

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 27 MARCH 1984

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Mr SPEAKER (Hon. J. H. Warner, Toowoomba South) read prayers and took the chair at 11 a.m.

RESERVATION OF BILL FOR ROYAL ASSENT**Governor's Salary Act Amendment Bill**

Mr SPEAKER reported the receipt of a message from His Excellency the Governor intimating that the Governor's Salary Act Amendment Bill had been reserved for the signification of Her Majesty's pleasure.

ASSENT TO BILLS

Assent to the following Bills reported by Mr Speaker—

Stamp Act Amendment Bill;
Wivenhoe Dam and Hydro-electric Works Act Amendment Bill;
Retail Shop Leases Bill;
Health Act Amendment Bill;
Constitution Act Amendment Bill;
Police Dogs Bill;
Homes for the Aged Bill;
Food Act and Health Act Amendment Bill;
Transplantation and Anatomy Act Amendment Bill;
Medical Act Amendment Bill.

DEATH OF MR K. J. HOOPER, MLA**Seat Declared Vacant**

Mr SPEAKER: I have to report that I have received from the Registrar-General a certified copy of the registration of the death, on 9 March 1984, of Kevin Joseph Hooper, Esquire, lately serving in the Legislative Assembly as member for the electoral district of Archerfield.

Hon. J. BJELKE-PETERSEN (Barambah—Premier and Treasurer), by leave, without notice: I move—

“That the seat in this House for the electoral district of Archerfield hath become and is now vacant by reason of the death of the said Kevin Joseph Hooper, Esquire.”

Motion agreed to.

Motion of Condolence

Hon. J. BJELKE-PETERSEN (Barambah—Premier and Treasurer) (11.6 a.m.), by leave, without notice: I move—

“1. That this House desires to place on record its sense of the loss this State has sustained by the death of Kevin Joseph Hooper, Esquire, lately serving as member for the electoral district of Archerfield.

2. That Mr Speaker be requested to convey to the widow and family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland in the loss they have sustained.”

The death of a sitting member of the Legislative Assembly is always a shock to his parliamentary colleagues. When that death occurs suddenly and quite unexpectedly, the shock is ever so much greater.

The death of Kevin Joseph Hooper in hospital on 9 March 1984, following surgery, was received with dismay by his many friends and constituents who knew him so well as the member for Archerfield in the Queensland Legislative Assembly.

Kevin Hooper was born in Brisbane on 9 July 1928. He was the son of George Cyril Hooper and Katherine Moriarty. He received his education at the Torwood primary and secondary schools. He worked as a shop assistant, wardsman at a dental hospital, and as a storeman and a clerk.

Before entering State politics, he was, for a time, the State organiser of the Federated Miscellaneous Workers Union. He had been a strong supporter of the Australian Labor Party in the Inala, Salisbury and Oxley areas. When the electorate of Archerfield was formed following the 1971 redistribution, he won endorsement as the ALP candidate for the seat at the May 1972 election.

His parliamentary service included membership of the Refreshment Rooms Committee and the Committee of Subordinate Legislation. In 1978, he travelled overseas as a member of the parliamentary delegation to Singapore, Malaysia, Japan and the South Pacific. As a member of the Legislative Assembly he saw it as his duty to be of service to people at all times. It was not only his own constituents whom he sought to assist; his door was always open, and many people were able to approach him and receive a sympathetic hearing.

Kev, as he was known to his friends and the media, was a man whose outspoken ways placed him in the public spotlight on very many occasions. He had a strong constitution and a sense of humour, qualities that serve politicians well in the cut and thrust of debate and the life that we share in this House. This Parliament will be a different place without his colourful turn of phrase, which he used so often.

Kevin Hooper was married to Beryl Theresa Kelly on 19 December 1953. He is survived by his widow and six children. On behalf of the Queensland Government, and, I am sure, on behalf of all members of the House, I extend condolences to his widow and family.

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (11.9 a.m.): I second the motion moved by the Premier to express sympathy to the widow and family of the late Kevin Joseph Hooper.

Mr Hooper entered Parliament in May 1972. He was the first representative for Archerfield, the seat formed in the 1971 redistribution from the western part of the existing Salisbury electorate. As one of the great characters in this Assembly, he made a significant contribution to the House during his almost 12 years as a member.

As the Premier said, Kevin Hooper attended the Torwood primary and secondary schools. Always a great family man, he left school at the age of 14 years and went to work to assist his parents. As with many members of the parliamentary Labor Party, he spent some time as a union organiser before entering politics.

