader of the Opposition——

Mr UNDERWOOD: I rise to a point of order. Obviously, the Treasurer was not in this Chamber recently when the Opposition's Treasury spokesman made it quite clear that that was not the case.

Dr EDWARDS: I am delighted to hear the honourable member for Ipswich West state that deficit budgeting is "not the case". I am prepared to table in Parliament the Budget speeches of Opposition members over a long period in which they committed themselves to deficit budgeting.

An Opposition Member: That is not our policy.

Dr EDWARDS: I make it clear that I did not say "policy"; I referred to speeches in this Chamber. Obviously, members of the Opposition are in total disarray. I am pleased to place these matters on record so that they may be noted in the future.

During the Budget debate, Opposition members repeatedly called for deficit funding or deficit budgeting. They made their position very clear.

Mr Wright interjected.

Dr EDWARDS: The Leader of the Opposition is on the other tack. He is now saying that it may be warranted. Let me point out what deficit budgeting means. Obviously, the Leader of the Opposition is out of touch with economic management, just as he is out of touch with other matters. When a State Budget is in deficit, the deficit must be met from loan funds in the following year. If members of the Opposition wish to continue to commit themselves to such a policy, they may do so. That is the type of policy followed in New South Wales and Victoria. No doubt it will be followed in South Australia. The loan funds that should be used for hospitals, schools, roads and water conservation programs

must be used to meet the interest and redemption. The Opposition is at last enlightened on this matter. If New South Wales has a deficit Budget of \$60m, that must be met out of loan funds.

I am pleased that the honourable member for Townsville West is in the House, because he made it clear that he supported deficit funding. He obviously believed that the Government should budget for a deficit. At least he was honest when he said that. Deficit funding is anathema to this Government. Deficit funding should be anathema to any Government, because it is the tool of socialism.

Mr SMITH: I rise to a point of order. I seek a retraction by the Treasurer. At no time did I say that I sought deficit budgeting.

Dr EDWARDS: The honourable member should read what he said. He and I entered into a debate across the Chamber on that matter. I will not give a retraction, because the record will show that what I have said is correct.

Mr SMITH: I rise to a point of order. I ask for a retraction or withdrawal by the Deputy Premier and Treasurer.

Mr SPEAKER: Order! As honourable members are probably aware, I was not in the Chamber when the statement was made. In the circumstances, it is impossible for me to make a determination on what the facts of the matter are. The Deputy Premier and Treasurer indicated earlier that he is prepared to table the document as evidence of the honourable member's previous comments. There is no point of order.

Dr EDWARDS: I will obtain a copy of the honourable member's comments and give them to him immediately after question-time.

Mr Warburton interjected.

Dr EDWARDS: The same situation applies on the other side. I hope that the honourable member for Sandgate accepts that.

Quite clearly, the Government will not have anything to do with deficit funding in the Budget. Without doubt, the Opposition is very sensitive on the matter. Opposition members stand condemned.

Overseas Tour by Premier, Deputy Premier and Treasurer, and Government Officers

Dr EDWARDS: I seek leave to make a statement relative to a question asked this morning by the Leader of the Opposition.

(Leave granted.)

Dr EDWARDS: The Leader of the Opposition asked me a question. He should have known that I would not have the answer at my fingertips. The fact is that, under a Cabinet decision, the tickets have been ordered through Jetset Tours travel agency. Under that decision Ministers can apply for tickets from either private enterprise or the Queensland Tourist and Travel Corporation. All other tickets are purchased through the corporation. These tickets were not ordered through Qantas, they were not paid for by cash and no doubt an account will be issued to the Government in due course. This is not new. It has been the practice of the Government for many years and it is part of the Government's policy of supporting private enterprise in Ministers' travel arrangements.

Resumption of Debate on Recommendations of Standing Orders Committee

Mr SCASSOLA: I refer the Leader of the House to the adjourned debate on his motion that the Committee of the Whole House consider the recommended amendments to the Standing Orders and ask: When does he propose that the resumption of that debate will take place?

Mr WHARTON: The matter will be debated in due course, when we have time. I remind the honourable member that half a day was set aside for the debate and that he used all of the time available that afternoon with his own motion. The matter should have been concluded then. It will be debated in due course. I cannot nominate a specific time. A decision will be made when the matter is discussed with the other members of

the committee. Two or three of them will be away next week. We want to have a discussion on the matter when all of the members of the committee are available. They have put in a lot of time already in producing the draft report.

Overseas Tour by Premier, Deputy Premier and Treasurer, and Government Officers

Mr WRIGHT: I rise to a point of order. In view of the statement by the Deputy Premier and Treasurer, I table photostat copies of tickets purchased by the Government for Mr Bjelke-Petersen, Mr Schubert, Mr Walsh, Mr Crooke and Dr Edwards. They show clearly that the form of payment was cash.

Whereupon the honourable gentleman laid the documents on the table.

Dr EDWARDS: I seek leave to make a statement on that matter.

(Leave granted.)

Dr EDWARDS: The Leader of the Opposition has typically indicated his dishonesty in this matter. An order was issued on Jetset. It issued an order on Qantas. Obviously, Qantas would have sent an order back to Jetset. I give the Leader of the Opposition my assurance, and I ask him to accept it, that there has been no cash paid. In fact an account has still not been received by the Government in this regard.

Mr WRIGHT: I rise to a point of order. I take objection to the statement that I am dishonest.

Honourable Members interjected.

Mr SPEAKER: Order! It is time that sanity prevailed.

Mr WRIGHT: I take objection to the statement of the Deputy Premier and Treasurer. I will not seek a withdrawal because I know that the Deputy Premier and Treasurer is not inclined to do that sort of thing. I have tabled copies of the tickets showing that the form of payment was cash. That means that the Deputy Premier and Treasurer has misled the House.

Dr EDWARDS: I rise to a point of order. I ask that the honourable member withdraw those statements. I have indicated that the arrangement, as he would know by looking at the documents, is between Qantas and Jetset, not between Jetset and the Government. Therefore, I ask him to withdraw the statements and apologise.

Mr SPEAKER: Order! There is some concern associated with the statements that have been made. Both honourable gentlemen have claimed that they believe their statements to be true. I am not in a position to adjudicate on the matter at this point of time. Consequently, I declare the matter closed.

Dr EDWARDS: I rise to a point of order. The Leader of the Opposition has cast doubt on my integrity and has accused me of misleading the House. I ask, Mr Speaker, that the matter be not closed because I intend to call immediately for the file on this matter and, when it arrives, I will table it. I ask that, when it is tabled, I be given an opportunity to ask the Leader of the Opposition to withdraw his remarks and apologise.

Mr SPEAKER: Order! The matter is becoming more confused by the moment. Both members have made what they claim to be factual statements. I confess that it is beyond my limited capacity to adjudicate on an issue when I have not sighted the documents. Consequently, I ask that the matter be closed temporarily. If there are matters to be determined by the Parliament, the time to do that is after the evidence has been presented and after I have had an opportunity to examine the documents.

Financial Assistance from Tattersalls for Sport

Mr D'ARCY: In directing a question to the Deputy Premier and Treasurer, I refer to a report that last year the beneficiaries of the George Adams estate, which manages Tattersalls and also, obviously, manages Gold Lotto, received benefits totalling \$20m. As the sole managers in Queensland for Gold Lotto, they have an undisclosed but declared policy of supporting sport and contributing to sport. Yesterday I received a notification from the Under Treasurer to the effect that in Queensland Tattersalls provided no money for sport other than by way of the tax that it pays. I now ask: Has he made representations to Tattersalls to grant some money to sporting bodies in Queensland and, if not, why not?

Dr EDWARDS: I would have thought that the honourable member for Woodridge would be aware that the arrangement that the Government had with Tattslotto and the estate of George Adams was for 12 months and that the period terminated in July this year. It is not true to say that there was no support for sport. My colleague the Minister in charge of racing would know that Tattersalls has provided a substantial amount towards a special race meeting and cup. I am unaware of what the George Adams estate has done in relation to sport. It is a matter for the company.

Mr D'Arcy: I have received a notification from the Under Treasurer.

Dr EDWARDS: I said that I do not know what the company has done in this State relative to sport. I do not interfere with the policy of companies.

The Government no longer has an arrangement with the company. The arrangement was for a 12-month introductory period, during which the company was paid a commission fee only. Lotto is now conducted by the Golden Casket, and the benefits flowing from that as well as from many other areas go into sport.

I might also say that from Gold Lotto proceeds the Government contributed more than \$3m to the Commonwealth Games. If that is not support for sport, I do not know what is. The Government's record in supporting sport is well known.

Overseas Tour by Premier, Deputy Premier and Treasurer, and Government Officers

Dr EDWARDS: I seek leave to continue making a statement concerning the earlier matter.

Honourable Members interjected.

Mr Wright: I have to go to a meeting, and I would appreciate it if the Deputy Premier and Treasurer could make the statement.

Honourable Members interjected.

Mr SPEAKER: Order! Is it the wish of the House that leave be granted?

(Leave granted.)

Dr EDWARDS: I wish to clarify the matter for the benefit of the member for Lytton. The Leader of the Opposition agreed that I could make this statement so that he could go off to his appointment.

The file is on its way down to Parliament House. I have been assured by my department and by the Premier's Department that accounts have been issued for the tickets. They have not been paid for in cash. I have just spoken to a representative of the travel agent. As I indicated in the House, the cash designation is a designation between the Jetset organisation and Qantas, and it applies so that if somebody wanted to cash the ticket or change the ticket, he would know that it had been paid for during the journey overseas. It has no relationship to the payment between the Government and Jetset, and I assure the honourable member that no cash has been paid, no accounts have been paid, and an account will be received within the next seven days.

Mr Wright interjected.

Dr EDWARDS: I am telling the Leader of the Opposition the facts. The cash designation is a designation between Jetset and Qantas. If the account was paid by American Express Card, for example, it would have an imprint of an American Express card on it. If it was paid by cheque, it would be shown as having been paid by cheque. It is a relationship between those two companies. It is an arrangement between the airline company and the tourist organisation.

I have not misled the House, and I ask the Leader of the Opposition to withdraw that statement.

Mr WRIGHT: I accept the Treasurer's explanation. Further questions will be asked tomorrow. I also believe that the Treasurer should apologise for his comments about dishonesty.

Mr SPEAKER: Order! There has been an explanation, and obviously it is very difficult to determine the matter. As I said before, I have not seen any of the documentation. If

this argument is to continue, I will insist that there be no further discussion on the matter until such time as I have examined the documentation submitted by the Deputy Premier and the Leader of the Opposition.

Registration on Brisbane Stock Exchange of Entities Acquiring Interests in Queensland

Mr INNES: In addressing a question to the Deputy Premier and Treasurer, I note with approval the Queensland preference clause that is inserted in most contracts, in particular for the supply of materials or for works. I ask: When the Government is dealing with groups that receive franchises or acquire interests in Queensland activities that involve the setting up of new corporate entities, can consideration be given to requiring those new companies to have their home register on the Brisbane Stock Exchange?

Dr EDWARDS: This is a matter that has exercised the Government's mind just as it has exercised the minds of members of the Brisbane Stock Exchange. Discussions have been held. Although it seems to be impossible to effect legislation to cover the matter, we have advised some members of the Stock Exchange that, in future discussions, we should insist upon corporate bodies making the Brisbane Stock Exchange their principal base for listing purposes. I assure the honourable member that that is our policy. We have had discussions with some companies. In respect to the southern casino licence, we are looking at the matter with the company involved, which in the near future will seek public listing. I assure the honourable member that his suggestion has my full support.

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

MATTERS OF PUBLIC INTEREST

Control of Firearms; Placing of Obstructions on Railway Lines

Mrs KYBURZ (Salisbury) (12 noon): Today I wish to raise in the House two incidents that occurred recently that are of importance to my electorate.

On Sunday night, at Coopers Plains, people were terrorised by a random shooter, that is, somebody who went around supposedly shooting into the air from a panel van. A similar incident occurred on Monday night. I am led to believe that somebody has been apprehended in relation to those incidents.

I am worried about that occurrence, because it is related to another incident in my electorate. Last week and the week before, the railway line at Kuraby was blocked by stones and metal. Nobody has been apprehended in relation to that.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber. I suggest to those members who intend leaving the Chamber that they do so immediately.

Mrs KYBURZ: I am told that I am too close to the microphone, so perhaps the noise is hurting honourable members' ears. I will stand back and shout.

I am concerned about the effect that those two separate incidents might have on society as a whole. People should not be fearful of being shot when they are out watering their front yard; nor should they have to worry about being in a train that might be derailed as a result of some kids having put stones on the tracks. I know that many people are worried about those two incidents, because the trouble seems to be occurring on the 1½ km of track between the Runcorn and Altandi Railway Stations.

As to the first incident—honourable members have often raised in the House the question of the control of firearms. Obviously, that is a terribly controversial question, because it is seen in terms of country versus city. However, that should not be so if the correct attitude is adopted.

At present, there are many unemployed, undisciplined youths in the community. Whether the problem is unemployment or lack of discipline, or both, I do not know, but society must worry about that. Members of the Police Force assure me that the problem is related mostly to a lack of discipline, because many young people are roaming the streets with absolutely nothing to do. Some people may class children above 10 years of age as being unemployed or undisciplined. I do not; in my opinion, they are only

kids. However, many of the school break-ins and school fires are perpetrated by very young children. Those children display a lack of discipline and, in turn, their parents also display a lack of discipline. Society must bear the brunt of that.

The fact that young people can buy guns is really frightening. First, the sale of guns from supermarkets should be banned, and it should be made far more difficult to obtain them. Obviously, they should be available only to people who are old enough and capable enough to use them. I would hate to see Australia go the way of the United States of America. It is really frightening that so many horrible crimes are committed in which guns are used. In the United States of America, people not only break in but also go on rampages, and so on. None of us wants to see that happen in Australia.

The rationale of the pro-gun lobby is that people will always get guns; therefore regulating their sale will not do any good. That is a rather feeble argument. Not to stop the sale of guns in supermarkets on that basis is puerile and short-sighted.

Another suggestion is that those who wish to purchase guns should undergo psychological tests. I do not see how that could be done. There would not be enough psychologists to test the number of people wanting to buy guns. It would be impossible for any Government to control the sale of guns in that way.

The first step towards a solution would be to ban the A Mart type of advertising of guns and make it extremely difficult for adults or children to get guns. That would assist in preventing them from using guns as the man did when he terrorised people by random shooting in the Coopers Plains/Robertson area.

To attempt to block a railway line is a stupid act. In my electorate, a few people have complained about the railway line even being there. I wonder whether someone with a particular hatred of the railway line is responsible for attempting to block it. I become annoyed when people who buy a house close to a railway line complain about the railway line being there. Their attitude is similar to that of people who buy a house on a dirt road and then begin yelling and screaming in an endeavour to have it sealed. Why do they buy the house in the first place?

Is it time for the Railway Department to go back to having outriders on the front of trains? The train staff should not have to drive a train in fear of derailment; neither should they have to slow down on the track between Altandi and Kuraby, as they do now. Train drivers have enough to worry about. They do an excellent job. I am very concerned about their safety and that of all the other people on trains. The railway police are doing all that they can to locate whoever is responsible for those stupid actions. It should not be necessary to turn the clock back 200 years and put an outrider on the front of the train, but the staff of the Railway Department ask me, "What is the solution apart from putting someone in disguise on the front of the train to try to catch whoever is responsible?"

I hope it is not necessary for us to have suburban wardens similar to those in some parts of the United States of America to try to bring an end to the present stupidity. People should not have to patrol suburbia to prevent criminal acts. No-one should be fearful of sitting in his home or riding in a train.

When the random shooting occurred on Sunday night, I asked myself, "What are we coming to when some idiot can drive around suburbia shooting at everything and frightening people in their homes?" I wonder whether the unfortunate gentleman who was sitting on the veranda of his house on the north side of Brisbane was shot by the same idiot who drove through the suburban streets shooting indiscriminately.

Control over firearms in Queensland should be strengthened. Gun dealers should be licensed, and they should be required to keep records and refuse to sell guns to anyone not of a responsible age. The number of violent crimes will continue to increase until control of firearms is tightened. There is no simple solution when so many people have ready access to firearms.

Obviously, the blocking of the railway line concerns railway workers and the public. One should not constantly blame the police for not doing enough. Each member of society is just as responsible as members of the Police Force for trying to prevent problems such as those to which I have referred, and they will occur even more frequently if action is not taken now.

Delays in Townsville Titles Office; Sugar Industry; Preservation of Queensland Buildings

Mr MENZEL (Mulgrave) (12.9 p.m.): I wish to bring to the attention of the House a number of problems affecting the Far North. The backlog in the Townsville Titles Office is very serious. Development of new areas is being prevented. One developer who borrowed money at high interest rates, on a temporary basis, is losing \$3,500 a week. He cannot get the Townsville Titles Office to put his work through.

In spite of what the Minister said in answer to a question yesterday, there is definitely a backlog in that office. I am informed that it is 17 or 18 weeks behind. It has been suggested that the officers will work overtime and that one or two officers will be transferred temporarily to Townsville. The office has had a backlog for years and the shortage of staff has made the position worse.

Cairns is one of the fastest developing areas in this State. It is high time that the Government immediately established a titles office in Cairns. It is the centre of activity in that fast-growing and expanding area of North Queensland. There is definitely a need for a titles office there. The lack of one is delaying the development of the Far North and is not helping to overcome the problems confronting people in private enterprise.

Mr Davis. How long is the delay?

Mr MENZEL: If the honourable member had been listening, he would have heard me say that it was 17 or 18 weeks.

Mr Lee: He does not understand.

Mr MENZEL: If he would shut up and listen, he might.