Kevin Hooper had more than a superficial knowledge of the electorate of Archerfield when he took his seat in the House. The lack of a car resulted in his walking all over the electorate speaking to Labor Party branches and members, seeking support in the plebiscite that was to give him endorsement. At that time, Kev lived with his wife and young family in a Housing Commission house in Columbine Street, Inala, which remained his home throughout his parliamentary career.

Kevin Hooper was a dedicated worker for the people of his electorate. He was actively involved with many civic and sporting organisations and, despite his years and bulk, he always enjoyed a knock of kerbside cricket with the local youngsters. Archerfield was hard hit by the floods in 1974, and Kev worked with resolute determination to help the victims of the disaster.

Although I did not share Kevin Hooper's political convictions, I acknowledge that he was a truly colourful character who never shrank from a fight with the Government or with some of his own colleagues. I will recall always the courtesy with which I was received on the occasions on which I opened schools in his electorate.

I know that members of this House and the public generally were shocked to hear of Kevin Hooper's sudden death. I join with the Premier and Treasurer in expressing my condolences to his widow, Terri, and to his children.

Mr WRIGHT (Rockhampton—Leader of the Opposition) (11.11 a.m.): On behalf of the Opposition, I join with the Premier and Treasurer and the Deputy Premier and Minister Assisting the Treasurer in this motion of condolence. Each and every one of us was greatly shocked by the sudden death of Kevin Hooper on 9 March. We are still not quite over it.

This morning, I received a letter from Mrs Terri Hooper, and she asked specifically that I read it to the Assembly. It reads—

“It is with heartfelt tears that I pen this letter to you. Kevin Jnr, Greg, Mark, Paul, Karen & Peter & I are feeling Kevin’s death very deeply, we are also very lost, he was a wonderful Father & Husband, to be taken from us so suddenly has left us in deep shock.

On behalf of the family & myself we would like you to read this letter in the house to let everyone know our appreciation for the beautiful Cards, Letters & Floral Tributes we have received. I could not reply to them personally as they have been arriving by the Hundreds.

We want to thank you, Tom Burns & certainly not forgetting Mr Bjelke-Petersen & Mr Russ Hinze for the beautiful statements they made about Kevin on Television. To know he will be missed makes my Family very proud of him.

My special thanks go to the Media & the Journalists who attended the funeral, all the Politicians & Government employees. We are all eternally grateful. I only wish I could do something in return, as you have all been so very kind. I would also like to give special thanks to Mr Tom Burns & Mr Bob Gibbs.

Kevin was a man who worked his Electorate extremely well, I cannot recall him having a day off from his office, he never once refused people calling to our home with their problems, and never once missed a phone call, he always finished up with a cold meal.

I have always been a sincere religious person with this letter coming from the bottom of my heart.

Once again my sincere thanks to everyone.

May God Bless you all.

Yours faithfully,

Terri, Kevin Jnr, Greg,

Mark, Paul, Karen & Peter (Hooper).”

I have read that letter because I believe that it sums up the attitude of the family to the response that came forward when Kevin passed away.

His death did come as a shock. I expected him to be with us today. In fact, as Leader of the Opposition, I was planning some tactics with him over some matters. But he is still with us today in spirit.

This House will be the poorer for the loss of Kevin Hooper. He had great strength of personality and force of presence. The tributes that have been given by the media sum up very well Kevin Hooper the man. I have here a testimony that sets out the genuine shock and grief that people experienced over his death. The “Daily Sun” carried a front-page editorial along with a front-page report on his death. Honourable members will recall the headline, “Crusader Hooper Dies” I believe that that spoke volumes of Kevin Hooper. At the time, I commented that Kevin was a man who waded in where others feared to tread. He waded into the issues of crime, corruption, injustice and inequality.

The cartoon in the “Daily Sun” quoted T. Campbell who said, “To live in hearts we leave is not to die.” Kevin Hooper will never die in the hearts of many of his friends, especially those in the Inala area.

Many reports appeared in the press. One read—“Big Vinnie: the man who spoke his mind. A fighter from the word go”. “The Courier-Mail” on the same day carried a tribute headline—“Goodbye Big Kev, the little man’s friend” He was the little man’s friend and a special type of person. He was a dedicated family man and is survived by his wife, Terri, and six children—Kevin, Greg, Mark, Paul, Karen and Peter.

Kevin Hooper had an unknown side. I knew, from a close relationship with him from 1972, that he had a special love for literature and opera; he had a knowledge in those fields that would leave many of us wanting.

There was also Kevin Hooper the politician. In 1983 Archerfield became the State’s safest Labor seat. His vote went from almost 65 per cent in 1980 to almost 72 per cent in 1983. That says a lot about his success as a politician. As the Premier said, Kevin

was elected to Parliament on 27 May 1972. He was at various times the Opposition spokesman on administrative and emergency services, on police and prisons, and on works and housing. At another time he was spokesman on police, corrective services and road safety. He was secretary of the State Parliamentary Labor Party, a member of the Parliamentary Refreshment Rooms Committee and a member of the Committee of Subordinate Legislation. He was also a member of the parliamentary delegation to Singapore, Malaysia, Japan and the South Pacific. Locally, he was president of the Oxley Federal Division Executive Committee, campaign director for the Federal electorate of Oxley since 1972 and president of the Inala Branch of the State Labor Party.

Kevin is probably remembered most for his close rapport with the media; he was certainly a superb communicator. His intimate knowledge of the media and his keen appreciation of their value were the strong foundation of the relationship that he developed with members of the media.

His funeral was a magnificent tribute to an outstanding politician. Personally, I was very pleased that so many members of the Government came to his funeral. Of course, Kevin's friendships crossed party lines. Many members on the other side of the Chamber suffered because of Kevin's repartee, but afterwards Kevin was always friends with those whom he had scored points off. The presence of members of the Government and the massive crowd that gathered at his funeral demonstrated the enormous admiration and respect felt for him, especially by the general public in his electorate. On the day following the funeral "The Courier-Mail" said, "Inala farewelled Kevin Hooper yesterday." That said it all. Kevin Hooper belonged to Inala and Inala belonged to Kevin Hooper. I have never seen people turn out in such force along the route of a funeral procession as they did for Kevin Hooper. Aged folk leaned over their veranda rails, or came to the footpath, and waved. It took me aback. They lined the streets and stood silently, paying their last respects. Tribute must be paid to the Police Department. Kevin was a critic of the department but there was something very special about the many police officers standing as sentries along the way and recognising Kevin Hooper for the part that he played and for his attitude and philosophy.

Kevin Hooper's attitude to politics may never be fully known but I wish to refer to his very first speech, which he made on 19 September 1972. That maiden speech has been described by critics as one of the best ever delivered in this Chamber. It gives a tremendous insight into what motivated Kevin Hooper the man and Kevin Hooper the politician.

He spoke forcefully on the need to upgrade the education system and on the need to spend more on education. He spoke with great conviction and purpose on social and economic discrimination, which he found appalling. He said that that discrimination gave him every sense of justification for wanting to carry on in the tradition of struggle—the tradition that had been set and maintained over the years by the Labor Party.

In that speech, he spoke about poverty, about the mistreatment of Aborigines, about human rights and civil liberties, and about the development of a free, tolerant and democratic society.

He spoke about his philosophy, and I want to quote from his speech on 19 September 1972, as it appears in "Hansard", volume 259, page 609. Kevin Hooper said—

"Let us be clear on my fundamental philosophy. Summed up in a very few words, it is this: The productive system is there to serve man, not to dominate him; not to enrich a few at the expense of the majority; not to create a destructive, repressive system which throws up an ugly, polluted neurosis-inducing environment.

Society, and the things about society and that go with it, should be for people and should always be there to serve them, not to dominate them. But even those in the community who are not interested in qualitative things, who are not outraged by the way in which people's rights (including their right to an adequate opportunity in life in which they are able to reach their full realisation) are beaten, battered and throttled by a Government more interested in making quick money by selling out our natural resources—the heirlooms of future generations which we merely hold on trust—such hard-headed people should surely at least be alarmed at the poor economic performance of this State."

I close with the point that he made in the introduction to his speech, when he said—

“As a member of the A.L.P., I am proud of the great traditions that have been established over generations by trade-unionists and their political representatives. It has been a never-ending struggle for social and economic change and for that equality within our community that gives everyone, irrespective of occupation, income or family tree, a ‘fair go’.”

He went on to say—

“Ironically, many of the people who now stand in opposition to Labor owe a debt to the struggles and sacrifices of those earlier Labor men, who hammered out a situation in which opportunity could be made available to these people to break through what would otherwise have been insuperable social and economic barriers. It is sometimes said by those opponents of Labor, who are afflicted by some sense of guilt because they know only too well that their affluence and success have been made possible by the sacrifices and struggles of the Labor movement in earlier years, that the things that Labor stood for—its causes—and the battles that it had to fight are gone, and that there is no further cause for the Labor Party in the context of fighting for social and economic change. That is nonsense.”