One matter that concerns the sugar industry, particularly in North Queensland, is a reported comment by the general secretary of the Queensland Cane Growers Council, Mr McKinnon. He was reported in the "Daily Commodity News" of 29 September as commenting on Consolidated Fertilizers Ltd and a new fertilizer company in North Queensland that is distributing fertiliser in Mackay, Townsville and Cairns. Because of competition from the new company, Consolidated Fertilizers has considerably reduced the price of fertiliser. Every second week the cost of urea and other fertilisers has been dropping. The new company has provided much needed competition and cane growers have reaped the benefit, especially in times of high costs.

McKinnon was reported as saying—

... and the proposal probably appeals to the 10 per cent of Queensland cane growers in the north who are presently in financial difficulties because of poor crops, low yields and world price."

I take exception to his saying that only 10 per cent of the growers are in a bad way. It was an unfortunate statement. I hope that either he did not make the statement or that he will clarify the report. Cane growers all over Queensland are experiencing extremely hard conditions. I wonder how he could make such a statement.

He is reported in "The Cairns Post" as saying that the growers would just have to grin and bear it, barring a natural disaster overseas which would affect the overseas sugar crop and increase world prices. I am concerned that a person who is supposedly looking after the interests of the sugar industry and the cane growers could make such a statement. I hope that, at its next meeting, the Queensland Cane Growers Council considers whether that statement was made by him. If it was, it would be detrimental to the interests of the sugar industry in discussions with the Commonwealth Government and the IAC inquiry about an additional \$40 a tonne for home-consumption sugar and further assistance to boost the No 1 pool.

His statements have not done the industry a lot of good. If he did not make them he should correct the report because the "Daily Commodity News" passes through the hands of many people in authority who make decisions affecting the economy and make recommendations to the Government.

The sugar industry desperately needs assistance. If it does not receive assistance within the next few months and has to wait another 12 months or so, there will not be much left of the industry.

Mr Davis interjected.

Mr MENZEL: I am not overdoing it. One thing that has been overdone is the demolition of old buildings. I understand that the Trades and Labor Council is shifting out of Trades Hall. Is the Labor Party going to support the Australian Heritage Commission to preserve the Trades Hall, or is it going to demolish the building? We want to hear about that later on. Is the Labor Party going to raise money to preserve the Trades Hall with all the bats and pigeons that make their homes there?

Mr Powell interjected.

Mr MENZEL: The member for Isis thinks that there are probably a lot of rats there, too. It might be that some of the rats are deserting the sinking ship.

A great deal of time has been taken up by members referring to the preservation of old buildings. As the Parliament should we not in all seriousness be putting our efforts into solving unemployment, overcoming high interest rates and giving young people a better go with housing? They are the problems that we should be discussing. We should not be worrying about the Bellevue or some other building that is full of white ants. During recent years Parliament has adopted an illogical course when it has debated worthless matters instead of the bread-and-butter issues. As far as I am concerned, priority should be given to the bread-and-butter issues. We should endeavour to make sure that everyone has a job and that everyone is looked after in the community. If we have time left, we could then look at things that might count in the heritage sphere. I am not against preserving the past.

Mr Davis: You are an old reactionary.

Mr MENZEL: I am not against it, provided it is within reason.

No doubt some people would have had the Press lined up before they spoke. The cane farmers in my electorate are down on their knees. Despite that, we are debating whether Cloudland or the Bellevue should have been knocked down. The Bellevue was demolished some time ago. That is something in the past. The Government will build a good building in its place. It is about time we showed some common sense and got down to the bread-and-butter issues, the issues that developed Queensland and made it a great State. We should not be worried about the silly things; we should be looking at ways to reduce the high interest rates that are killing small business and home buyers. They are the important issues. If we solve those problems employment will be created and there will be lower inflation. Perhaps there might be a little left if the member for Brisbane Central will put half his salary towards preserving the Trades Hall so that he can live in the past.

I have a great deal of faith in the member for Brisbane Central. He might make a good Premier when the Labor Party gets back, perhaps in 50 years' time. I have nothing against old Premiers; in fact, they make quite good Premiers. Age does not make much difference to Premiers. A sensible approach should be adopted. We should find ways to assist private enterprise and the small business sector.

(Time expired.)

"Buy Queensland Made" and "Advance Australia" Campaigns; Parliamentary Public Accounts Committee

Mr MILLINER (Everton) (12.20 p.m.): I wish to raise the complete sham that the Queensland Government has made of the "Buy Queensland made" campaign and also the problems associated with the "Advance Australia" campaign as advocated by the Federal Government. I again call on the Queensland Government to establish a parliamentary public accounts committee.

I was very interested to hear the honourable member for Mulgrave urge people to get back to the basic issue of providing employment, at a time when the Queensland Government is doing everything possible to ensure that the jobs of Queenslanders are placed at risk.

Over the past couple of months we saw the disgraceful situation of the Queensland Government calling for tenders for the construction of a new police boat and then giving the contract to a firm in Hong Kong. Many local boat builders are highly reputable, and it is quite obvious that if the boat had been constructed in Brisbane a number of

jobs would have been created in the boat-building industry. However, the contract was awarded to an overseas firm. The honourable member for Bulimba has raised this matter on several occasions.

The Railway Department called tenders for the construction of refrigerated containers, but it awarded the contract to a New Zealand company. Recently I inquired into other contracts that have been let overseas. Of interest is a Press statement released by the Deputy Premier and Treasurer, on fancy letter paper, headed, "Enterprise Queensland." It reads as follows—

"The State Government has accepted a tender from a South Korean firm of \$4,010,638 for further work on the Wivenhoe Dam project.

The Deputy Premier and Treasurer, Dr Edwards, said from Seoul today—"Seoul, mind you! I understand that he is heading back there this afternoon—

"the successful tenderer, Samsung Heavy Industries Co. Ltd. would manufacture and erect gates and associated controls for the new dam.

Dr Edwards held discussions with Samsung executives in Seoul today as part of the State Government's 'Enterprise Queensland' campaign.

Dr Edwards said the Samsung tender was the lowest of the five received for the work which will involve the fabrication of five 12 metre by 16 metre radial gates, one 12 metre by 12 metre bulkhead gate, ten hydraulic winches and related control equipment.

Samsung Heavy Industries is a company engaged in the manufacture of heavy steel fabrications."

The last paragraph makes very interesting reading—

"The company has completed several major contracts in Australia including fabrication of cranes for the Tarong Power Station and the inlet gates for the Wivenhoe Power Station."

It is amazing that Queensland does not have a public accounts committee.

Mr Davis: You know why. It is because of the weak Liberals.

Mr MILLINER: That is quite right. Before the last State election the leader of the Liberal Party made a speech in Her Majesty's Theatre—that is significant—in which he said that the Liberals were in favour of a public accounts committee. However, when the Liberals were put to the test they were found wanting.

The Deputy Premier in his Press statement said that five tenders had been received for the work on the Wivenhoe Dam project. I am not suggesting that the South Korean tender was not the best tender. However, surely Parliament should be told whether it was the best tender. I am reliably informed that at least five major manufacturers in Queensland would have been competent to manufacture the items that were required.

It is interesting to note that one of the companies that could quite adequately embark on such a project is Evans Deakin Industries. Everyone knows what happened with that company. When it was under threat of a take-over the Government stepped in and bought up shares in the company. Yet when the Government hands out work it does not hand it to Evans Deakin Industries.

A parliamentary public accounts committee would be able to scrutinise all tenders to ensure that Queensland and Queenslanders were getting the best deal from contracts let by the Government. All that is available is a statement from the Deputy Premier saying that five tenders were received. Surely Parliament should be given an opportunity to examine the other tenders.

As I have said, the last paragraph of the Deputy Premier's statement is interesting. It reveals that the Korean company had completed several major contracts in Australia, including two in Queensland.

So much for the Deputy Premier and Treasurer; I turn now to the Minister for Police. On Wednesday, 3 November he released a statement saying that Cabinet may buy back a former Queensland Government aircraft. The aircraft is a Beechcraft Super Kingair, which was purchased by the Government's old mate Sir Leslie Thiess, of Drayton Investments, and it has now come back on the market. The Government now wants to buy it for the Police Department.

It is interesting to note what the Minister said when trying to justify the purchase of this aircraft. He said that the Police Department would replace two of its three aircraft. It has a Cessna Conquest, which the Government bought from one of its mates, Mr Driscoll of National Homes.

Mr Hooper: Did you know that Mr Driscoll is the son-in-law of Sir Leslie Thiess?

Mr MILLINER: Yes, I did know that.

Mr KATTER: I rise to a point of order. Mr Driscoll has been accused of being a friend of the Government. In fact, three years ago, he took Tom Burns all over the State in his aircraft.

Mr DEPUTY SPEAKER (Mr Miller): Order! That is not a valid point of order.

Mr MILLINER: As I was saying, the Government helped Mr Driscoll out by purchasing his aircraft.

Mrs NELSON: I rise to a point of order. It was made very clear in the House at the time that the plane was not owned by Mr Driscoll when it was sold to the Government.

Mr DEPUTY SPEAKER: Order! That is not a valid point of order.

Mr MILLINER: At present, the Police Department has three aircraft. It had four aircraft, but one was severely damaged in a storm. It was a write-off and had to be disposed of. The Minister went on to say that one of the reasons why the Police Department intended to buy back this Beechcraft Super Kingair aircraft was that one of its planes needed an extensive overhaul. A Press report reported the Minister as having said—

“One of the two police Cessnas that might be traded was due for extensive maintenance estimated to cost \$100,000 and the Government had been offered a trade-in deal of about \$175,000 for both.”

I am reliably informed that at present one of those police aircraft is in an Ansett hangar at the Brisbane Airport undergoing extensive maintenance. Is that one of the aircraft that the Police Department intends to trade in on this second-hand aircraft? If it is, what is the cost of the maintenance being carried out on it? I am reliably informed that the work involves a major overhaul and will cost about \$100,000. The Minister said that the Government had been offered only \$175,000 for both aircraft and that the new one would cost \$750,000. If the Government intends to spend \$100,000 on an aircraft that is to be traded in, the Parliament and a parliamentary public accounts committee should be able to examine all the documents relative to the purchase of the aircraft and the trade-in of the other two aircraft.

The other matter that I wish to raise concerns the “Advance Australia” campaign that has been trotted out by the Federal Government and Rheem Australia Ltd at Bulimba. Rheem is a major manufacturer of drums and other similar articles. About three years ago, it employed more than 300 persons. Today, mainly because of the downturn in the economy, Rheem employs only 180 persons. Rheem has been taken for a ride by Tooth & Co. Ltd in Sydney.

Tooths called tenders for the supply of 180 000 50-litre stainless steel beer barrels. A number of companies tendered for the contract, including Rheem and an American company, Firestone. It is interesting to note that Tooths placed an order with the American company Firestone in May 1982. As late as August this year, Tooths contracted Rheem and asked it to continue with its tender, but to reduce the quote.

Rheem wanted the contract because it involves a new type of beer barrel that has been developed. It would have meant that Rheem would have been the only supplier in Australia that was geared up to manufacture that sort of beer barrel.

This is disappointing as regards job prospects for Queenslanders. Because Rheem did not get the contract, it will have to lay off as many as 28 men in the steel fabrication area. If it had received the contract, it would have meant that another 20 jobs would have been provided for Queenslanders. Because the contract was awarded to an American company, more than 50 jobs have been lost in Queensland.

The most disturbing factor about this contract is that I have been informed by the people at Rheem that the company's tender was approximately \$500,000 lower than the American tender. It is disturbing that an Australian company would send work overseas

when it had an opportunity to keep the work in Australia and to keep Australians in work. It is disappointing that a major company like Tooths would embark on that course.

(Time expired.)

In Vitro Fertilisation and Artificial Insemination

Mrs NELSON (Aspley) (12.30 p.m.): I call for the suspension of all programs in Australia involving in vitro fertilisation and artificial insemination until uniform legislation has been passed by all States and the Commonwealth Government. My reason for calling for such a suspension is not because I oppose the principles of either artificial insemination or in vitro fertilisation but because of the massive moral, ethical and legal complications that are ensuing in Australian society and for which there appears to be no answer at the moment.

In 1932 Aldous Huxley wrote a book called "Brave New World", in which he described a society in which children were decanted in test tubes—in fact, came to full term in an environment similar to a test tube—and then were reared and conditioned in an environment quite separate and distinct from that which we would see as acceptable for society today. When Aldous Huxley was asked to review the book 15 years later he said—

"All things considered, it looks as though Utopia were far closer to us than anyone, only fifteen years ago, could have imagined. Then, I projected it six hundred years into the future. Today it seems quite possible that the horror may be upon us within a single century."

It is only 1982, Mr Deputy Speaker, but the "horror" is with us. It may not necessarily be a horror: it may be of great benefit to society. However, in the present climate, with the present laws in Australian society, with present moral and ethical approaches by the vast majority of members of our society, at this point we cannot allow what is presently happening to continue.

I make this statement in the Queensland Parliament today because apparently a program will commence in our city in the near future, but not in a public hospital. It will be a private clinic run by private practitioners, who will have only their own ethics to guide them. It will not be answerable to the Government. They will not have the protection of the Parliament; neither will their client group have that protection.

I will describe some of the factors involved, which may make members aware of why I am so concerned. The phrase "in vitro" means "in glass" and is quite distinct from artificial insemination, which seems to have been confused a little in the Press in the last couple of years. With artificial insemination, the sperm is implanted into the mother's uterus by artificial means; but the child is in fact created within the uterus. With in vitro fertilisation, the sperm and the ovum are created in the laboratory on glass; hence the term "in vitro". In fact, the cells are united. When the first cells are united, they are separated and put into separate containers until there is a group of about eight embryonic cells. This is done on a number of ova. At one clinic each mother signs a contract that she will donate at least two ova. A number of human embryos are created by this method. One is held in reserve in case the first implantation fails. Others are held over for research, a matter I will deal with shortly. The human embryo is then implanted artificially into the uterus and attaches itself to the wall. Since the program started there have been 26 live births in Australia, although I think that figure is now out of date and the number is now more like 30. There have been two sets of twins, because some of the parents have had a course of fertility drugs in conjunction with the program.

I feel that Parliament has a responsibility to look beyond newspapers showing the smiling faces of couples with their beautiful babies. We have a responsibility to consider some important questions. Who are the real parents of such children? What are the moral consequences for the people in the laboratories doing research on human embryos? It opens up a whole Pandora's box. In terms of the law, when does life actually begin? Over a long period of our history legal precedent has determined that in fact life begins when it can be sustained naturally outside the womb. If that life is created outside the womb artificially and then put back in—not necessarily put back in, because there is evidence that research is being done to bring foetuses to full term outside the womb—then do we have to legally redefine when life commences?

If life is determined as commencing at the point that a human embryo is artificially created in glass, do we then say to those people who are doing laboratory research that because they are dealing with human embryos their work must cease? Certainly the National Health and Medical Research Council has said that it is totally unethical for them to be doing research with such embryos, and that such work must cease. Yet we know from publicity both in the United Kingdom and Australia that in recent times such research has been taking place.

But that is only one of the moral, legal and ethical problems that has to be faced. Other more significant problems are: What if donor sperm or donor ovum are used? Who is the real parent of the child? In fact, at law the child is illegitimate. If the mother's ovum is used, that is fine, but if donor sperm is used then the woman's husband is not the legal father of the child.

In New South Wales and South Australia moves have been made to automatically give legal status to that child so that even though donor sperm has been used the married couple are the legal parents of the child. But that circumvents the adoption procedures in Australia and certainly would not be acceptable in a number of Australian States which lay down very strong guide-lines to determine who are proper parents to adopt children. I do not believe it is appropriate for one group of citizens to be able to circumvent those adoption procedures. This is only one of the myriad of problems which face legislators in Australia.

The Minister for Health (Mr Austin) has spoken about the matter in the House and at the State Health Ministers Conference has asked for a full inquiry at national level. The State Attorneys-General and the Federal Attorney-General are discussing the matter. I do not include the Minister for Health in any criticism, but while those others Ministers are discussing the matter, quite literally Rome is burning.

Australia now has thousands of babies who were conceived by artificial insemination. Before the end of this year at least 100 babies will be conceived by in vitro fertilisation in Australia and this country needs to be very concerned about the legal status of those babies and the moral and ethical guide-lines that need to be established to cover them.

Mr Davis: What is the religious angle on this?

Mrs NELSON: The Anglican Church and the Victorian Government seem to have the same view on this subject. They both believe that in vitro fertilisation and artificial insemination ought only to be available to couples who are legally married and who have been trying to have a child of their own for at least 12 months and that certainly no ovum or sperm should be allowed to be donated for research purposes. I applaud the Victorian Government and the Anglican Church for their stand. The Apex Clubs of Australia have also taken a strong stance on this issue and asked for a national referendum and community involvement in discussions. The Australian Law Reform Commission has done extensive studies on the subject and I believe is drawing up draft legislation for all States and the Federal Government to examine. But I wish to repeat a comment made by Mr Justice Kirby, who heads the Australian Law Reform Commission, in the Medical Journal of Australia that—

"The one thing that is plain is that the law on this topic is not a matter to be drafted behind closed doors by committees however expert and sincere. It is certainly not a matter for doctors and scientists only, or for lawyers alone. It is not a matter for university scholars working in their offices or for individual researchers. It is not a matter for hospital ethics committees ..."

May I stress that comment? It is certainly not a matter that should be decided by hospital ethics committees. He continued—

"If ever there was an issue upon which there is need for profound and thoughtful community debate, this is it."

I concur entirely with those remarks. If one examines the amount of media coverage and research, it fills many files, but what I have in my hand is what I have been able to gather in the last few months from travelling to Sydney and speaking to people about this matter.

I wish to conclude by once again quoting Mr Justice Kirby who said—

“I remain an optimist that our system of government, which we have so carefully nurtured and developed over 800 years, can adapt to the age of mature science and technology. But if this is to happen we will need new institutions. We will need more dialogue between scientists and the community and scientists and lawmakers. We will need more occasions ... where thoughtful people come together to offer their views ...