Kevin Hooper had a philosophy about life. He had a concern and care for people. It was epitomised in the last political struggle that he fought, in the case of Senior Constable Lorrelle Ann Saunders.

Kevin Hooper was a man who did not give up. He was a man who fought to the bitter end. He was a man who made many enemies, but I believe that he also made many lasting friends.

I join with the Premier and Treasurer in this motion of condolence to Terri and her family. I sum up my comments by saying that this Parliament will miss Kevin Hooper.

Hon. Sir WILLIAM KNOX (Nundah) (11.24 a.m.): This motion has special connotations for all of us. Usually, motions of this type tend to become formal motions because most of the serving members hardly knew the person who had passed on. However, when we lose a contemporary, all of us are shocked. We might be excused for speaking more warmly and with greater feeling about losing one with whom we have been closely associated.

Kevin Hooper was a member of this House for 12 years. He was one of the outstanding members of the House and a great contributor. His forceful personality and his very strong emphasis on taking up causes, both private and those of community concern, were the hallmark of his contributions to this Parliament.

As we all know, he was a most articulate member. His ability in debate was recognised universally. Perhaps his greatest attribute was his repartee and his use of the bon mot at the appropriate time. I am sure that every member who has been an adversary of his in debate will recall being on the wrong end of a very, very telling remark.

However, in the cut and thrust of debate we sometimes overlook the human qualities of our adversaries in this Chamber. Perhaps it is as well that we do meet socially on occasions. Kevin Hooper was a person who, outside this Chamber, could mix freely with all members of the House. He was a very good conversationalist; he had a wonderful personality; he told many good stories; and he was well liked. When one associates with other members at meal-time, at the bar, or at one of the many social functions that are held, one learns the true quality of the people with whom one associates.

We knew Kevin Hooper to be a very genuine person with a wide range of interests. That has been commented upon already. He was devoted to his family. He showed a very keen interest in the matters with which he was associated. In all respects he was a very genuine person. For those human qualities, we are very much indebted to Kevin Hooper for having known him in this place. This Assembly will be the poorer for his passing.

Mr WARBURTON (Sandgate) (11.26 a.m.): On a number of occasions, as a member of the Queensland Parliament, I have stood as a mark of respect to former members who, for a variety of reasons, have passed on. Until now, in all cases I simply knew the deceased members by name and deed. With few exceptions, I had never met them. A similar comment could be made by many honourable members in this Chamber today.

I express my sincere condolences to the family and friends of the late Kevin Joseph Hooper. Until a few weeks ago, he was a very active participant in this Chamber in his capacity as the member for Archerfield. That fact, together with the knowledge that Kevin Hooper was a relatively young man in terms of his position in public life, has had a very marked effect on his parliamentary colleagues and associates.

I first became acquainted with Kevin Hooper when he was an organiser for the Miscellaneous Workers Union, which operated from the Trades Hall, Brisbane. He was acknowledged as an efficient worker in that position and as having a very good rapport with the many members of his union for whom he worked.

Kevin Hooper definitely had a flair for having his parliamentary activities publicised effectively. Very few of the parliamentarians with whom I have been acquainted over many years had a better understanding of the power of the pen.

As I travelled in the long procession of vehicles between the church and the cemetery on the day of the funeral, I was moved, as many others must have been—the Leader of the Opposition mentioned this earlier—to see the large number of residents who gathered on footpaths to pay their respects to a man whom they obviously admired very much. I sincerely join with the Premier, the Deputy Premier and the Leader of the parliamentary Labor Party in supporting the motion of condolence to all those persons who were closely associated with the late Kevin Joseph Hooper.

Mr R. J. GIBBS (Wolston) (11.29 a.m.): I would also like to make some remarks about the very untimely death of Kevin Hooper. I will remember always my first meeting with Kevin Hooper in 1969. I applied to join the Labor Party, and Kevin Hooper arrived at my front door to sign me up as the secretary of the Inala Branch of the party. He had a saying that has proved to be correct throughout my political life. He used to say to me that politics was the graveyard of friendships. Regrettably, that is too often so.

At the outset, I say that for 11 years I probably shared a friendship and a closeness with Kevin Hooper that I have yet to see two other people share in the Labor Party. It has always been a matter of sadness to me that, over the last three years of his political life, because of antagonism and bitterness on both sides, that friendship most certainly was not as close as it had been earlier. I say very sincerely that that is very saddening to me personally. I am convinced that he knew that he was living on borrowed time, as it were. Apparently in the last two weeks of his life he drove past my house on two occasions, wanting to come into my home and have a beer with me. Regrettably—I suppose because of some pride or doubt on his part—he did not come to the door. That is extremely sad to me personally.