Unless these needs are fulfilled, scientists and technologists, including doctors, effectively will make the law. They will do so because the lawmaking institutions (out of incompetence, timorousness or just plain idle neglect) fail to respond adequately to the challenge which science and technology poses to the democratic order and the Rule of Law.”

Protection of Local Industries; Homework for Primary Schoolchildren

Mr KATTER (Flinders) (12.40 p.m.): I will preface my remarks in this debate by commenting on the statement made by the honourable member for Everton that a number of city industries should be protected. In at least one instance the cost of buying an item locally was three times as high as if it were purchased overseas. I come from an area that produces products which must compete successfully with those of the rest of the world. Wherever possible we should protect embryonic and growing industries, but the protection of industries for 130 years, as has happened in Australia, is a luxury that we can no longer afford. Our backs are breaking.

If Opposition members think that people in country areas are well off, I invite them to visit my electorate at any time to have a quick look at the lavish splendour we are supposed to live in. They will see that our homes are made of fibrolite and galvanised iron. In an area represented by the honourable member for Everton, a committee was formed to protest against the building of humpy-horror housing. I should point out that they were to be built of fibrolite and galvanised iron, which is the type of house that most people in the bush have lived in. Indeed, most of them would be lucky to have the fibrolite because, until very recently, many other people and I lived in homes built entirely of galvanised iron.

We have been able to carry the rest of Australia on our backs but times, unfortunately, are tough and we are less able to carry the country than we were in the past. I strongly resent the rather stupid, ill-advised economic proposals advanced continuously by the honourable member for Everton and other members of the ALP.

Opposition Members interjected.

Mr KATTER: Our products have to be sold on the international market. We are expected to compete successfully against the rest of the world but the industries I am referring to cannot compete successfully in Australia.

My main topic today concerns education, which is a subject that I seldom speak about. The first matter of moment relates to the word “homework”. Many children aged between six and nine years bring home hours of homework. How many people in society today, after finishing their day’s work, are expected to start work again when they return home? Although we can expect certain competitive forces to come into play at age 15, 16 or 17, such forces should not be applied to children of tender age at primary schools.

I feel strongly about this matter. I am sure that if honourable members think about it, they will agree that legislation is needed to make homework illegal for primary school children in Queensland.

Mr Davis: That is a typical, stupid reaction. Don’t you know why homework is given?

Mr KATTER: I will take that objection.

Mr Davis: Homework is given so that the children can work without supervision.

Mr KATTER: I was expecting such an interjection. Frankly, I included it in my notes. That reasoning could be followed through by allocating half an hour during the day in which the children could work by themselves, without supervision. That would

not create any real problem. I will put the situation to the honourable member in a different context. If I were a builder's labourer in Brisbane, why should I be expected to take work home and put nuts and bolts together? The argument is exactly the same. The labourers should be expected to work without supervision.

I raise this matter because of the concern about the provision of Year 11 facilities in 1983 for the town of Hughenden. For many years the people in western areas have been trying to obtain justice. They simply have not had equality of education until recently. Unfortunately they are again slipping behind. They do not have equality of education because very few children living west of the Great Divide have Years 11 and 12 facilities available to them. Many of them do not even have secondary school facilities. Many jobs require a Year 12 standard of education.

Take, for example, a plant operator working for the council in, say Richmond, Hughenden or Julia Creek. He would be earning about \$300 a week or \$15,000 a year. Let us say that he has a wife and three or four children to support. How could he afford to spend \$3,000 a year to send each of his children to boarding-school, particularly considering that the cost of living in Richmond, Hughenden and Julia Creek is 25 per cent higher than in Brisbane according to the official figures on cost of living differences? He cannot discriminate, so he must send all of his children to boarding-school. He simply could not afford to pay that amount of money.

Until this Government acted about 12 years ago no financial assistance was provided for children to go away to school. There was an ugly situation in which only the children of the wealthy people living west of the Great Divide had equality of educational opportunities. It was a sad reflection on both the Federal and State Governments. I am very proud to say that it was the Queensland Government that provided assistance not to the rich but to the poor and average people living in the western areas of the State. Suddenly they were able to enjoy equality of education which, up to that stage, had been available only to the children of city people.

There is now an ever-widening gap in the assistance, which is free of means test. It amounts to \$1,500. The cost of boarding-school education is now close to \$3,000 a year. Representations from Hughenden particularly, and two other areas in Queensland, led to the introduction of remote areas scholarships which provided another \$1,000 virtually free of means test to send children away to school. So that, for a while, there was equality of educational opportunities. The gap has widened and, because of the means test, very few people are able to receive remote area scholarships. Consequently, only \$1,500 can be obtained to offset the cost of \$3,000 a year to send a child to boarding-school.

The Government is under tremendous pressure to provide Years 11 and 12 education in the small communities. Most people in those areas would like Years 11 and 12 education to be provided in their own community. I would be the first to admit that the argument used by the Opposition member to whom I referred earlier applies. We must be sensible about these things. Some cognisance must be taken of the cost, which would be enormous, if Years 11 and 12 education were provided in every small centre. We could end up with six teachers and only one pupil in a small centre. Because of the widening gap and the terrific pressure for the provision of Years 11 and 12 education, an unhappy situation has arisen. The nexus has been broken with proposals from the Education Department.

The arguments against providing local Years 11 and 12 education, since remote area allowances have been provided, are that it is preferable to send a child away to school because, if he stays at a local school, he will have a very narrow and limited horizon. I spent the first 30 years of my life in Cloncurry and probably a quarter of my life since then in one of the four western towns between Hughenden and Cloncurry, and I would be the first to admit that, in those circumstances, a person has a very parochial and narrow horizon. My understanding of the world up to the age of 14 was bounded by Black Mountain on one side of Cloncurry and Hospital Hill on the other. I seldom went outside that area. I would be the first to admit that a valid criticism of many people from the country and small towns is that they develop a very parochial attitude. Sending children to boarding-school is one way of overcoming such an attitude.

(Time expired.)

Register of Foreign-owned Land

Mr HANSEN (Maryborough) (12.50 p.m.): The establishment of a register of foreign-owned land concerns all Queenslanders. It has the support of most political parties. It even has the support of Cabinet. Polls have shown that most loyal Australians support the establishment of such a register. There is one notable exception. Whatever his reasons may be, the Premier makes no secret of the fact that he is opposed to the establishment of such a register. He has voiced different reasons for his objection. I would like to deal with them.

The Premier referred to the Foreign Investment Review Board and stated that it controls the flow of money into Australia and where it will be used. I am not particularly concerned about the purchase of real estate, businesses and mining interests, although we should be concerned about who owns Australian companies. But I am particularly concerned about the ownership of rural land. Aboriginal land rights campaigns have recently received publicity. I believe that all Australians should be concerned about our rural land. Europeans are very jealous about the use to which their rural lands are put, and who uses them. Because they have worked their land for many years, before they will agree to a sale of land, they want to know the qualifications of the purchaser, particularly if he is a foreigner.

Yesterday a report on agricultural policy for the next decade was presented to Federal Parliament by the Federal Minister for Primary Industry (Mr Peter Nixon). Great emphasis was placed on the use and conservation of our soil and water resources. One might ask, "Who would best look after those resources—an Australian who knows no other country and who is interested in developing the land, or some entrepreneur who will use the land only to obtain the maximum possible profit?" Many years ago hundreds of millions of super feet of millable timber was rolled over, burned and lost for ever simply because people were able to obtain an investment allowance on their expenditure on clearing land. Their only interest was in the amount of land that they could clear. Who will best look after our land? Will it be foreign investors whose main interest is to turn over another dollar, or will it be the people who are interested in the land? After all, the land is in our care for the brief period that we are on this earth.

The Premier said that the Foreign Investment Review Board was quite capable of monitoring any land purchases by foreigners. However, the approval of that board is required only when the amount involved is over \$350,000. I ask: How many rural properties have been sold for less than that amount? Figures tabled in the Federal Parliament show that there is an urgent need for closer monitoring of investment in land by foreign sources. There is special urgency for the establishment in Queensland of a publicly accessible register of foreign-owned land. The figures show that the purchase of land in other States by foreign interests has dropped, but the purchase of land in Queensland by foreigners has increased sixfold. The Premier might say that that is desirable foreign investment. But is it?

The following figures have been given: in 1980-81, 89 000 ha of land in Queensland was sold; 12 months later, in 1981-82, 542 000 ha, or over half a million hectares, changed hands. During 1981-82, 28 per cent of the land in Australia purchased by foreigners was in Queensland. In the previous year, the level was 12 per cent.

All the information that is available through the Foreign Investment Review Board and assessments that have been made from local knowledge and from local authority sources indicate that there is an urgent need to set up a register of foreign land ownership. Although there is agreement within the major political parties and among the majority of people on the setting up of a register, there is some difference of opinion as to how the next problem should be tackled, namely, what restrictions should be imposed on foreigners.

If the Premier does not see the urgency of setting up such a register, he is at odds with his Cabinet. Certainly he is at odds with his Deputy Premier, who as recently as last week accused him of breaking Cabinet solidarity by speaking publicly against a Cabinet decision. The Premier has left himself open to accusations of deliberately delaying the setting up of such a register.

The Premier has said that no other State has seen fit to introduce a foreign land register. Figures that were tabled in the Federal Parliament indicate that Queenslanders should be the most concerned of all people in Australia about the sale of their land to

foreigners. The Premier has not been one to look to the other States for an example. If he has felt that certain action is needed, he has acted. In this instance there is certainly a need to act.

In New South Wales, 63 000 ha of land, valued at \$21m, has been sold to foreign interests; in Victoria, 2 000 ha, valued at \$1.4m, has been sold; in Western Australia, 415 000 ha has been sold; and in South Australia, Tasmania, the ACT and the Northern Territory a total of only 1 347 ha has been sold. As I said previously, in contrast, over half a million hectares of Queensland land has been sold in the period of 12 months. That is six times the figure for the previous year.

So there is cause for concern and there is a need for urgent action. If the Premier does not agree with his Cabinet colleagues, and if he sees his role as one of delaying the introduction of such a register, he should resign from the ministry. After all, often the Premier talks about the benefits associated with the Westminster system. My knowledge of the Westminster system is that if a certain Minister does not agree with the collective decision of Cabinet he resigns from the ministry. In some instances, Ministers have been asked to resign. If the Premier finds that his political or financial judgment is not on side with that of his Cabinet colleagues, he should resign.

If he cannot see that a 600 per cent increase in one year in the sale of Queensland land to foreigners is a threat to the State, he is the only person in Queensland who does not see it in that light. As a matter of urgency, something should be done to compile an accurate record of who owns Queensland and what is being done with the land. Parliament, as the body responsible for looking after the interests of the people of Queensland, should be able to act.

Mr DEPUTY SPEAKER (Mr Miller): Order! Under the provisions of the Sessional Order agreed to by the House on 5 August, the time allotted for the debate on matters of public interest has now expired.

[Sitting suspended from 1 to 3 p.m.]

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer): I seek leave to table the account that was referred to in answer to a question by the Leader of the Opposition, which indicates that it has been issued but has not yet been paid.

Mr DEPUTY SPEAKER (Mr Miller): Order! This morning Mr Speaker gave the honourable member leave to table the document.

Whereupon the honourable gentleman laid the document on the table.

Dr EDWARDS: This morning, when answering a question asked by the honourable member for Mt Gravatt, I indicated that it was the member for Townsville West (Mr Smith) who stated that deficit budgeting was Labor Party policy. I advise the House that in fact it was the member for Cook (Mr Scott) who made that statement, and I table a copy of his comments and apologise to the honourable member for Townsville West.

Whereupon the honourable gentleman laid the document on the table.

MINISTERIAL STATEMENT

Housing Commission Home Loan Interest Rates

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer) (3.1 p.m.): Yesterday in this Chamber the member for Chatsworth made efforts to discredit one of the most innovative loan schemes introduced by any State Government in Australia in recent times.

In that task he cast around for figures and statistics and even showed a piece of paper that was quite clearly acquired surreptitiously from Government documents of a preliminary nature that were used in the formulation of the scheme very much prior to its ultimate design and approval.

Let me now get to the facts of the matter. Firstly, the new \$100m home-ownership scheme announced in July last is in fact in the course of operation, apparently to the chagrin of the honourable member for Chatsworth. It will mean an injection of a further \$100m on the best terms and conditions possible in today's markets to Queensland home buyers.

It will mean an additional 3 000 homes for Queenslanders seeking to own their own home. It has been received with enthusiasm by the community generally, and particularly by those who are in need of finance at repayment rates that will not exceed 25 per cent of their family income through the period of their loan repayments unless they so wish.

Secondly, no profit is being made by Treasury or by the Housing Commission from the scheme. As a matter of fact, the scheme will cost the Consolidated Revenue Fund a certain sum of money, which is difficult to quantify exactly at this stage. The interest rate being paid by the Housing Commission for the money from the Treasury is .5 per cent below the loan rate on these loans, which is the same as building society rates (predominately 14.5 per cent).

The difference between the 14 per cent that the superannuation funds will get for these moneys and their alternative investment in semi-governmental loans will be met from Treasury. At the time of the announcement of the scheme, the alternative investment for these funds in semi-government loans was 17.5 per cent. The 3.5 per cent difference on moneys that were advanced in these circumstances will be at cost to the Treasury.

The rate of interest paid by the borrower depends on his family income. Any shortfall between 25 per cent of his income and the interest payable is either subsidised by the Housing Commission or capitalised to his loan and paid by him when he is able to do so.

As for the nonsense the honourable member quoted in regard to a supposed surplus of thousands of millions to the Housing Commission—I would suggest that he refer to an actuarial friend he may have for elucidation.

The honourable member then referred to a split-up of the \$100m. He said \$88.6m will go to the commercial scheme and only \$11.4m to the interest subsidy scheme. Let me tell him that the division of the \$100m between the two schemes will depend on the way in which the applications fall. To date, the actual number of approvals is running at a ratio of five interest subsidy to one commercial scheme, but this no doubt will vary as the scheme progresses.

Thirdly, now let me return to the matter of the supposed profits to the Treasury to which the honourable member referred. The payment that the Treasury makes to the Public Service Superannuation Additional Benefits Fund is the actual earnings of that fund, and if additional benefits fund money is used for this purpose, the credit to the account will be the alternative earnings of, say, the semi-governmental interest rate, not some 7 per cent that the honourable member has referred to.

As far as the payment to the Public Service Superannuation Fund is concerned—Treasury pays that fund the average earnings of its investments, including investments made many years ago at low rates of interest. The amount actually paid to the superannuation fund is subject to review and is presently being reviewed. The point is that the superannuation funds will not be disadvantaged to any degree by the relatively low earnings of the housing scheme. The difference between earnings in normal investments and the 14 per cent presently charged by Treasury for the housing money will be effectively subsidised from the Consolidated Revenue Fund.

Fourthly, let me now get to the facts in regard to numbers of applications and number of approvals and inquiries that the Queensland Housing Commission has received or processed in the very short time of a little over three months since the announcement of this brand new scheme. The procedure is that the applicants come to the counter, and those who are interested are interviewed. There are 586 cases awaiting interview. If they qualify, they are then given a preliminary approval and two months to return with a concrete proposal. There are currently 584 cases of people seeking a home with a preliminary approval in their pockets.

The next part of the procedure is when these applicants return with their concrete proposals. They then complete a formal application for consideration. There are 136 of these cases that are in the final evaluation period.

Once these evaluations are completed the approval is issued and the money is then available as required for the construction or acquisition of the home. There is a total of 306 who have already reached this position and are either in their homes or the homes are in the course of construction.

So, summing up the numbers as of 5 November, just four months after the announcement of the scheme, in total there are 1 612 active cases; 306 of the cases have received final approval and have already received or are eligible to receive their loan; 720 of the cases have preliminary approvals or are back awaiting final approval; 586 are awaiting initial interviews and all will be interviewed before 10 December.

I suggest that the honourable member should get his facts straight before setting out to discredit a very worthwhile and unique scheme which is, and will continue to be, of tremendous assistance to Queensland's families.

JURY ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 9 November (see p. 2095) on Mr Doumany's motion—

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

Mr INNES (Sherwood) (3.6 p.m.): This afternoon I wish to support the Minister's proposals that are before us. During the debate last night a variety of criticisms were addressed to the Bill. They related to inadequacy of numbers and the inadequacy of compensation for people performing jury service. Some other general comments were made about the system. If the Bill proposed to reduce the number of jurors or the compensation paid to them, I might be able to understand the extent and heat of the criticism. I will not glamorise the opposition to the Bill by using the word “force”.

The Bill will result in an increase in the number of jurors available. In a perfect world, no doubt, we could go further. This afternoon I will refer to what I consider to be the arguments advanced by members of the Opposition against the proposition.

The main argument related to the most acute situation, which arises in the Brisbane jury district, where jury trials run for virtually 51 weeks a year. The proposals before us are not confined by distance from the post office in Brisbane. They relate to the electoral districts that will be gazetted. It should be remembered that the electoral roll will form the basis of selection. In terms of the administration and selection of the rolls concerned it is obviously convenient, computer-wise, to have things organised by way of electoral districts. The proposal will add 200 000 people who, potentially, will be eligible for jury selection. Whatever else it does, it will increase significantly the number of eligible jurors. That is not to say that many people will not apply to be excused from jury service. Any person can apply to be relieved from jury service because of a variety of reasons, such as personal work commitments, or because he is in a certain category.

I do not know how the honourable member for Lytton was able to so positively assert the number of eligible people, or the number of persons who would be excused.

Mr Burns: I rang the Electoral Office.

Mr INNES: We will never know who is to be excused.

Mr Burns: That is the total I was given.

Mr INNES: We will never know who will be excused until they are excused.

Mr Burns: You will make my figures better, not worse.

Mr INNES: Potentially, there will always be a figure X and, in reality, there will be a different figure, depending on the circumstances of the persons called for jury service.

The short point is this: the Bill improves the situation immensely because, potentially, an additional 200 000 persons, less the number who seek exemption or are exempted, will be available for jury service. In Cairns, the number will also be increased. The other jury areas will be related to the straight kilometre distance. I understand that there are difficulties with the primary statistics of the people available on the electoral rolls, and then sorting them out.

In 1867 the criterion was 30 miles from a court-house. In 1884 it was extended to 50 miles. That was in the days of horse and buggy travel. I have said to the Minister and I will continue to urge that in using the computers that are necessary in the formation

of the rolls, the system should be extended. I do not believe that, in these days of modern transport, the criterion should be 10 km when it takes an hour to travel 50 miles compared with two days in 1884. That would result in too many people being ineligible.

In a cattle-duffing case, which is not uncommon in the bush, there is all the more reason to have, as members of the jury, persons from outlying districts who are familiar with grazing country and stock. If a person is to be judged by his peers, his peers should include some of his own kind, people used to his circumstances.

The other matter relates to reimbursement. Jury service was probably less frequent in the past. It was a public obligation and duty. Over the years, particularly as a result of longer trials, it was felt that jurors should be reimbursed because the public duty could be onerous. In the 19th century, jury service carried a property qualification. People had to own certain property which had to earn a certain income a year before they could be jurors. It did not matter that the wealthier people in the community were affected, because the hardship was a little less. Perhaps in a rural-based age, when a person was away from home, his cattle and crops would still grow, so his loss would be less, but in a substantially wage-dependent society, to provide equity and to increase the number of people eligible for jury service, recompense must be made. I have no argument on the face of it with the logic of saying that whatever a man loses he should get back if purely compensation is being considered. There are countervailing circumstances which can be put on the other side which I have no doubt are taken into account.

Mr Burns: What are they?

Mr INNES: For a start, the difficulty of assessing precisely what is lost.

Mr Burns: If the courts have the expertise to assess damages for personal injury and can calculate the loss of income for the next 40 years surely they can work out how much is lost by a juror who is on the dole or in receipt of an age pension.

Mr INNES: The assessment of what a person is worth for 40 years might take between one and three days in the courts. Multiply that by 12.

Mr Burns: It is no wonder lawyers make a million bucks a year.

Mr INNES: I am arguing against the extension of legal proceedings. The honourable member is saying that the courts should make the assessment. That would tie up the courts for, say, a day for each juror or a total of 12 days. When would it be done?

Mr Burns interjected.

Mr DEPUTY SPEAKER (Mr Miller): Order!

Mr INNES: To deal with the rational part of the outburst by the honourable member for Lytton, which is the argument about compensation—when would the courts assess it? On the first day, or can things change, as they might well change in the case of a person who is self-employed? He may lose little for the first four or five days because he could find somebody to stand in for him. But if a self-employed painter or carpenter is on a jury for two or three weeks he may lose his job, so at what point is the assessment made in his case? Is the assessment made for a daily rate for the first day, with another assessment being made on the fifth day because he is starting to lose work, with yet another assessment being made after three weeks because he is starting to lose contracts? There are problems.

Mr Burns: I said last night that under section 8 there is a provision that lets the boss come into the court. Why can't it be assessed then? Do you have to have the boss come in and say, "I can't let this bloke go."? If you are going to take a boss to court and fine him \$1,000 because he will not keep the bloke in a job, surely you can spend a bit of time assessing his wages.

Mr INNES: I do not suggest deliberately that the point be avoided. People fall into two categories. There will be the boss—the employer—and the self-employed man. It is extremely difficult to assess what the loss will be to some people. Depending on the length of the trial, it has to be assessed at different points of time. That will add immeasurably to the cost of the system. It is important to consider the cost to the public of the system.

Mr Burns: That is the key? You don't want to pay the jurors.

Mr INNES: I did not say that. I am supporting a move by the Minister for Justice to increase the payments to jurors on a flat rate basis, because a flat rate basis will enable jurors to minimise the loss that they incur for performing a public duty.

Mr Burns: You sound like a discount man.

Mr INNES: The honourable member for Lytton has one particular group in mind.

The proposal is that, as the hurt becomes greater and as the social and personal upheaval is greater, the rate of compensation will increase. To me, that is a perfectly reasonable approach. It is one thing to lose a week; it is a vastly different thing to lose two weeks, one month or more than that.

Mr Burns: 18 months.

Mr INNES: Or to lose 18 months. When a certain trial has concluded, perhaps we will have to get around to debating what happens in trials lasting 18 months. The reasons for it will have to be debated, and that might be another story.

I totally agree that the activities of the police should be confined to furnishing from central records only the information needed to determine whether a person has been convicted of an indictable offence. On at least three occasions in this House I have said that I also oppose the use of police to talk to friends and neighbours to assess the eligibility of a juror.

Mr Burns: They will be able to do it more easily now.

Mr INNES: The danger is not that they will discover that a person has committed an offence that makes him ineligible. The real danger is that the police will begin selecting people who have done nothing wrong and who, they think, might be more or less favourably disposed towards the Crown case.

The suggestion has been raised by some people who have been questioned that things are not above board and that there is loading of juries. That is not to be tolerated. I know that the Minister has received representations on that matter. He is in agreement that the police should not act in that manner when making an assessment for jury lists.

Mr Burns: Are any amendments proposed to the Bill?

Mr INNES: I understand that administrative steps will be taken in that regard.

Last night, the point was made quite rightly that it is wrong to have people repeatedly called up for jury service. It is wrong on two grounds. Firstly, an ordinary, balanced person does not voluntarily give up his time to sit in court on a jury. Volunteers, be they women or old-age pensioners, who would serve as jurors because it is something for which they receive remuneration, the busy-bodies and the fishwives knitting by the gallows, are not the people who are required. Genuine representatives of the community, people who are balanced, of average robustness and diversity of employment and background, are required.

That brings me to the whole question of the jury system. The jury system is constantly questioned by implication. No system will ever be perfect. There will always be the person who claims that he should have got off. There will always be friends and members of the family who believe that the accused could not have done anything wrong.

In recent cases doubts have been cast upon the whole jury system. Technical and scientific complexity leads one to consider the system's fundamentals. The jury system has been part of the British legal system for a thousand years. Other legal systems did not adopt it. Some legal systems tried it and abandoned it. Some European countries adopted the jury system and later dispensed with it. I think that after the Napoleonic era three or four countries that previously had the jury system got rid of it. In this century, since Russia took over the Soviet States certain satellite States rejected the jury system after having tried it.

Some European countries adopted a system of legal judges sitting with lay judges, with assessors. In effect, that is a modified jury system.

What all jury systems give is the value of the judgment of a number of persons with a diversity of backgrounds and experience. In many ways, the court martial system has some reminiscence of this.

Judges are human beings and are subject to their own foibles and idiosyncrasies. After a number of years on the bench they become perhaps a little more inured or hardened than they might otherwise have been.

The jury system is used for serious crimes, those crimes that involve substantial deprivation of liberty. The jury system has always been considered fundamental to our legal system. I do not believe that the majority of people would want to move away from it today. The members of the jury are there to arrive at the hardest of decisions about the most serious offences.

As an illustration, I cite a certain case presided over by a judge who had been on the bench for many years. The accused was a middle-aged Irishman, typical of his type—a loner, a single man who lived in a rooming house and whose recreation was having a few beers. He had an absolutely unblemished record; no convictions, not even minor traffic offences, had been recorded against him.

The scene was a hotel in the Valley on Saturday afternoon. Everybody in the hotel, including the barmaid, said that he came in some time about midday and stood there for 2½ hours, reading his newspaper and having a quiet drink by himself. He was not guzzling, he was perfectly polite. He was a non-communicator; he was just a loner.

A certain incident involving a trainee bar manager occurred. The trainee manager just happened to be a 21-year-old redhead. He was brushing up around the base of the bar, cleaning away all the cigarette ends. An incident occurred involving the Irishman. Everybody present agreed that it was at about the time when the brush came into contact with the Irishman's feet. From there on, of course, there was a difference of opinion.

The Irishman claimed that the young fellow told him to get out of the way and actually brushed the Irishman's feet. The Irishman took a swing at him. It is clear that the swing was made with a glass containing some beer and that the glass shattered on impact with the side of the bar manager's jaw. It caused a wound, fortunately not a serious wound. Immediately afterwards the Irishman ran out saying, "Leave me alone. Get away from me." He moved out into the street with people pursuing him.

That was the story. On the face of it, the man had a completely peaceful record. Apart from the trainee manager, everybody said that his demeanour was placid and polite. He clearly got into some sort of a scrimmage. He gave evidence to the jury, and his evidence was that he took a swing as a reflex to being insulted and assaulted by the fellow brushing his feet away. He forgot that he had a partly filled glass of beer in his hand. It shattered on the other person's jaw. He did not intend to harm him. Immediately he realised what had happened, he tried to get away from the scene of the trouble.

The judge, who is supposed to be neutral and to make such comments as he thinks fit to put the case fairly for both sides, said in his summing up, in a very theatrical way, "Gentlemen of the jury, the defendant gives some story about having his legs brushed away. He struck out with a glass. You can see the glass. Look at that jagged glass covered with blood. He raises some sort of defence on the basis of some case that was decided in New Guinea, which I don't understand. Well, gentlemen of the jury, I leave it to you; but just look at the glass." That was highly inflammatory and prejudicial to the accused.

The jury retired. Objection was taken to the judge's comments. Counsel for the accused pointed out that they were inflammatory, that that was not the judge's role, that he should have put the case neutrally and that he should not have said that there was some sort of a defence that he did not understand. Counsel pointed out also that the judge was there to direct the jury on the law. The judge declined to redirect the jury, saying that it did not matter, that the jury would convict the accused, anyway. Counsel for the accused told him that that was very likely, bearing in mind his remarks.

While that was going on, and about four minutes after it had retired, the jury knocked on the door, returned to the court and announced a verdict of not guilty. The judge almost fell off his chair.

Mr Hooper: You are saying that the jurymen had more common sense.

Mr INNES: What I am saying is that in that case the jurymen had more sound common sense. They had been around a few bars and had a greater sense of reality. That is the value of the jury system. A jury consists of a number of people with diverse backgrounds. They do not judge a case on what they have heard around the back alleys. They introduce a spectrum of experience into a case.

Mr Hooper: A wealth of common sense.

Mr INNES: Yes.

Mr Hooper: Working-class nous.

Mr INNES: Just like the member for Archerfield possesses.

Juries are not readily fooled. Certain investigations have been carried out into the jury service in the United States of America. It has been alleged that somebody found out what occurred in the jury room during a recent famous trial in Australia. Very rarely do members of a jury tell outside people what occurs in the jury room. They take an oath not to tell anybody and, in my experience, it is not very often that they tell other people what occurred in the jury room. Many people surmise what happens in the jury room.

Mr Milliner: Ministers take an oath not to say what goes on in Cabinet.

Mr INNES: We all know that politics works by different rules.

The reality is that members of a jury usually observe their oath of secrecy. In most instances, they bring their common sense to bear in assessing the facts. The judge directs them on the law and they decide the facts. They find out what happened and whether the law applying to the circumstances means that there should be a verdict of guilty or not guilty.

Mr Hooper: Although I agree with you on the jury system, what about white-collar crime? Do you think that justice would be better served by having three judges sitting alone without a jury?

Mr INNES: I have said before that the problem with white-collar crime usually arises when the crime of conspiracy is alleged. Conspiracy is a very dangerous charge, because it allows a grab-bag of allegations to be put forward. I have said in the House a number of times before, and I think people are beginning to understand, that before a conspiracy charge can be brought it has to be alleged that there was a conspiracy to do something illegal. I have said, and I believe it very strongly, that what should be prosecuted is what is said to be illegal and not the conspiracy to do what is said to be illegal. If it were confined to the simple offence of whether they defrauded rather than whether they got together with others to defraud, or whether they failed to file a return—if the Crown went straight to the technical offence—we would have trials of one, two or three days, without complexity. Much of the complexity arises from the framing of a charge of conspiracy, which allows the prosecutor to throw everything into the ring to see what comes out.

Mr Hooper: Would you agree that in the intricacies of white-collar crime some judges are even lost when it comes down to the nitty-gritty? What about the average layman who sits on the jury? He or she must have a lot of difficulty.

Mr INNES: Some of them must have great difficulty. There are ways of responding to that. If corporate crimes are alleged—and so-called white-collar crime will usually involve that—there will not be a jury. Most of those offences do not involve a jury. Usually in those circumstances the matter is heard by a magistrate. However, it does mean that the prosecution and defence must respond to a new ball game. The prosecution in a white-collar crime case has to understand its case. Sometimes it does not understand it; it merely throws everything in. The prosecution has to understand how to present that case simply to the court. I have said before that flexibility has to be allowed in presenting cases, which can involve the use of diagrams, boards and other ways of portraying issues in a simple and correct fashion to the jury.

However, let us not use the complexity of some cases—let us not use controversial cases with an emotional hangover—to debunk the jury system. The idea that, because there is a conflict between expert witnesses, juries are inadequate is a nonsense. In this modern world, an expert can be found who will say anything, virtually. To take the

simplest case—I will get away from crime because of the obvious dangers—in a town planning proposal, one town planner might believe that the proposal should go ahead, but the other side will find another town planner who says that it should not go ahead.

Mr Burns: Money will make him change his mind.

Mr INNES: Yes. It is possible to fish around to find somebody who will put the other side at its best.

The idea that half a dozen sentences a day filtered through to the public by the media allows the rest of the world to make an informed decision is nonsense. It is impossible to over-emphasise the importance of being present in the court room throughout the trial to decide whether or not a fellow measures up as an expert, or as any other sort of witness. The jurors are entitled to and do form strong impressions. Although an expert might have three scientific qualifications, the jury might find that he does not normally perform certain types of tests, but that somebody else who has three degrees daily undertakes those tests. Therefore, they are persuaded that he is the person to accept. Jurors are in the best position to make an assessment. To suggest that they are incapable of doing so flies in the face of a thousand years of tradition. For very good reasons—for very important reasons—we need to retain the jury system for serious offences and we need to take steps of the sort proposed by the Minister to ensure that the widest spectrum of people is available.

Hon. S. S. DOUMANY (Kurilpa—Minister for Justice and Attorney-General) (3.35 p.m.), in reply: I thank honourable members who have spoken in the debate. Some diversity of opinion has been expressed but in general there has been unanimity that the jury system, with all its imperfections, needs to be preserved because, despite those imperfections, it remains the best option available for much of the judgment of peers that has to be undertaken in the legal system.

I wish to respond in detail to some of the points made by the three honourable members who have spoken. In regard to the increase in the size of the jury districts for Brisbane and Cairns, these will be fairly substantially extended under the provisions of the Bill. It is in these two districts that the most acute problems have been experienced in respect of a scarcity of a base population of eligible jurors. That has been the reason for the repetitious notices being sent to some people. Most of the other jury districts have not experienced any serious problems—certainly I have received no reports of any.

In the case of Brisbane the extension will relate to several electoral districts comprised within the metropolitan area, whilst the Cairns jury district will comprise certain divisions of electoral districts in other areas. I assure honourable members that the number of eligible jurors in those two districts will be fairly substantially increased.

The honourable member for Wolston raised the issue of compensation paid to the jurors involved in the Russell Island trial. The compensation paid to them has been in accordance with the various rates prescribed by the rules of court since the trial began.

Mr R. J. Gibbs: In other words, the normal daily rate?

Mr DOUMANY: Yes, up till now they have been receiving the prescribed daily rate. The honourable member will recall that last year the Government brought in the concept of an extra quantum per day for trials of a duration of more than 20 days. Until that time no special rate had been struck for jurors serving on long trials.

Mr Burns: Do they get that \$64.66 for all of the previous days? Do they get back pay?

Mr DOUMANY: The adjustment was back dated. I am uncertain whether the \$64.66 went right back to the commencement of the trial. There was a need to update some previous rates of pay because there had been a clerical omission in the relationship of the rate to the index of the minimum weekly wage. When the matter was looked into it was found that an adjustment was needed right back to the beginning of the trial. So adjustments were made and the current rate that has been struck is the \$64.66 which went back, I think, to earlier this year.

As well as that the jurors have been paid on the basis of a five-day week, although in fact the Court has been sitting for four days. That four-day sitting was brought in to give jurors a degree of relief, as well as the judge and counsel, from week after week of five-day

sittings. That remuneration of \$64.66 per day represents a weekly remuneration of \$323.30. That is certainly a vast improvement on what would have been paid had the figure remained at the previous plateau that existed until the middle of last year.

The Bill makes provision for additional compensation to be paid to jurors in accordance with the formulae that are set out. I will not go into that, but that involves the 10, 15 and 20 per cent loadings. Although the honourable member for Wolston was sceptical about the value of those loadings, if he calculates them he will find that they represent a fairly substantial loading. For instance, with a trial such as the Russell Island trial, the 20 per cent loading represents roughly \$13 a day, which is \$65 a week. It is a fairly significant advantage.

Mr Burns: Does that take into account annual leave, sick leave and the 17½ per cent holiday loading?

Mr DOUMANY: I am coming to that.