It has often been said—and it is quite true—that Kevin Hooper was my political mentor. He brought me into the Labor Party and taught me what Labor Party politics was all about. He contributed very much to my career in the trade union movement. He firmly advocated, “Read, read and, when you get sick of reading, read again.” That advice has always stood me in very good stead.

On occasions such as this people tend to become morbid. I do not intend doing that today. I have some very fond memories of my friendship with Kevin. I always recall the good times I used to have with him and Harry Hauenschild, the secretary of the Trades and Labor Council. Some of the best times used to be spent sitting in Harry’s lounge. It was said at Kevin’s funeral that he was something of a frustrated bowler. While Hooper was expert at bowling the imaginary balls on the cricket pitch, nobody was more adroit in taking pretend catches in slips than Hauenschild. It was quite amusing to watch the antics of both of them in Harry’s lounge on those occasions.

Kevin hated seeing people in grief. He often said so when he saw his own friends pass on. He certainly would not want his friends whom he has left behind to be in deep grief. He enjoyed life and, basically, had a very happy outlook on life. That outlook probably was never more exemplified than in experiences and stories in which I personally was involved with him.

He had a wonderful relationship with young kids. For some reason kids automatically took to Kevin. He communicated with them very well. He had a habit of referring to little kids as “knackers”, and I do not say that in a disparaging way. I recall the experience of a little black kid who lived behind Kevin at Inala. Hooper used to refer to him fondly as “Paddy Knackers” and influenced him in a great number of ways. When Bill Hayden came down on a visit one day, the little lad walked into the lounge and Kevin decided to have

him display the very wonderful poetry he had been able to teach the little fellow. The little bloke gave a rendering of one of the most colourful versions of "The Boy Stood on the Burning Deck" that I have ever heard. Bill Hayden was quite amused.

Kevin loved his food. I do not think I have ever seen a person attack a plate of food as Kevin could. In many ways he attacked it as though it were the Last Supper. As party organiser, I went with him to Goondiwindi on one occasion. As we went into the town he said, "You want to remember something when you come to these western places. I have had experience of this for years. You should never eat seafood out here. It's never fresh." That night when we walked into one of the local pubs for dinner, the first thing he did when he sat down was to order a prawn cocktail. The prawns had been thawed in hot water only a couple of minutes before and, as a person who enjoyed his food so much, he certainly was not particularly impressed.

I have no doubt that during his last days he knew that he was "on the way". If honourable members cast their minds back, they will remember that sometimes he suffered a loss of balance, which indicated that he had some problems. I am very sincerely saddened at his passing. Even in the years when things were not the best between us, we enjoyed a very close friendship. As well as that, there was my friendship with his wife and family. I have always treasured it very much. It will continue.

On behalf of my wife and myself, I extend my deepest sympathy to the Hooper family and assure them that they still have many friends in the Labor Party who will not forget them.

Mr HAMILL (Ipswich) (11.36 a.m.): The loss of Kevin Hooper has meant that this place has lost one of its most colourful speakers. He was a friend and colleague to us all, even those among his political foes who, I believe, respected him to the highest degree.

That Kevin had style is unquestionable. That style was well known to the people of Queensland. Many of his friends and foes alike have winced when they have been the subject of well-directed barbs or, as he used to term them, his loud, whispered interjections in this place.

Kevin was a good friend to my wife and me. In fact, he was the MC at our wedding. He volunteered to do the job. At a party one evening he leaned over to us and said, "People like to have me as an MC. I am a very good MC. I would be delighted to be your MC." With an offer like that, how could we refuse? Kevin brought to that occasion the same sort of humour that makes people feel ill at ease, and for which he has become well known in this House. Some people may think it strange that I should inject a little humour into a motion of condolence, but I believe that Kevin would not wish it any other way. When things at my wedding were becoming a little too serious and people were saying far too many nice things, Kevin stood and said that it was time for my wife to say a few words. When I looked at him I saw the sparkle in his eye and I knew that worse was to come. He then said, "Let's hear it for Pat. Ladies and gentlemen, she carries well for four months, doesn't she?" That sent shock waves through the gathering. I know that my mother-in-law was quite concerned about the revelation which, like some of Kevin's other barbs, had no foundation in fact.