The honourable members for Wolston and Lytton also sought more information about the manner in which ex gratia payments would be considered under the provisions of the Bill. When an application is made for such a payment all the facts will be investigated before a recommendation is made. Clearly each juror's application will tend to depend on the juror's circumstances. In a sense, that is getting much closer to the situation that honourable members were talking about last night, particularly the honourable member for Lytton, who spoke very vigorously about the need to relate jurors remuneration to their livelihood—to the return received by the juror as a businessman, a professional man or a labourer. The ex gratia payment will take into account the background of the person making the application. If there has been a forgoing of long service leave, or if any advantage has been lost that would have accrued, all these matters will be valid bases on which to claim ex gratia payments. Frankly, we will only be able to feel our way with the applications that flow. No doubt we will receive applications from every member of the jury. It will also be open to the reserve jurors who have sat through the trial. They will all be eligible to apply for ex gratia payments.

The honourable member for Wolston criticised the fact that previous payments will be taken into account in calculating an ex gratia amount. To a degree, that is unavoidable. We have to look to what has been received in terms of the base rate and any loading, and then look at the claims for ex gratia payments, and relate the two. That must be done to arrive at a total package for the juror who is making the application, to ensure that everything is equitable. That is why the provision has been inserted.

The honourable member for Lytton referred to persons receiving more than one jury notice in a short time. The Bill contains a provision for persons in such circumstances to claim excusal for that reason, if he or she so desires. We recognise that as a problem. The honourable member for Lytton also referred to the length of time for which persons convicted of certain offences will be disqualified from jury service under the Bill. I think he cast some doubt on the provision. Of late, some very serious problems have arisen, not just in relation to long trials, but in trials of all kinds. Our registrars and sheriffs have been worried about what to do with some people.

The form that is completed by prospective jurors at the moment is a very poor one. I am having it redesigned. A prospective juror is asked, "Are you disqualified?" That is one hell of a difficult question for the average citizen to answer. To start with, we need much more specific information so that people can list their convictions, if any, as they do when making application to become JPs. If there are any problems, they can be listed and evaluated. Until now a dispute has taken place between legal experts about what constitutes grounds for disqualifying a person. A person disqualified by one lawyer may be considered eligible to serve by another. Some difficult arguments can crop up on that point.

Mr Burns: Who makes that decision?

Mr DOUMANY: That is really in the hands of the court officials. It is certainly not in the hands of the Justice Department or the police, as some people may think. The police only provide information.

Mr Burns: It is done by a clerk in the office?

Mr DOUMANY: That is right. In the end result, the sheriff has the responsibility of sorting it out.

The honourable member for Sherwood pointed out that there has been confusion and that what is needed is a clear basis of distinction between those who can and cannot serve. The Bill sets out to provide that. If Opposition members disagree with the criteria, fair enough, because they know as well as I do that we can only try to establish the framework. With the test of time, it might have to be modified. This is the first time that it has been set out in black and white so that court officials do not have to ponder how they should shuffle the cards and pick one out. That has been a major problem. The form is being tidied up so that the information provided by a prospective juror is adequate.

Another new twist to the form is that the employer of a prospective juror will be alerted that that person has been called for jury service. Under the Bill, if an employer desires to do so, he may make application for his employee to be exempted from jury service. The content of the form will ensure that an employer is alerted. As things stand it could be that an employee could be called for service and the employer would have no idea that he is serving on a jury until he does not turn up for work. After a day or two, he might receive a phone call from his employee's wife to the effect, "I'm sorry, but Bill is on jury service." It could be that the employer urgently needed that employee that week and would have endeavoured to have him exempted from jury service. Possibly that is why some employees are losing their jobs. Possibly employers who are hit in that way take drastic action and say, "I cannot afford to have you away from work, so I give you notice."

Mr Lee: It could be 100 per cent of his employees.

Mr DOUMANY: It could be if it is a small firm. In addition, it could be an employee operating a particular machine, without which the other employees would have no work to do. The intention is to make sure that the employer knows that an employee has been called for jury service. That is an important improvement.

The honourable member for Lytton referred to the method of selection of jurors. I refer him to the procedures. Concern was expressed about the mechanical methods that are used and the clerical procedures that are involved.

Mr Burns: I am worried about that. But, as you know, the occupation listed in the rolls does not truly reflect the occupation of the people in your electorate. If you accept those occupations and people are to be allowed exemptions, other people will be called for jury service. There must be a better method.

Mr DOUMANY: I understand the honourable member's concern. I do not want to give the impression that this Bill is the be-all and end-all in solving the problems in the jury system. Quite a few matters must be looked at critically in the immediate future. However, it was necessary to introduce the Bill. The Russell Island trial should finish in about three months' time. That is a very rough guess. In any event, it was obviously important to ensure that the provisions relating to the additional payments and the ex gratia claims be made available to those jurors.

They have been through a pretty long ordeal and they have clearly had to blaze a path for the future. In a sense, they have been responsible for pioneering some new concepts in the remuneration of jurors. I did not want to be too late in getting underneath the problems that they are experiencing. The Government has managed to do that. It has managed some reform along the way.

The mechanics of selection and the basis of data being up to date are both worthy of consideration. They have been taken on board. I know that the members of my committee are aware of them.

Apart from the actual record of conviction, which is objective information and definite history, there has been reference to so-called good fame and repute, which is a very subjective concept. That sort of notion is still in the system. I assure honourable members that in the near future, particularly after the forms and documentation are redesigned and when we look at some of the administration of the selection and vetting of jurors, we will come to grips with that terminology, because that terminology went out

with the ark. I have not done anything about it on this occasion only because I did not have the other things to go with it to tidy it up. That sort of subjective criterion just does not work. In certain cases, people who are not liked by certain other people find themselves at a disadvantage.

The honourable member for Lytton also made reference to workers' compensation. I can tell him that a workers' compensation policy is in existence to provide protection to jurors.

Mr Burns: When did you do that?

Mr DOUMANY: We have done that for the Russell Island trial. For the long haul and for the broad spectrum of juries, that is something that must be looked at legislatively. We will be looking at that next year.

Mr Burns: Will that workers' compensation provision do something about the bloke on the dole? Under the personal accident insurance that the SGIO offers, they treat each person differently, and I reckon that all juries should be treated the same. You have a look at it.

Mr DOUMANY: What will be done in the case of people receiving dole payments and in the case of pensioners, which was mentioned by the honourable member for Wolston, is another matter that we will have to examine. Approaches have been made to the Federal Taxation Commissioner in respect of pensioners and certain other aspects. At present, when an ordinary person in normal employment serves on a jury, his income as a juror is taxable. That is something on which we must ponder. He is performing a very special public service. He is forgoing his normal occupation, his normal business or profession, and performing a special form of service. It is certainly different from anything else. In some instances, he is judging his peers in a final and terminal way. I think we must take a very hard look at that. Obviously, the prerogative in relation to policy will lie in another place, and that is something on which we can only make representations. It is a matter on which discussions are being held with the Federal authorities.

Mr R. J. Gibbs: When we have a Federal Labor Government, I am sure you will find that you will receive a much more favourable reception.

Mr DOUMANY: I will leave that to the test of time. As honourable members know, the dismissal of employees on account of jury service will become an offence. In each case, the question whether a charge will be brought will be decided on the circumstances of the case and on the evidence that is available. The provision will not give carte blanche in every case; it will be looked at carefully. The Bill makes provision for that.

The honourable member for Lytton referred to the need for an employer to be able to seek excusal on behalf of his employee. I have already dealt with that. It has been made possible for that to happen. I also advise the honourable member that under the Bill an employer will be able to seek excusal from the sheriff and, if necessary, to renew his application before the court prior to the commencement of the trial if his application before the sheriff has failed. That will give him another bite at the cherry.

The honourable member for Sherwood spoke eloquently about the jury system and he gave a professional summary of what it is about. I would agree with him that, with all its problems and failings, it still remains probably the best system available, but for one or two aspects.

By way of interjection, the honourable member for Archerfield, who loves coming in usually with all sorts of red herrings, put his finger on the point when he mentioned sophisticated white-collar crime, particularly computer crime. I am wondering whether ordinary juries in the ordinary course of events can cope with such a difficult case. It is something that will have to be looked at.

Mr R. J. Gibbs: I put a suggestion to you some time ago and you did not take it up. I suggested that you have a specialist panel.

Mr DOUMANY: Perhaps that suggestion should be considered. However, the strength of the jury system is that a jury represents a profile or a cross-section of the community.

The House has dealt with a small Bill, one that does not constitute a complete review of the Act. Nevertheless, in the light of what has happened over the last few weeks in another jurisdiction, honourable members can see how important the role of the jury system is.

If any honourable member were to find himself in a situation in which he was being tried by his peers, he would like to think that the system, the procedures and the law were as good as they could be. If those close to us, our friends or members of our family, were to be brought before a court, we would like to think that the jury system is working. Nevertheless, it is something that will have to be examined by Parliament fairly frequently in years to come. It will need to be reviewed constantly. We simply cannot have a good jury system if we stand still. I commend the Bill to the House.

Motion (Mr Doumany) agreed to.

Committee

Mr Row (Hinchinbrook) in the chair; Hon. S. S. Doumany (Kurilpa—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 to 10, as read, agreed to.

Clause 11—New s. 21A; Additional compensation in certain cases—

Mr R. J. GIBBS (3.58 p.m.): I rise not to debate the clauses in the true sense but to exercise my right to make a number of further comments on the Bill. At the outset I state that the Opposition is in no way against trial by jury. I emphasise that. Opposition members regard it as the most preferable system of trial in the Western world at present. As the Minister has said, many people have tried to review the system of trial by jury, but society has yet to come up with a better alternative. It certainly would not be the intention of the Australian Labor Party at any time to change the system. We believe it to be fair, relatively impartial and the best system available to the community.

In making some further comments on the Bill, I suppose those that I am about to make are directed at clauses 11 and 12 because they are pertinent to both clauses.

The Minister said that the whole financial structure of the Bill is a package. As I said last night, I recognise the finer qualities of the legislation. Nevertheless, I am concerned for a person who sits as a juror on a trial for a period up to 60 days or in excess of 60 days. Even though he is paid an additional quantum by way of a 10 per cent loading, 15 per cent loading and ultimately a 20 per cent loading, the Opposition believes that that loading should be paid not only as an addition to the daily rate paid to the juror but also as additional compensation for the trauma involved in sitting on a jury, particularly in cases such as the Russell Island and the Chamberlain trial, which come to mind immediately.

People experience family pressures during the period that they sit on juries. I believe that the additional payment should be compensation for those family problems that jurors have to face. Consequently I cannot accept the point that the Minister made about proposed new section 21B (4), which reads—

“If the Minister recommends that an amount should be paid in the circumstances, he shall take into account any compensation received by the applicant pursuant to sections 21 and 21A.”

Additional compensation or ex gratia payments should be made in consideration for what a person loses when he serves on a jury. He loses a certain amount of holiday pay, the 17½ per cent loading on that holiday pay, the overtime that he might work at week-ends and the fortnightly or monthly bonus that he might be paid by a small employer.

Another important aspect to consider is what a person will lose in long service leave entitlements. For example, the Russell Island trial has been continuing for 16 months, and it could last for another three or four months, making a total of 19 or 20 months. If a juror on that trial had been employed for 8½ years, he would have been only four months away from receiving long service leave. Consequently, when he returns to his employment he will have to wait another 20 months before he is entitled to long service leave. That is another matter that should be considered when additional compensation or ex gratia payments are made.

Another important matter to consider is the effect that a person's jury service will have on his superannuation benefits, if he happens to be a member of a superannuation scheme.

I acknowledge that last evening when I was speaking I was not aware of the recent increase that had been made in jury payments; but my interpretation is that that increased fee of \$64 a day becomes payable only after the 20th day of a trial. Is that correct?

Mr Doumany: Yes.

Mr R. J. GIBBS: Then it is high time that the Minister reviewed the rate that is paid for the first 20 days. Considering average weekly earnings, a person loses a substantial amount of money when he sits on a trial that lasts for less than 20 days. Although the Bill is fairly good when it comes to looking after people who serve on lengthy trials, adequate provision has not been made to cover the majority of criminal cases which usually last for between three and four weeks. So a juror on a trial lasting less than 20 days will continue to suffer financial hardship until the Government increases the daily rate to a satisfactory level. If the Government does that, I believe that it will encourage people in the community to participate in jury service.

Last night I said that people in the community have a responsibility to serve on juries. The sad fact is that that community responsibility does not presently exist. People view jury service as a burden rather than as a responsibility—one which can affect them drastically financially, even though the Minister has included in the legislation a clause allowing people to opt out on the basis of financial hardship. It is my opinion, however, that that provision will be used to the ultimate extreme in the future by those applying to opt out of their obligation. The Government has refused to take the necessary action to update sufficiently the payments up to the 20th day of a trial.

Mr DOUMANY: I will respond briefly because the honourable member for Wolston made these points in his speech at the second-reading stage, and I responded to them in my reply. The points raised by the honourable member for Wolston will be taken into account in any application for ex gratia payments. They will be given fair consideration. However, the basis of remuneration up to that time during the course of a trial will have to be looked at, because it all ties in with the point at which one starts to assess an application, its validity and its worth. I do not see how that can be avoided.

I dealt with the other points made by the honourable member in my reply to his speech at the second-reading stage. The rates payable for periods of less than 20 days will certainly be looked at very critically. I accept that there are some deficiencies, but I also point out to the Committee that the costs associated with the operation of the system have also to be contained within some limits.

Mr R. J. Gibbs interjected.

Mr DOUMANY: I am aware of the need for justice to be adequate, and adequate in quality. I do not dispute that. However, we must crawl before we can walk. We have started to move towards reform in these areas, and I expect that we will see that type of reform flow on into the area of the jury system other than the exception—the long trial.

Clause 11, as read, agreed to.

Clauses 12 to 19, as read, agreed to.

Clause 20—New ss. 50A and 50B—

Mr R. J. GIBBS (4.9 p.m.): The honourable member for Lytton expressed a concern to me and to the Minister, but I do not feel that we have had the point clarified sufficiently. We are concerned about a small businessman who has perhaps one employee. For instance, the local plumber may have hired a person to work for him. When that employee is called for jury service, the plumber does not bother to protest, as he can under this legislation, because he is under the impression that the fellow may only be away from the job for three weeks, five weeks or six weeks.

However, a lengthy trial such as the Russell Island trial could be encountered. As the employer has not initially objected, certainly he cannot terminate the services of the employee. The Opposition certainly would not support that concept, anyway. The

employer is unable to take adequate action during the period of the absence of his employee. Obviously the employee cannot be sacked, which places the employer in the position of having to engage another person to do the work of the employee who is on jury service and, when that period of jury service terminates, the extra employee who has been engaged has to be sacked.

Is there some way that the Minister can look at the problem objectively to provide some method by which, at the time a person is empanelled for jury service, the employer could make some application if he learns that his employee is likely to be tied up in a lengthy trial?

Mr Lee: How would you know that?

Mr R. J. GIBBS: I am saying, if you will listen, you imbecile of a man—

The TEMPORARY CHAIRMAN (Mr Row): Order! That is an unparliamentary comment which I ask the honourable member to withdraw.

Mr R. J. GIBBS: I withdraw it. If the honourable member will sit back and have the courtesy to listen, he might learn something. I am aware that it is impossible to predict that a person will serve on a particular trial, but is it possible to have some reform in that area so that after an employee has been selected to serve on a jury the employer has some out available to him so that he can make representation if the employee is to be tied up on a lengthy trial? I know it is a dicey area but it does need some consideration. It certainly involves some problems. Rightfully so, the honourable member for Lytton expressed some concern about it.

Mr DOUMANY: In my second-reading speech I indicated that account would be taken of the circumstances when matters such as that arose. As the provision is presently worded, the specific difficulties or problems confronting an employer would be taken into account. I am sure there would be no automatic prosecution of an employer who faced such a problem. The department has looked for an option to cover this sort of thing but until now none has been found. The matter is a very difficult one because once a person is empanelled on a jury and becomes involved in a trial it is very undesirable to excuse him from the trial midway through. It would be very difficult to justify to the community the dismissal, during the course of a trial, of a person who is really serving for the community's benefit.

Mr Lee: I wished to ask the honourable member for Wolston how anybody could know that a trial would be a lengthy one.

Mr DOUMANY: Usually it is possible to have only an approximate idea. Some trials could unexpectedly continue for three or four weeks longer than had been anticipated. I will look at this problem as part of the overall review. In fact, I discussed the point again with the officer who is present today. I have discussed it previously with other officers to try to find some more precise way of dealing with the problem. As yet, no solution has been arrived at, but if any honourable member has some bright idea on it, I will be very pleased to hear it.

Clause 20, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Doumany, by leave, read a third time.

PEACE AND GOOD BEHAVIOUR BILL

Second Reading—Resumption of Debate

Debate resumed from 14 September (see p. 842) on Mr Doumany's motion—

"That the Bill be now read a second time."

Mr R. J. GIBBS (Wolston) (4.16 p.m.): The legislation now being discussed is basically good. Opposition members are extremely happy to support it. In supporting the Bill, I wish to make a number of remarks about it.

Firstly, I recognise that the legislation probably presented some drafting problems, because, as far as I am aware, it is the first such legislation in Australia. It appears to be a genuine attempt to introduce some lawful procedure to deal with orders to maintain peace and good behaviour in the community without people having to have recourse to the law and bear the financial burden of paying for legal representation.

I regret to say that violence in the community is on the increase. The Minister referred to that in his speech, and his contention can be substantiated by discussions with members of Parliament, people who deal with community groups, members of legal institutions and members of organisations in our electorates that are involved with youth and people with problems, particularly in Housing Commission areas, many of which are represented by Labor members throughout Queensland.

The main thrust and intention of the legislation is to achieve a drastic reduction in police involvement in domestic disputes and in their being called out at week-ends to intervene in street brawls and to investigate threats of violence made by neighbour against neighbour. I am sure that many honourable members know of incidents which, although seemingly frivolous, have serious consequences. For example, Mrs Jones may be growing very nice roses on her footpath, only to have them run over a couple of times by someone down the road after he has had too much to drink on a Saturday afternoon. Things such as that cause trouble in the community.

The image of the police is affected adversely by their having to become involved in domestic situations. As a result, they suffer a public backlash that, in many instances, is not deserved. Unfortunately, people have had no recourse open to them other than to call on the law enforcement officers. For that reason alone, I welcome the legislation.

Had this legislation been in operation a couple of months ago, it would have been extremely helpful in my electorate. It is fair to say that, in addition to assisting many people in the community, it will be a Godsend for every politician in Queensland. I am sure that very few honourable members have not experienced an incident similar to the one to which I referred, in which the roses were run over and threats were made in the street.

I had a case the other night of a fellow going berserk in a street with a machete and threatening his next-door neighbours. The police could not take any action because no crime had been committed. A most unfortunate incident in my electorate at present involves a number of mentally retarded people who have come in for quite some sorting out by the neighbourhood bullies. Again the police are absolutely powerless. I welcome the legislation because it will greatly assist the people in our community with those problems.

Having said that and recognising that the intent of the Bill is good, let me say that I have some doubt about the effectiveness of a number of provisions in the legislation. I wonder whether they can be made to work. Regrettably I have to express a degree of pessimism about the effectiveness of the legislation and whether it will be able to work in the community as we would like it to operate.

I refer specifically to the provisions relating to complaints in respect of breaches of the peace. The Bill provides—

“Upon complaint in writing on oath made before a justice of the peace that a person has threatened . . .”

It lists four matters and sets out the procedure to be adopted in laying a complaint. As I interpret it, a person would be required to go to a justice of the peace and make a complaint to the justice of the peace who—

“ . . . may make or cause to be made such inquiries and receive such evidence as he thinks fit.”

Again on my interpretation, the justice of the peace would issue “his summons directed to the defendant requiring him to appear at a certain time and place before a Magistrates Court” or would issue “his warrant to apprehend the defendant and cause him to be brought before a Magistrates Court.”

It is high time that all honourable members adopted a different attitude in recommending people for appointment as justices of the peace. We hand out commissions like confetti. I have said on a number of occasions whilst I have been a member that a far more selective process should be adopted in the appointment of justices of the peace. If a person approaches me, unless extraordinary circumstances prevail, unless he has a criminal record and unless

he is not of normal intelligence, I can see no reason to knock him back. If I knock him back I could lose a vote at election-time. I am being quite blunt. That attitude is adopted by many Government members. There is no restriction on the number of people we can nominate for appointment as justices of the peace.

It rather frightens me to think that in the community there are probably many people who should not be justices. Frankly I have grave reservations about how they will handle the very considerable and vast responsibilities that are being thrust upon them by the Bill.

If, for instance, Mrs Jones lodges a complaint against Mr Bloggs who lives 10 doors down the road from her and the local justice is Mr Smith who lives between them, I pity Mr Smith because he may have to go out into the community and "may make or cause to be made such inquiries and receive such evidence as he thinks fit". The mind boggles. Will a court be held in the middle of the street? Will witnesses be called from all over the place and be asked, "Do you think I should issue a summons against this person or do you think that I should issue a warrant to have him taken before the courts?" I am concerned about that area of the legislation.

If it really wants to tidy up community-type problems, it is time that the Government started looking, as the Labor Party has done because it has been incorporated as part of its present policy, at the establishment of community legal centres at which persons could receive free advice about their legal rights. In other words, Government-funded centres should provide that type of advice quite separate from the Legal Aid concept. There is good reason to say that the concept of Legal Aid can be vastly improved. Community legal centres should be established so that there is somewhere for people to go to talk about their economic problems as the number of unemployed increases and as social problems grow to massive proportions. Those problems will continue to develop within our community. I do not think that we can ask people who do not have the qualifications, average persons in the community such as JPs, to accept this very grave responsibility which will suddenly be thrust upon them.

If members of Parliament were confronted with those problems, they would say, "OK, I will do my best for you", and they would ring the Juvenile Aid Bureau. I have done that on numerous occasions in Ipswich. I have asked someone to call on the victim or the person who is causing the problem, or in the case of an adult, requested that the police make a call. Although I have done that as part of the service and responsibility that we accept as members of Parliament, there is a fear that what will happen is that a member will say, "Mrs Jones, we passed a fantastic piece of legislation through the State Parliament which will alleviate the situation. I hope that it will help you. I will put a copy of it in the mail tomorrow so that you are aware of your rights and the action that you can take." In that way we would be cutting ourselves off from that sort of community problem to a great degree, which is rather sad. Some of the community problems to which I have referred will continue because I do not believe that a mere justice of the peace will be able to take the necessary action or want to initiate it, because of the implications involved.

I am also concerned about another section of the legislation. I refer to the heading "Magistrates Court may make orders."

Clause 6 (2) states—

"Without limiting any other evidence given by or on behalf of the defendant, the defendant may produce evidence that the complaint is made from malice or for vexation only."

I require a simple answer. Some time ago legislation relating to vexatious litigants was passed. Although the persons concerned would not be litigants, I would like to know whether that legislation would cover vexatious complaints made by people. I cannot find a reference in the legislation to cover an instance in which a person makes a vexatious complaint with the result that a person is put through the embarrassment of appearing before a magistrate who finds that the charge was completely unwarranted and was made only because of nastiness and a spiteful attitude. If it was a vexatious complaint, could the magistrate say, "Because you have used up the time of this court, because you caused a problem by bringing these persons to court, I will fine you X number of dollars."? Or will there be some alternative means by which the persons who have been taken to court on an improper basis can take action against the person who has made the vexatious complaint?

I realise that some people will claim that that is an over-reaction on my part and that those circumstances will not often arise. But, believe me, in certain sections of my electorate in which the social problems and economic problems that I have mentioned are absolutely rife, that does happen often.

When I am at home in my electorate and at week-ends, most of my time is taken up in dealing with frivolous complaints made against people because of the environment in which people now live. I refer specifically to the poorer sections of the Housing Commission areas of my electorate. I have used my electorate as an example, but I know that my colleagues the members for Ipswich West and Archerfield, as well as other honourable members on this side of the House, are called upon to deal with similar problems. They will continue to arise.

I have expressed some doubts about the Bill and I have outlined my reasons for having those doubts. Nevertheless, I welcome the legislation. I accept it as a genuine attempt by the Minister to introduce a system that will short-circuit certain legal procedures. Regrettably, I have doubts whether the legislation will work to the extent that we would all like to see it work. As I say, Opposition members welcome the legislation and will be very happy to support it.

Mr PRENTICE (Toowong) (4.32 p.m.): Probably all honourable members would agree that there is nothing more tragic than a situation in which domestic violence occurs. More often than not, such a situation is born of emotion with no logical planning or intent. On many occasions, it arises without any real malice and on the spur of the moment. Domestic violence, with its accompanying injury and on some occasions death, is something that every person, even a person involved in it, agrees should not be present in the community. Nevertheless, domestic violence arises, and it arises often because of emotions and jealousies. In some instances, it arises because of the problems associated with a person's environment, problems of alcohol and so on. Until the introduction of this Bill, no avenues were open for providing the protection that very often is needed.

As the honourable member for Wolston has said, probably all honourable members have come across circumstances that concern them. The advantage to be gained from this Bill is that it provides a good, solid and practical remedy that will be available to people. It does not require people to go through the full rigours of the court in the interim stage. It provides for sensible justice that may solve a problem without the full-blown exercise of court cases involving lawyers, costs and everything else that goes with them. The interim step provided for in the Bill is an application before a justice of the peace for an order.

The honourable member for Wolston expressed some concern about justices of the peace and their role under this legislation. To some degree, I am concerned about the appointment of great numbers of justices of the peace. A justice of the peace must bear onerous and serious responsibilities under other legislation as well as under this legislation.

In certain areas action can be taken to ensure that justices of the peace are educated as to their responsibilities and their role. Recently in my electorate I held a seminar at which justices of the peace were given advice on their role by qualified officers from the Minister's department. As the Minister knows, those justices of the peace were in a situation in which they could ask questions about their role, and I think that that was a step in the right direction. But this Assembly must confront the real question of justices of the peace and whether we should continue appointing them as we do, or, more importantly, whether they should bear those serious responsibilities in many other areas.

Mr Davis: I don't really see why we have got to do even that.

Mr PRENTICE: The member for Brisbane Central says that perhaps that does not have to be done. I would have thought that at all times we have to review what we are doing in Government in terms of making appointments, and so on.

Mr Davis: I am talking about nominating JPs. I don't understand why it has to be done.

Mr PRENTICE: The honourable member is asking why members of Parliament should have to nominate JPs. That point is perhaps worthy of discussion, but not under this legislation.

In terms of this legislation, I am pleased that a justice of the peace is acting in this role, as long as he is aware of the seriousness of what he is doing. The legislation provides that a person can come to a justice of the peace with a complaint or with an application for an order. If a person is concerned about the acts of another, he will be able to go to a justice of the peace, who is not a lawyer, a judge or a magistrate, who does not have the trappings of a court, but who, it is hoped, has that little bit of common sense, being a person of the community, and can use his own judgment in the particular case.

The member for Wolston said he was concerned that some justices of the peace either might not be prepared to act or might be somewhat concerned about exercising their responsibilities; but I think it is a good thing that people can go to somebody within their own community who can exercise that common sense. It is certainly worth a try.

When the members of the Minister's committee considered this legislation, they discussed it for hours on end trying to find a solution. The real difficulty is in protecting people under this legislation in such a way that it does not deprive them of their rights or restrict their opportunities of having a fair hearing. It could have been very tempting to move in without giving people those rights and take them straight before a court, or to use an order to take away many of their rights. In this legislation, we have found a good compromise. There is that interim step where a justice of the peace can act. He has his own right of inquiry before a person actually gets to the court, and that should be borne in mind. The legislation provides almost a circuit-breaker in what can be a continuing environment of violence within a domestic situation.

I am not predicting in this Chamber that the legislation will solve every problem, but it has the hallmarks of common sense, and I think there is every chance that it will work. It should be supported, and I am pleased that on this occasion the Opposition is supporting it.

The member for Wolston referred also to vexatious complaints. Again, one of the advantages of having an interim step in the whole procedure is that the justice of the peace, who, as I said earlier, is a man from the community, will at least be able to investigate. Often, as a result of his own investigation, he will be able to make a judgment whether it is a vexatious complaint. If it goes beyond that, that is another matter.

In this area, in many instances we are not talking about real criminals, people who have gone out with a deliberate intent to hurt or to cause problems to other people; rather we are talking about emotion resulting from conditions and difficulties in life. It is good to see that the Government is prepared to find a solution.

Mr Lee: Sometimes it is the grog.

Mr PRENTICE: On many occasions it is a matter of too much grog.

It is an area in which, in order to be fair and to exercise justice as it should be exercised, we should be prepared to step very slowly and carefully. If it is done as the Bill proposes it should be done, we will have so much greater chance of providing solutions to the problems. We will be providing a circuit-breaker instead of just engineering a situation in which there can be no solution and only tragedy all round.

I support the Bill and congratulate the Minister on introducing it to the House.

Mrs NELSON (Aspley) (4.40 p.m.): I support the Minister's presentation of the legislation and join with the spokesman for the Opposition and the member for Toowong in supporting the first introduction of such a measure in any Parliament in Australia. Queensland has made the first attempt by any State Parliament to take some effective action against domestic violence.

There is a quite remarkable tendency across Australia to treat domestic violence as violence against women, but it is directed primarily against children. Of course, there is also violence against women, and quite frequently it is directed against the aged. In fact, over a long period Australian family life has been noted for its violence. The police in a number of States, including Queensland, have for a number of years tried to gain powers of entry to enable them to deal with domestic violence.

The New South Wales Government considered it to be such an important issue that it set up a task force to look into it. Its report to the New South Wales Government was made in July 1981. It is significant that the people who constituted the task force were a fairly radical group of individuals, and their recommendations are very largely mirrored in

the Queensland legislation. An article in "The National Times" some little while ago entitled "Battered Wives", which again unfortunately gave the impression that only women were being physically abused in Australia, stated very clearly that the New South Wales Police Force was very anxious to have on the statute-book the type of legislation recommended by the Wran Government. I can only hope that New South Wales and the other States follow the lead given by this State's Attorney-General in enacting legislation that will make a real contribution to the diminution of violence in family life.

The most important effect of the legislation will be to intimidate those who may in the past have felt that the police could not interfere with them, that their family had no legal protection and that therefore they could go ahead and do their own thing, repeat their offences many times and nobody could stop them.

There are three important provisions in the legislation. The most important is that it is accessible, speedy and inexpensive. The Minister made those points in his second-reading speech.

Mr Davis: Why do you keep giving this woman briefs?

Mrs NELSON: The member for Brisbane Central really finds the whole thing a joke, but I can assure him, on behalf of the people who come through my door—undoubtedly similar people have gone through his—and the children I have seen in the Royal Childrens Hospital when I worked there as a radiographer, that this is anything but a joke. As a radiographer I saw a three-week-old baby with every rib smashed and head injuries beyond belief as a result of being pitched against a wall by a 19-year-old drunken father. The mother was 17. Fortunately the grandmother was present, so that two people were able to give evidence against the father, who went to gaol for homicide. It is not a laughing matter. In fact, domestic violence is one of the most serious issues confronting our nation. It certainly is not a matter for jest in the Parliament of Queensland. I am surprised at the member for Brisbane Central.

Mr Davis: Don't try to take my laugh out of context.

Mrs NELSON: It is not a matter that any member should be laughing at. The Attorney-General of Queensland ought to be commended by every other State of Australia for introducing this legislation. For two reasons I hope that every other State Attorney-General copies our legislation. First, we have amended the Bail Act, which had to be done under such legislation. That is something the New South Wales task force asked for as well. However, I take issue with the member for Wolston on the matter of JPs. I agree with him about the random method of their selection. I am sure that every member of Parliament addresses comments to the Attorney-General about the need to improve the way in which recommendations are made. However, I would not like to see their role in this issue dismissed as irrelevant. Let it be remembered that in this debate we are talking about threats as well as actual violence. We are talking about potential violence, with people attempting to avoid violence as well as a repetition of it. The JP has a valuable role to play.

Mr R. J. Gibbs: I am not suggesting for one moment that their role is irrelevant. I am just concerned about the qualifications that some of them have.

Mrs NELSON: I am not quite as concerned about that as the member for Wolston, for the simple reason that protections are built into the system. The role of JPs under this Bill is a facilitating one. In other words, in an emergency they can issue a summons. When the police and other people, apart from the potential victim or victims, think an offence of a serious nature will be committed, a warrant can be issued. But the warrant only orders the person to appear at the Magistrates Court; it cannot impose punishment. Warrants are issued only to facilitate the procedure and it is able to be done inexpensively. I think the House would have to agree that it has been the expensive nature of litigation that has prevented many families from taking civil actions.

The other important point is that it does not have to be the potential victim or the victim who takes out the complaint, it can be the police or the next friend. In other words it can be a parish priest, a next-door neighbour, a social worker or a Children's Services Department officer who feels the children are in jeopardy on a Friday night and wants them out of the house for the night. So the Bill gives those people the power to go to the police; they all go to the JP and the person can be removed for 12 to 24 hours until the matter is resolved in front of a magistrate.

I would certainly like some intimation from the Minister about vexatious complaints. Recently a vexatious complaint was made under the Mental Health Act. I think the Minister for Health is in the process of amending that Act on the same basis as this legislation.

In conclusion, I again reinforce the point that Queensland comes in for much criticism for having a conservative Government, but many of the Acts that pass through the Parliament are of a very radical nature and do much to help the little people in the community. This Bill will help very defenceless people in the community and I applaud the Minister and his committee for its introduction.

Dr SCOTT-YOUNG (Townsville) (4.46 p.m.): In the Minister's second-reading speech he said—

"Where actual or threatened breaches of the peace occur at the present time, the Supreme Court of Queensland may order an accused person to give security as an assurance of his future conduct under a procedure known as articles of the peace.

Injunctions to restrain unlawful conduct such as an assault may be sought also from the court, but both procedures are costly and difficult to obtain."

Recently I perused the Justices Act and found that sections 198 to 208, which have been repealed, actually gave the State the same power as this Bill will provide. In my opinion it was even more clearly set out. Amongst other things, section 198, which is titled "Complaint praying for surety of the peace", states—

"... has used any language indicating an intention to commit such breach of the peace"

A definition of a breach of the peace is provided in a previous section. Part of the annotation to section 199, which is titled "Complaints praying for surety for the good behaviour", states—

"... the power given by this section, a Magistrate or Justice of the Peace can require sureties for good behaviour only upon complaint in writing and upon oath under this section."

In other words, that Act gave the State the power to bind people over to keep the peace and be of good behaviour. For some unknown reason those sections were repealed. Why was that? Was it because they were not functional, or did people forget about the sections or put so many hazards in their way that they were unworkable?

Earlier in the debate some doubt was cast on the ability of a justice of the peace to make inquiries, ascertain the truth of matters and gather evidence. One honourable member maintained that the complaint need not necessarily be made to a justice of the peace, it could be made to a social worker, a welfare worker, a padre or some person in a responsible position in the community who would then approach the justice of the peace to obtain a warrant to bring the misbehaving person to the Magistrates Court.

Doubt has been raised on whether the Federal Marriage Act provides surety or security to wives and children because it is a most costly procedure to sue under that Act. So the reinstatement of those sections of the Justices Act may fill a hiatus that has been created by the inadequacy of Commonwealth law and their earlier repeal.

One doubt comes to mind, namely, could this legislation possibly be used to intimidate people who legally take strike action? That must be considered. I cannot see why this legislation could not be used indiscriminately in some instances to prevent strike action by way of a charge against a striker or a picket who is acting within the law. I should like the Minister to expand on that. Generally, the Bill is wise and fills a gap that exists in our statutes.