Although one could say that Kevin sometimes used a howitzer when a pea-shooter may have been the only weapon necessary, his sorties against injustice and corruption endeared him to the hearts of the ordinary people of Queensland, especially the people of Inala. Kevin always said he would like to play to a packed house. At his funeral, the great display of public grief and sympathy for his family bore testament to the respect and regard in which he was held by the people of Inala and others.

I well remember taking his electorate secretary home from the Hooper residence on the day of Kevin's passing. His secretary was very upset indeed at his sudden passing. We called in at one of Kevin's favourite haunts, Souths Leagues Club at Acacia Ridge, where some of his old mates who were gathered there showed a feeling of disbelief. The sight of many of Kevin's more burly constituents wiping away tears seemed to me at the time to be somewhat incongruous, but it indicated that the great sorrow that was his family's was shared by his friends and constituents alike.

I am honoured to be able to speak to this motion of condolence and to be able to express my condolences and those of my wife and family to Kevin's widow and family. They have lost a loved relative; we have lost a friend and colleague who had a voice ever willing to be raised in the public arena and in this place in the community's interests.

Hon. N. E. LEE (Yeronga) (11.40 a.m.): It is with regret that I speak to this condolence motion, but I am quite honoured to have the privilege of doing so.

Although I did not subscribe to Kevin's political beliefs, in the 28 days that I was the Minister leading an overseas delegation of which he was a member, I learnt a side of him that I did not know. I found him to be a man who could be trusted—a man of his word. As a member of that delegation, he not only displayed an inquiring mind but also helped to make the trip much more enjoyable.

The honourable member for Wolston said that Kevin enjoyed his food. I assure the honourable member that Kevin enjoyed his food on the overseas trip. One day, he and Sam Doumany entered into a competition and Les Yewdale and I had to pay for it all. As I said, Kev certainly made that overseas trip much more pleasant.

Kevin was afraid of no one, including members of parliament. When he was debating, members had to be very careful about interjecting, because they did not know whether they would get a bucket or a bouquet. That led us all to respect him, and he was never afraid to speak the truth or what he believed to be the truth.

As far as our electorates were concerned, Kevin was a good neighbour. In 1964, after I had made my maiden speech, Doug Sherrington came to me and said, "Let us keep out of each other's electorates. We have plenty to do in our own." Doug Sherrington and I honoured that agreement. When Kevin entered this House in 1972 I told him of the arrangement with Doug Sherrington. He shook hands on it and did not break the deal. He was a man of his word.

In this Chamber, he was never afraid to rip a member to pieces if he thought that he should do so. Outside Parliament, he could be treated as a friend, a good colleague and a very good neighbour. He will certainly be missed by all Queenslanders, and particularly by us.

Mr WHITE (Redcliffe) (11.42 a.m.): I join with other honourable members in expressing condolences and sympathy to the Hooper family.

I and other members who were in Government were the recipients of barbs that Kevin liked to refer to as "good old buckets". During the three years in which I was privileged to occupy the Welfare Services portfolio, Kevin was my main adversary in relation to prisons. Regularly, he delivered a "good old bucket job", as he called it. On a number of occasions he rang me the next day and said, "What did you think of the job I did on you last night?" I would say, "It was pretty good, Kevin. You had better wait until tonight to see whether I return it in kind." Over the years, we developed a friendship.

One of the many things I liked about Kevin was his sense of humour and his capacity, after he had done a "bucket job", to ring and say, "Well, I was wrong. I do not think there is really anything in it." On the other hand, if he believed very strongly in something, as he did on many occasions, he would say, "I would like you to pursue that matter personally." I developed a great respect for him because, on the one hand, he had the capacity to say privately that he was wrong and, on the other hand, if he believed the substance of an allegation, to pursue the allegation with great purpose.

I am sure that all members who attended the funeral at Inala, whether or not they were on his side of politics, were proud to be associated with those who were paying respect to him.

Today, many honourable members have referred to the impact he made during his 12 years as the member for Archerfield. I am sure that, as I did, other members felt very proud that Kevin, as a member of this Assembly, should go out on such a high note. The little people in his community, the people whom he had represented so successfully for many years, were proud to be there and shed a tear.

I extend sympathy on behalf of my wife, Rhonda, and my family to Mrs Terri Hooper and her children.

Mr VEIVERS (Ashgrove) (11.45 a.m.): On behalf of my family and myself, I join in this motion of condolence to Mrs Hooper and her family. I shall make one brief comment that sums up my knowledge of Kev. He will be in the first XI where it really counts.