Hon. S. S. DOUMANY (Kurilpa—Minister for Justice and Attorney-General) (4.51 p.m.), in reply: I thank honourable members for their support of this small but very important Bill. Although the Bill is very short and simple—with very brief provisions—it will have a considerable impact on problems in the community.

Mr Davis: It puts a lot of the onus on JPs.

Mr DOUMANY: All speakers, especially the honourable member for Wolston who questioned the efficacy of calling on JPs to start the procedure, referred to JPs in one way or another. Firstly, I believe that most of the referrals by police, clergy or social workers will go to clerks of the court. Other than in very small townships and

remote areas, the clerks of the court, who are obviously justices of the peace, will be the vehicle for the first step in the chain of procedures. They will be well briefed and able to cope with the procedures.

I am sure honourable members will agree that the police, social workers and other responsible people in the community will be aware of competent justices of the peace. In other words, they will not necessarily go to a justice of the peace who happens to live in the same street. They will know of someone else who has a reasonable grasp of the procedures. They will know the men who are balanced enough to cope with the complexity of a situation of this type. I should be very surprised if we have too many difficulties. Most of the cases will be dealt with, in the first instance, by clerks of the court in their role as JPs. I am sure that will alleviate many of the problems raised by members. I also forecast that an intensive public relations, educational and information program about this legislation will be directed at justices of the peace.

Mr R. J. Gibbs: Will there be a pamphlet to make sure of it?

Mr DOUMANY: There will be a pamphlet. Letters will be sent. The police will also be fully briefed.

I am sure that benefits will be derived by the clergy, social workers and Children's Services Department officers being advised. Even the medical profession may find itself involved from time to time. A general briefing will have to be given to the community, and a thorough program will be prepared. I trust that honourable members will participate in it in their electorates. Each member has an opportunity to communicate with justices and responsible people in his electorate about this important legislation.

The honourable member for Toowong expressed confidence in JPs being able to handle this legislation. I agree with him. They are responding to training sessions and seminars. I hope to soon have a manual prepared to be sent to all justices. This legislation will obviously form a very important part of it.

Mr Lee: They want some education towards it.

Mr DOUMANY: They will need that.

The honourable member for Townsville spoke about the original breaches of the peace provisions in the Justices Act. Unfortunately they disappeared some time during the 1960s when the Act was reviewed. The best advice I can get on that from officers who have a recollection of that era is that they were not being used enough. Perhaps life in that era was pretty peaceful and did not have all of today's hassles.

As we have heard, particularly from the honourable member for Aspley, there is an enormous incidence and intensity of violence and harassment in the community. There is neighbourhood violence and domestic violence. The more dense the population and the more pressures on people obviously the more incidence of this type of difficulty.

The honourable member for Wolston raised the matter of vexatious behaviour. This is quite separate from the Vexatious Litigants Act which deals mainly with the plaintiff whose vexatious behaviour is recurrent. It relates to the person who, time after time, pursues certain people with something that really has no substance. In this instance, if it is clear that a complaint is lodged because of malice, ill-feeling or revenge, or merely to get at somebody else, the magistrate may, even on the first count, feel that there is a vexatious content. The criteria will be different. Obviously the question of vexatious potential is there. We all know of people who are given to this sort of thing and may try their hand at it. That is a shame because it will make it a bit harder for the bona fide party. I am sure that the social workers, the police and the crisis care services will welcome the legislation because, for the first time, they will have some teeth.

I shall look at the operation of the legislation after the first year. If it is found to contain bugs or if it should be extended in its purview I will introduce amendments. I will be very keen to hear from honourable members how it is performing in their electorates. In 1983 it will be interesting to see what sort of reports I receive from various parts of Queensland about the efficacy of the legislation.

Dr Scott-Young: Under the South Australian Act, which was introduced in 1982, a charge of \$15 is levied for each order. Is any charge placed on a Queensland order?

Mr DOUMANY: I am not sure. I think that there is a nominal charge. I shall investigate and advise the honourable member in greater detail.

Motion (Mr Doumany) agreed to.

Committee

Mr Row (Hinchinbrook) in the chair; Hon. S. S. Doumany (Kurilpa—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 to 9, as read, agreed to.

Clause 10—Offence for breach of order—

Dr SCOTT-YOUNG (4.59 p.m.): Clause 10 provides an alternative punishment of imprisonment for one year. Has thought been given to the fact that imprisonment for one year could completely disrupt a family psychologically, socially and financially?

Would it not be better to consider work orders or service orders rather than imprisonment? Week-end detention, fines, probation orders or community service orders would be much better than imprisonment.

Mr DOUMANY: The sentence provided for in the Bill is a maximum sentence, not a minimum sentence. The wording of the Bill implies that other options, such as week-end detention, community service orders and probation, are available. All those other options are available and will be used by the bench.

Dr Scott-Young: Justices have freedom of decision?

Mr DOUMANY: It is implied in the Bill that those options are available.

Mr Burns: What happens if he takes no notice of the decision of the court when he comes back out and he does the same thing?

An Honourable Member interjected.

Mr BURNS: Someone just laughed. A young lad from Lindum was put away for 15 months as a result of continued harassment of families in the area. He is a well-known druggie. Last week-end he sprayed red or black paint on people's houses in a game of noughts and crosses. He has thrown bottles on the roof of the house of a widow and her daughter because they would not have anything to do with him. I wrote to the police and was told, "We put him away once before. What is the damned use? He comes back and does it again." What protection does the Bill afford that woman and her daughter? Under the existing legislation she went to court and obtained a restraining order against that person. But he is not restrained, he is still there. The police wrote to me and stated, "We can't spend our time chasing this fellow." The law must be able to do better than that. Those women in Lindum are harassed by an irresponsible lout who lives a few doors away. He then goes home and his parents and others pretend that he has not been out, although witnesses in the street have seen him. He has already been put away; the law has to do better than that. What can those women do if he will not obey the order? It is time that people in their own homes were protected from louts who will not take notice of the law.

Mr DOUMANY: Clause 10 provides a maximum sentence of 12 months' imprisonment. I think the honourable member will find that the imposition of the maximum sentence by a magistrate will have a salutary effect. At the moment I guarantee that the offender referred to by the honourable member for Lytton has not had a sentence of 12 months' imprisonment imposed upon him.

Mr Burns: He has been in gaol for longer than that.

Mr DOUMANY: If the offence is recurring, he should be taken to a superior court to be dealt with for more serious offences.

Mr Burns: Who does that? The lady has no money.

Mr DOUMANY: That is part of the criminal justice system.

Mr Burns: Is he covered by the provisions of this Bill?

Mr DOUMANY: No. There is a limit to the extent to which the Bill can go.

Mrs Nelson: Doesn't the next clause of the Bill provide for that, anyway?

Mr BURNS: While the Minister is looking at the clause, I would make the point that this woman went to a lawyer this week and he said, "I want \$300 and I will take the matter to the court and get him bound over." How much does an ordinary citizen, harassed by a hoon, have to pay in order to receive the normal protection that is expected by the community? That lad has been in gaol before. I will write to the Minister and provide him with details of the case. I have written to the police on a number of occasions. I have sent telegrams to the Wynnum police fairly regularly about his activities. Last week-end he sprayed a lady's house with paint. That's not bad for a lad who has been in gaol before. She has been advised to obtain some money and sue him herself. I have already said that the law must do better than that. Surely that lady is entitled to protection by the authorities in this State. She should not have to spend a great deal of money just to live in her own home. She is entitled to the normal peace and quiet that everybody expects.

Dr LOCKWOOD: This legislation is timely. Perhaps it is overdue. A problem has arisen because a great many women have attempted to apply the provisions of the Mental Health Act, and they cannot be applied to a man who has been found not to be suffering from a mental disease. Certainly, he can be detained under the emergency provisions of that Act, but after 72 hours he is free again. Some men strike with a cunning and savagery that would startle a great number of members of this Assembly.

Nearly every honourable member would find that he alone would be unable to repel the type of man that the Bill is aimed at stopping. It is aimed at stopping him legally rather than by brute force, which in the past was the only course to which wives who were attacked could resort. The police were powerless to intervene.

In many instances, where the man, who is often an estranged, divorced or separated husband, comes back to the house and repeatedly offers violence to the woman with a club, a knife, an axe or another implement, the police can only say to the woman, "Arm yourself with a rifle. If the man attempts to break in, shoot him dead." That is how the law stood. That was the only option available to a woman in those circumstances.

Under the Bill that man can be imprisoned for up to a year if he acts in defiance of the Bill. Whereas the Mental Health Act provides that such a man can be detained for only three days, this Bill provides for detention for one year. I hope that within one year something can be done, even perhaps by way of psychiatric treatment.

The best advice that one can offer a woman in such a situation is that she leave the house, change her name and move to another State, far removed from the place at which she has been attacked. Sadly, there are some women who will not change their address, let alone their name. They continue to live in the house knowing full well that the man will continue to come back and attack them.

Mr Burns: How about the economic problem associated with moving?

Dr LOCKWOOD: I am aware of that, but I pay credit to the Department of Social Security, which has no qualms about changing the name on a woman's card. Most women in the circumstances that I have outlined are eligible for a pension. The department has no qualms about changing a pension number, nor does it have any qualms about helping a woman establish a new social security identity. It helps women re-establish themselves.

Perhaps the State Government needs to do more. It is very difficult for a woman in a Housing Commission house to rapidly obtain a transfer to another Housing Commission house.

Sadly, there is the woman who, in spite of all the help and advice given to her, will not accept it. She will continue to cohabit with a man who can only be described as a savage criminal. He may not be her husband. Such a woman defies help. I do not know how she can be helped when she ignores the best of advice and goes back to live in an extremely dangerous situation.

I hope that women who have attempted to invoke the provisions of the Mental Health Act will be told that this Bill may provide relief from the savage attacks that they have been subjected to in the past and fear in the future.

Mr DOUMANY: I have already indicated that I will review the operation of the Bill in the coming months to ascertain whether it is working. If I find that penalties need to be increased, they can be increased in a review of the Bill.

In cases involving serious violence recourse can be had to the Criminal Code. Police should do that when they are confronted with violent cases.

As I say, I shall look at the penalties carefully. If it appears that they are not adequate, I will increase them.

Clause 10, as read, agreed to.

Clauses 11 to 14, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Doumany, by leave, read a third time.

QUEENSLAND BOUNDARIES DECLARATORY BILL

Hon. S. S. DOUMANY (Kurilpa—Minister for Justice and Attorney-General), by leave, without notice: I move—

“That leave be granted to bring in a Bill to declare with respect to certain of the land boundaries of the State of Queensland and with respect to the construction of certain references in the law of the State and in instruments to which that law applies and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. S. S. DOUMANY (Kurilpa—Minister for Justice and Attorney-General) (5.12 p.m.): I move—

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

The purpose of this Bill, entitled the Queensland Boundaries Declaratory Bill, is to clarify for the purposes of State law, references to the land boundaries of the State in any document made under State law, and in Imperial Letters Patent, where those boundaries are described in astronomical terms, that is, by reference to a parallel of latitude or a meridian of longitude.

Honourable members are no doubt aware that Imperial Letters Patent of 1859 and 1862 defining Queensland's land boundaries, describe those boundaries by reference to meridians of longitude, parallels of latitude and physical features. Like the equator, parallels of latitude and meridians of longitude are imaginary lines and have no physical existence.

The precise location of a boundary is important in respect of the following matters:—

- (a) the legislative competence of adjoining political entities;
- (b) rights, duties and liabilities of residents of the respective entities;
- (c) application of the criminal law;
- (d) limits of grants of rights to land;
- (e) electoral and other boundaries.

That list is not exhaustive.

Shortly after the proclamation of the Imperial Letters Patent, it was realised that, in so far as those boundaries described in astronomical terms were concerned, it was necessary to mark the boundaries on the surface of the earth so that people would know where their rights, privileges and responsibilities began and ended.

By arrangement between Queensland and its neighbouring colonies, surveys were carried out late last century with the object of ascertaining the location of the boundaries referred to in terms of parallels of latitude and meridians of longitude.

The surveys were carried out by agreement between the colonies and surveyors worked in accordance with what was then the best technological equipment and knowledge available. The end result of their labours was boundaries physically marked upon the surface of the earth.

Calculations based on more modern methods than those used last century would put the parallels of latitude and the meridians of longitude some distance away from where the boundary is presently marked on the ground.

There are many documents in existence today which purport to define limits of grants, licences, districts, etc., in which varying references are made to boundary lines. Such things include mining leases, pastoral leases, deeds of grant, electoral boundaries, local authority boundaries and court districts boundaries. In addition to documentary matters, people should be able to identify where their civil and criminal responsibilities are affected and by what authority.

The Bill does no more than, in clear terms, state that the marked boundary lines, fixed by agreement and accepted for generations, are the legal boundaries irrespective of the terms in which they may have been described in the original documents. Whether or not they now reflect the location of the particular parallels of latitude or meridians of longitude is irrelevant.

To continue to refer, in terms of parallels or meridians, to boundaries which have been positively identified and marked on the ground is a complete misconception. They no longer exist, having been replaced as a matter of necessity and by practical arrangement by marked boundaries determined by survey.

The Bill does not endeavour to claim any territory which is not any part of Queensland and has not been for more than 100 years. However, what the Bill does is clearly identify certain of the land boundaries of Queensland to all those who live in Queensland and to those who are required to operate under Queensland law.

One object of the Bill is to make it abundantly clear that the land boundaries of Queensland, where they were defined in terms of parallels of latitude and meridians of longitude, are those boundaries which have been fixed by survey and marked upon the ground, and that such markings make completely irrelevant any continued reference to boundaries in terms of parallels of latitude and meridians of longitude.

It makes provision also that, in any Queensland law or any instrument made under the authority of any Queensland law, a reference to a land boundary, however it may be described, shall be taken to be a reference to that boundary of the State marked upon the ground except, of course, where the boundary, in terms of the letters patent, is defined by reference to physical features such as mountains and rivers.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

HEALTH ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 23 September (see p. 1132) on Mr Austin's motion—

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

Mr UNDERWOOD (Ipswich West) (5.17 p.m.): The Opposition does not disagree with the Bill in principle. It contains a number of machinery amendments and others that provide additional protection to the health of Queensland's citizens. However, the Bill is deficient in a number of ways. It does not go far enough in some areas and there are omissions in other areas. When enacted, the Bill will not solve some of the problems and protect public health to the extent foreshadowed by the Minister's second-reading speech. There is a shortage of staff and the existence of problems with facilities that vitally affect the protection of public health.

The Bill deals with matters relating to notifiable diseases such as venereal disease, private hospitals and nursing homes, camping grounds, pest control operators and the Queensland Radium Institute. With the increasing use of camping grounds for recreational use, in particular—because of a shortage of housing, some people are turning to camping

grounds to live in—there is a need to impose regulations and control in order to protect public health. As the Minister outlined, at this stage there is no method of enforcing protection and ensuring a reasonable standard of public health in camping grounds. Therefore, we support the implementation of any regulations that would have that effect.

In August/September this year a number of problems arose in the area of private hospitals and nursing homes. The legislation results from those problems, which were brought about by two factors: firstly, the lack of legislative control and, secondly, lack of facilities to supervise and advise the operators of private nursing homes and hospitals. The episode at "Moonyah", at Red Hill, which is run by the Salvation Army, revealed that a gap exists in the legislation of this State to supervise and control such charitable institutions. As we see it, the amendments contained in the Bill do not close that serious gap. Those charitable institutions are run by well-intentioned people who are doing their best with the very limited resources they have and the limited assistance provided by all levels of government.

Those in charge of "Moonyah" and similar institutions have to initiate various measures and staffing arrangements to overcome those problems and to rehabilitate the people with whom they are working. From time to time State health authorities have some contact with these people, but that is only on a friendly or non-authoritarian basis. The Opposition believes there is an urgent need for legislative measures and/or regulations to help cover these matters. I realise that they are partly covered by Federal and State authorities, and that local authorities have some measure of control over the activities of charitable nursing homes.

In Queensland some nursing homes, such as the ones at the Gold Coast, will shortly be under the revised control of the State authorities, as they have been in the past, and also under Federal control. But a loophole exists and that needs to be quickly remedied so that those who work and those live in these places can be protected. The media has highlighted some of the very serious problems that have arisen and some of the very serious breaches of Acts of this Parliament that have occurred in the past. I will not go into those at this stage. I draw the Minister's attention to those things and hope that he takes appropriate steps to remove this loophole in the law so that these people can be protected.

As to pest control operators—the legislation is being amended supposedly to control the use of various dangerous chemicals. If a dangerous chemical can be purchased off the shelf by a pest control operator or, for that matter, any person such as a primary producer, by one means or another he will use it in whatever way he sees fit. A great percentage of the population—in this case pest control operators—will use it according to the law, but there is that minority of persons, as there always has been and always will be, who if they can get their hands on poisonous chemicals such as dieldrin will use them as they please and use them very dangerously without notifying their customers of the serious nature of their effects. If the Government wishes to protect the public from the misuse of dieldrin and other dangerous chemicals by pest control operators and others, their direct sale should be prohibited, and the Government should set up a special dispensary where those chemicals could be provided to persons who require them for specific activities.

I now turn to the matter of notifiable diseases and venereal disease. This is a matter of health care that the authorities wish would go away or are determined to neglect, principally because it is an area of health care that is not often seen. As is the case with many areas of public health care, if a particular health service is not seen by the Government to have very much political clout, it will be neglected. This is one such area, but it causes much suffering within the community and therefore needs to be better funded, better serviced and better organised. Within the Queensland community, when compared to a disease such as tuberculosis, venereal disease and other sexually transmitted diseases can certainly be classified as a major problem. One of the problems in Queensland is the Government's attitude to this section of health care. It is a mixed bag of neglect and Victorian attitudes, and it reeks of double standards. It is creating a serious problem for quite a number of Queenslanders, and a potentially serious problem for a large number of Queenslanders who have not yet come into contact with these diseases but will do so in the near future.

The attitude of the Government and the community to venereal and other sexually transmitted diseases must be totally rethought. A campaign must be undertaken at the national level in line with the campaign against tuberculosis. The State Government can run such a campaign; but to gain the maximum results, it must be run at a national level. Statistics prove that the campaign against tuberculosis was successful. I am sure that a similar approach to sexual diseases would be equally successful. Obviously, additional funding from the Commonwealth Government is needed, as well as its active involvement in co-ordinating a program.

The Queensland Government could afford to provide far greater funds for this facet of public health services. It is amazing that the Commonwealth Government can find hundreds of millions of dollars to fund hospital and health care under its new federalism arrangements, but cannot find a few extra thousand dollars to effectively boost the programs drawn up by the various officers in the Queensland public health sector.

I repeat that the active involvement of the Commonwealth is necessary. However, at the same time, the State legislation must provide that diagnostic laboratories are obliged to notify the public health authorities of all results indicative of infection by notifiable, sexually transmitted diseases. That would give a true indication of the extent and placement of the disease in the community. At the moment, the system is virtually voluntary. People approach the various agencies for treatment or advice. Over the years, the Director-General's report has indicated that the present system gives merely an indication, not the true picture.

The Government should also make sure that the various preventive instruments are available to the people who are at risk. Earlier this year the State Government took steps to ensure that the public did not have easier access to purchasing condoms, which serve a number of very useful purposes, including the prevention of unwanted pregnancies and the transmission of sexual diseases.

Opposition Members interjected.

Dr Lockwood: This is not a joking matter.

Mr UNDERWOOD: It is not a joking matter.

It has been suggested that condoms and other preventives should be available in places such as public toilets, discos and hotel bars. Many suggestions have been made about removing the need to go to the traditional chemist shop, because many people are troubled about confronting a pretty receptionist and therefore run the risk of contracting sexually transmitted diseases. Of course, herpes is incurable.

Probably the most important aspect of a campaign directed towards the eradication of venereal and other sexually transmitted diseases is education. There is a great deal of public ignorance about those diseases, commonly known as STD. Public education should be related to the causes and effects of the diseases and the availability of suitable facilities for diagnosis and management and should be based on the following principles.

Educational programs should be completely objective. They should be directed particularly to the population groups most at risk. Parents with STD who have been effectively informed and motivated are frequently able to educate other members of their group and to assist educators to approach and contact them. Workers in public health, school nursing, community welfare, youth organisations and family planning, and teachers and workers in training, should be equipped with basic information about STD and the available facilities. General public education should include suitable pamphlets and articles in women's magazines and other magazines. Information about available facilities should be publicised through posters, newspaper notices and telephone answering services. In schools, education about STD should be made an integral part of more general programs dealing with social and community responsibility, including sexual behaviour. Information about STD should not be given in isolation.

That is an array of campaigns that are basically not being implemented by the State Government. If they were implemented in a proper way, particularly in the younger age groups which are the groups being affected, something could be achieved.

The latest information available is contained in the annual report for 1980-81. The 1981-82 report will not be available until next month. Possibly that is because of the Minister's statement on 9 August that he and the health authorities would launch an

all-out campaign to combat the public health problem of sexually transmitted diseases. A major plank in that campaign is to join the back door and the front door of the new clinic in Brisbane. If that is the major thrust in the campaign, it will be a failure. Will the 1981-82 report show an increase in the number of Queenslanders who have contracted these diseases?

Over the past 10 years or so, the health authorities have not been very successful in combating sexually transmitted diseases, particularly compared with the success of the TB eradication program. The rates for various years per 10 000 head of population are as follows: in 1980-81, 114.82; in 1977-78, 153.31; in 1971-72, 116; and in 1968-69, 116.1. The figures have fluctuated, but the current level is not much less than the figure for the late 1960s.

It is passing strange that the rate varies according to the community. Currently, only venereal diseases are notifiable, whereas, once the legislation is passed, herpes will be notifiable. A great discrepancy exists in the rates for the various communities in Queensland. The people of Queensland are not getting equal treatment for these diseases.

In 1980-81, although Aurukun had a population of only hundreds, 63 people were notified as having venereal disease. In the Cairns district the number was 306; in Ipswich, 11; in Lockhart River, 28; in Yarrabah, 71; on Thursday Island (incorporating the Torres Strait), 276, and in Townsville (incorporating Palm Island), 141. In Gympie, which is much bigger than some of the places that I have mentioned, there were 3 cases of venereal disease notified. I do not suggest that members of these communities have different habits, so the various communities must be being treated differently. Some of the communities with serious rates of infection are those which have health services under the control of the Department of Aboriginal and Islanders Advancement. For example, in 1980-81 at Lockhart River, which is a very small community, 28 people had a notifiable disease. The annual report of the Department of Aboriginal and Islanders Advancement contains the following statements about health services at Lockhart River—

"Lockhart River is served by a modern hospital staffed by three nursing sisters who are in radio contact with the Royal Flying Doctor Service. The Flying Doctor also makes regular visits to the community.

A dentist from the Cairns Base Hospital Dental Service attends the community at four-monthly intervals to conduct clinics. The Aboriginal Health Team directed their attention to preventative measures, especially in relation to children's health."

Nothing could be further from the truth. Last year, when I was at Lockhart River one nurse was operating the hospital, although the report refers to three sisters. A serious problem that exists in Queensland has been ignored. The department refuses to acknowledge the serious problems with health services. It continues to do nothing about it. There is an opportunity to introduce various measures to overcome the problems and to help the people with their problems. However, very little has been done. The only thing that has been done is that herpes has been listed as a notifiable disease. At present it is incurable. Its inclusion as a notifiable disease will do very little to help people suffering from it, and will provide limited statistics on which health officers can work.

Earlier I referred to the lack of spending on the problem, and compared the tuberculosis campaign with the STD and the VD campaign or lack thereof. The latest appropriation accounts do not include wages and similar costs. However, expenses for the Division of Tuberculosis were \$146,800. The appropriation for enthetic diseases (drugs and incidentals) was \$57,000. Those figures fluctuate and merely provide a guide. There is a radical difference in the amounts spent in those areas.

In the non-metropolitan area of Queensland in 1980-81, there were 1407 persons with notifiable VD, while in the metropolitan area there were 1174. So there was a total of over 2 500 people with notifiable diseases. There were 245 people with tuberculosis. It was possible to find more money to spend on the eradication of TB, but virtually nothing was spent on the venereal disease and STD, an important public health issue. Thousands of Queenslanders come in contact with the diseases each year, and thousands more are suffering from them. They are coming into contact with the diseases because they do not know the basic facts about them.

This week I met with some young people and discussed this subject. They did not know very much about the problems of STD, VD and so on. That is a problem throughout Queensland and, I would suggest, throughout Australia. We should educate our people in the manner I have outlined. The first place to start is in the schools.

Of course, the Cabinet, backed solidly by the Government back-benchers, will have nothing to do with informing people about what I would term the modern diseases. Within the past two decades there has been an explosion of those diseases among young people.

The latest figures reveal that in one year in the 15 to 19 age group 550 cases were notified and in the next group, the 20 to 24 age group, 785 cases were notified. I am sure that if those young people had been informed about some of the dangers and were given the full medical facts about these diseases, many of them would have been able to avoid contact with them.

On 7 June 1982 the "Telegraph"—which sometimes publishes something of note—referred to an increase in "strong VD". A report from Melbourne talked about a type of gonorrhoea that is resistant to penicillin. Resistant diseases such as herpes are on the increase. People should be told about them so that they can take appropriate counter-measures.

Mr FitzGerald: Do you think all teachers are competent to teach the subject?

Mr UNDERWOOD: Don't be ridiculous. I am dealing with a serious problem. The honourable member's attitude is typical of that of National Party members towards this very serious problem. Many young people in Queensland have been infected as a result of ignorance.

Mr FitzGerald: Do you think all teachers are competent to teach the subject?

Mr UNDERWOOD: Obviously the honourable member for Lockyer has not been in the Chamber when Opposition members have raised this very serious matter. He continues to live in the cocoon created by the blurb of the National-Liberal Party public relations machine. One of the problems confronting the honourable member and his colleagues is that they believe their Government's propaganda. Of course all teachers are not competent to teach the subject. Not all teachers want to teach it. Specialist training is needed to teach such things.

Mrs Nelson: Do you believe your propaganda.

Mr UNDERWOOD: I do not have propaganda.

The diseases to which I have referred are a cause for concern. The problem should have been tackled in this legislation. I have referred to private nursing homes, to charitable organisations, to the use of poisonous chemicals by pest control operators and to notifiable diseases. I have called for a national health education campaign. Because the Commonwealth Government has failed to mount one, the State Government should embark upon a national campaign.

The health services should be taken to people outside Brisbane. As I have pointed out, at least half of the people who suffer from VD live outside the metropolitan area, so the services should be taken to those people. The professionals who already work in the field should be sent out to where the people live. Specialist training should be given to the social workers, the school teachers and even parents and children. The Government is not directly spending a great deal of money on combating the problem created by these diseases. The taxpayer, however, is providing funds for the back-up services that are provided. A growing number of persons need to be helped.

Mrs KYBURZ (Salisbury) (5.44 p.m.): Because other speakers wish to participate in this debate this afternoon I do not have very much time, but I assure the House that, following the rather monotonous speech of the previous speaker, I shall not bore it further.

My main attack is levelled at the hypocrisy concerning the reporting of venereal disease. The existing provisions relating to prostitutes submitting themselves for medical examination and certificates of freedom from the disease are to be omitted. I am sorry to see that. The section of the Act dealing with prostitutes was repealed. Unfortunately, as everyone knows and as everyone tries to brush aside, prostitution still exists in this city, albeit in the form of massage parlours. It is sad that that form of prostitution is not regulated in some way because, if it was, that would provide some form of protection from venereal disease.

It is somewhat hypocritical to pretend that there is no prostitution and to repeal that section of the Act dealing with the checking of prostitutes for venereal disease, and then to pretend that there is not an outbreak of venereal disease in the city, when in fact there is.

Herpes is a great worry in society today. According to a recent "Time" magazine report, one in five people in the United States under the age of 30 years has herpes. Those figures speak for themselves. Because of the concern about herpes there is a growing awareness of venereal disease. Its occurrence may not be greater than it was, but people are now reporting for treatment, and I think that that is excellent. It is obvious that making people aware of the problem is the only way to attack venereal disease.

The amendment in the Bill which provides that a person with venereal disease must attend a medical practitioner until he has completed the prescribed course is an important one. Notification of the diseases is necessary if they are to be wiped out.

Surely, the other way to attack herpes must be to allow the sale of condoms from vending machines, particularly at institutions such as the Queensland Institute of Technology and the universities where 18, 19 and 20-year-olds congregate. Until that is done, this legislative Chamber will be guilty of gross hypocrisy. All people know what is going on in the community, but they tend to keep their eyes shut when it is convenient. Public education is important.

As the member for Ipswich West said, the facts about venereal disease have to be more widely published. I point out to him that an excellent way of doing that is by placing the information in women's toilets. Usually, there are posters about venereal disease in women's toilets, and some of the pictures are quite frightening. Although that is not a pleasant place in which to study posters on venereal disease, many people do study them while they are waiting in a queue.

I was interested to read the provision in the Bill concerning the licensing of private hospitals. It places on the licensee the onus for having a sufficient number of registered nurses on the premises. I wonder why that provision is being introduced, and I will be interested to hear from the Minister the rationale behind it. I know that registered nurses have expressed concern about the number of nursing aides employed in private hospitals and private nursing homes. In fact, nursing aides are accepting the responsibility for treating seriously ill patients, when only registered nurses should be accepting that responsibility. Does this provision mean that a licensee could lose his licence if he does not employ a sufficient number of registered staff in a private nursing home? That is a very important amendment and it should be widely circulated. I will be interested to hear from the Minister how he intends informing licensees of private hospitals and private nursing homes of their requirements under the law.

Dr LOCKWOOD (Toowoomba North) (5.49 p.m.): The requirement that herpes genitalis be a notifiable disease is timely. Two years ago, I was rather shocked, when I received an invitation from the QCWA to address its regional conference in Toowoomba, to be told, as guest speaker, that my subject was not to be of my choosing but that I had to deliver a lecture on herpes genitalis. That shows the extent of the concern in the community when an organisation like the CWA will summon a member of Parliament and inform him that he has to lecture the audience on the dangers of the disease.

Just as this legislation requiring the notification of herpes is timely, so is a great deal of publicity about the effects of the disease. At the outset, I have to say that it is a disease that has probably always been in our community. I can remember seeing the rare case in years gone by, but it has reached epidemic proportions because of the so-called sexual liberation—the post-pill morality and the idea that, if contraception were no longer a problem, people could have sexual intercourse with anyone they chose. Given that and the fact that the other major venereal diseases of syphilis and gonorrhoea appeared to be sensitive to penicillin, it was felt that there was no risk in random and indiscriminate sex. However, that provided the ideal medium for a great deal of cross contact of people suffering from herpes genitalis. That virus disease, which is resistant to antibiotics, then emerged as the major venereal disease plaguing the civilised nations, those that have the contraceptive pill and penicillin.

The disease that has emerged is a virus infection that is still incurable. A lifelong disease, it occurs after a single contact. Apparent cures are really only remissions. Because there are so many remissions, a great many false claims are made for cures. A great many products have been held up as being "the cure". "I put this on it", someone will say, "and it went away." It was going away, anyway, but it was going to recur. The sad fact is that it recurs after such minor things as sunburn, an overdose of alcohol

followed by a slight hangover, and fever from influenza, bronchitis or pneumonia, which are totally unrelated to the disease itself. Friction or trauma such as riding a horse can aggravate it. If it has been in the quiescent stage it can recur after sexual intercourse. This, then, makes it a horrid disease to deal with. A person who is apparently free from it can find that it is reactivated by any of these influences. In women, unfortunately, it can be reactivated by such regularly occurring events as the monthly ovulation and the monthly menstrual cycle, all of which makes it, I think every honourable member would agree, a particularly horrid disease to deal with.

The symptoms can include fever and a flu-like illness, sometimes followed by sensations such as tingling pain, burning or intense itching in the infected sexual organs. When the victim of the disease passes urine, the pain can be severe. The one exception seems to be in women if the infection is confined to the cervix alone and the vagina and urethra are not infected. In a male it can affect the external skin, the urethra, the urinary passage through the penis and up as far as the seminal vesicles. It can be quite a deep infection. In the quiet period, the virus retreats into the parts of the nerve cells called axons. It can retreat deeply into the system where no topical treatment such as ointments, sprays or lotions can reach it.

What needs to be stressed about it is that people can be apparently free but they know very well that it will recur. For that reason alone, the provision in this Bill for the abolition of the requirement for a certificate of apparent freedom is not appropriate for this disease. It can be appropriate to syphilis and gonorrhoea; but, because of the very nature of this disease and its recurrence following such minor incidents as I have mentioned—minor illnesses or natural physiological functions—in my opinion we should not be abolishing the certificate of apparent freedom. Indeed, as the Minister has pointed out elsewhere, the certificate of apparent freedom applies only for the moment the certificate is written. However, it is true to say that people are never really free of herpes genitalis—at least at this stage. No miracle cure has been discovered.

It is a disease of major proportions that has to be notified and treated. As well as that the contacts have to be interviewed, if only so that they can be warned that they could have the disease and that they should check at the very first sign of any vesicles—that is, blisters—anywhere in the region. It is sad to say that the method that has been advocated, that is the wider use of the condom, is not a prevention. The condom cannot prevent syphilis and it cannot prevent herpes, because the skin about the sex organ way beyond the region where the condom is applied can become infected. The condom is quite a useful device for the prevention of gonorrhoea but it is quite useless against syphilis and herpes. The honourable member should think again before she advocates the wider use of condoms as a control of this disease.

The only control over the disease that really works is the dissemination of information so that people can be made thoroughly familiar with the risk of promiscuous sex, particularly those who are in the habit of swinging or engaging in sex with professionals or, perhaps even worse, the enthusiastic amateur. Honourable members should not forget that one New York professional boasted that perhaps 1 200 people had been infected with herpes alone as a result of sex with her. Those people will be victims for life.

The problem is so bad that it has burst forth in the lay Press: In Sydney fellow sufferers have formed clubs. They hope that by meeting together they will be able to offer themselves as volunteers for research into the disease. I wish them well in that.

I wish to address the problem of the regulation of pesticides which is still a problem because some of them are misused in the community. One thing that should be stressed is that people who regularly use pesticides can avail themselves of a test to see if the pesticide is having a cumulative effect on them.

In recent days I have been concerned by the claim that our beaches are “hot” For a number of years beaches have been known to contain radioactive thorium, which has been washed down the rivers from the mountains, and has become part of the mineral sands deposits. It has come out of the Tweed, Richmond and Clarence Rivers. For the Campaign Against Nuclear Power to claim that this could possibly have come across the Pacific from Mururoa Atoll or some such place is absolute nonsense. These people seem to suggest that this material suddenly leapt out of an old nuclear crater, floated across

the Pacific and when it arrived here it sank again and became part of the sand. Anybody who suggests that sort of thing must be a complete lunatic.

Certainly I do not want nuclear tests to be conducted in the Pacific, and I do not think anybody else does. Nobody wants a nuclear attack on this country. If people are to speak of radioactive thorium being in the sand on our beaches, as it has been for a long time, then they should say sensible, logical things and stick to the facts.

Mr Austin: Do you agree that that document is the greatest load of tripe you have ever seen?

Dr LOCKWOOD: I would hope that the Minister would give those people the reply that they deserve.

Debate, on motion of Mr Austin, adjourned.

The House adjourned at 6 p.m.