Mr BURNS (Lytton) (11.46 a.m.): I think that if Hoop were here today he would say that he could be doing it better than the rest of us. I am sure that, if he has the opportunity to listen to what is being said today, he will be enjoying it. He loved Parliament. He loved making a speech, having his say. He liked the ceremony of it all.

I am sure that, as he looked down at the people of Inala standing at the side of the road as the funeral cortege left the church, Hoop would have been saying to himself up there, "I killed them." He did. I do not think that a monument for Hoop will be needed at the cemetery. His monument is in the hearts of the people who stood at the side of the road and paid their tribute to him. As Terri did in her letter, I express my appreciation to all of his colleagues who attended his funeral.

Hoop enjoyed Parliament and he added a lot to it. There was a lot of fun in the man. During the days when we were the famous 11 cricket team, old Hoop was our secretary. We used to have our caucus meetings over there in the Chamber. We did not have to hold caucus meetings on special days; we could hold them while Parliament was sitting. At one time we decided that Hoop was not working hard enough, so we cut his salary in half. He used to jump up and down when he got upset, and he really danced the day we decided to halve his salary.

We took Hoop to China. The Premier has just returned from China, and he would know that it is very difficult to get steak and eggs and onions in that country. Hoop asked for it everywhere he went. He also wanted a cold beer. As honourable members know, the Chinese words for cold beer are, "Ping, Pijou"—"Ping" meaning cold and "Pijou" meaning beer. We would not tell Hoop the right words to use. We told him that "Tissue" meant cold. He would see the little Chinese men in the corridor and he would say, "Tissue, tissue." They could never understand what big Hoop was saying. Finally, in Peking, he got a steak. I reckon that it would probably have been one of the oldest steaks in China, because no-one in China eats steak.

Hoop's family tell me that he was warned that he was going. On the last day he was here I said to him, "Nick off, Hoop, and make certain you look after yourself. Don't come back until you are OK." He said to me, "Put me down for the hawkers, pawn-brokers and matters of public interest debates next week." I bet that someone on the Government side was going to get it today when the Hawkers Bill and the Pawnbrokers Act Amendment Bill were being debated. If I can get a copy of the speeches he prepared, I will read them for him.

More than anything else, we are speaking about a comrade with whom we worked. It is a little different from other occasions in this Parliament when we debate the passing of people who probably made many contributions to the State, but about whom we could not speak in the way in which we have been able to speak about Hoop today because we did not know them and had not worked with them. Sure, we will miss him and, more than that, his family will miss him.

When I was a young lad, the funeral of Billy Demaine, who was a president of the Labor Party, was held in Maryborough. Joseph Collings, who was a very well known Labor senator, spoke on that occasion, and I shall borrow what he said and apply it to Hoop's family—

"To Terri, his splendid wife, and to her fine sons and daughters and to all their relatives we tender our sincerest sympathy in this their time of sorrow. Words are but poor weak things when the heart is breaking because of the parting with those they love, but we here, every one of us do fervently hope that our sympathy may at least help to soften the blow for all his loved ones."

Mr ROW (Hinchinbrook) (11.49 a.m.): I wish to make my humble contribution to this motion of condolence this morning. The late Kevin Hooper was a parliamentary contemporary of mine, having been elected to this place in 1972. The group of members elected on that occasion had somewhat diminished, and it has diminished further with the loss of Kevin Hooper.

I entered this Assembly with some fixed horizons. I can honestly say that, in the 12 years that Kevin Hooper and I were members together, no man in this place broadened my horizons more than he did. He added a great deal of colour to the debates. I record my personal appreciation to him for that.

From my experience as Chairman of Committees, I know that he kept me on my toes. In fact he kept every Chairman on his toes. He was hardly a model member from a Chairman's point of view but I doubt whether there have ever been any model Chairmen in this Chamber. I suggest, however, that if Kevin Hooper had been able to continue as a member, he would have influenced the modelling of Chairmen.

What I shared most in common with Kevin Hooper was the family situation. Being a family man, I have learned to understand the trials that confront a family whose father is in politics. It is not an easy life and a great deal of effort is required to keep such a family together.

I say to Mrs Hooper and her family with conviction that every Queensland family gives them moral support. Families that have not suffered a family bereavement are very fortunate and I can understand what it must mean to a family to lose their father. I can only hope that family integrity and togetherness will, if anything, be increased as a result of this unfortunate event. I hope that that is some consolation to Mrs Hooper and her family.

My family gives Mrs Hooper and her family moral support and sympathy. I am sure that the same can be said of many other families in Queensland.

Mr DAVIS (Brisbane Central) (11.52 a.m.): Tommy Burns and I probably knew Kevin longer than any other members in the House. I was probably as good a friend of his as anyone else for a long, long time. In the early 1960s I was an organiser for the Transport Workers Union and he was an organiser for the Miscellaneous Workers Union. The difference between Kevin and me was in our dress. I always had my sleeves rolled up and he was always the best-dressed organiser ever seen. He was meticulous in his dress. Every day he would arrive wearing a suit, or a tie and coat. He always carried a bag because most of his work was done in the city and he did not have to drive a car. It was a standing joke in the Trades Hall and the Labor movement about the "best-dressed Kevin Hooper".

Bobby Gibbs summed up the recent years very well. It is sad when a mate dies, and nobody feels the loss of Kevin more than Bob and I. I used to have regular conversations with Kevin and he was sorry to see the divisions in the Labor Party, particularly when they involved good mates like Bobby and Harry and other people. That was a very sad blow to Kevin.

Although I am always fairly critical of the media, on this occasion I would like to pay them a tribute. Kev Hooper liked the media. One of the biggest topics of conversation with Kev was which page of the paper he appeared on. He would often ask whether I had spotted "Nationwide" or "This Day Tonight" because, by chance, he was on it. The media have done themselves proud in their last send-off to Kevin and I know that, when I spoke to Terri last Wednesday, she was really thrilled at the way the media had treated Kevin. With those thoughts, and on behalf of my wife and myself, I express condolences to Terri and her family.

Mr MACKENROTH (Chatsworth) (11.54 a.m.): On behalf of my wife and myself, I express condolences to Mrs Hooper and her family. Kevin Hooper and I were very close friends for many years; but, unfortunately, as happened with Bob Gibbs and Kevin, we had an unfortunate falling-out in the last couple of years.

Unlike Bob, over recent months I did make my peace with Kevin and the stage had been reached at which we would have a beer together and talk together. I certainly understand the problems mentioned by Bob and his feelings over those problems.

My memories of Kevin will always be fond ones. I knew him for a few years before I entered Parliament. People in the Labor Party know—and I make it public—that Bob Gibbs and Kevin Hooper saved my neck back in 1977 in terms of endorsement for the Labor Party. Both of them worked very hard to ensure that I received endorsement for Chatsworth on that occasion. I will always be grateful, of course, to both of those men for the work that they did for me.

Later I was very close to Kevin and he taught me a great deal about politics. I think he must have read "The Prince" by Machiavelli, because he played his politics very hard, in line with the thoughts expressed in that work. If Kevin thought that someone needed to be taught a lesson, instead of telling that person he would sometimes put

him out on the ropes and let him learn the hard way. He did that to me on a number of occasions. Today, I am grateful to him for that, because he certainly taught me how politics works.

I remember that not long after I entered Parliament I went over to Kevin's electorate. Today it is claimed that his electorate is the safest Labor electorate in Queensland. Kevin was always concerned when someone moved into his electorate from another. I was surprised that a politician who won 72 per cent of the votes was worried by the fact that someone who might not necessarily be a Labor Party supporter moved into his electorate. He took me round his electorate and showed me all the bad housing developments and the areas that were going to cause him concern in the future. As his vote increased, he worried about the future.

On the day in question, he and I were driving down a street and as we passed someone I said to him, "Kevin, you did not wave to that person who just walked down the street." He asked, "What do you mean?" I replied, "I drive round my electorate all the time, and I wave to everybody I see. Surely you must do that?" He believed me and thought that I really did drive round my electorate waving to everybody. Kevin was a very believing person; he believed anything that anyone told him. I am sure that the members on the Opposition side agree that that is so.

I could go on with many yarns. However, I will conclude by expressing my condolences to Terri Hooper and to her family. I support the motion.

Mr SPEAKER: As Speaker and also as a private person, I place on record my condolences to Kevin Hooper's family, especially his wife, in their great loss.

Motion (Mr Bjelke-Petersen) agreed to, honourable members standing in silence.

NAMING OF MEMBER

Mr SPEAKER: Honourable members, I have noted that on 8 March the record of debates shows that the honourable member for Ipswich West was ordered by the then Deputy Speaker to withdraw from the House under the provisions of Standing Order 123A and that subsequently the honourable member voted in a division on the motion for the special adjournment.

I advise the House that I have carefully read the record of proceedings and have listened to the tape recording of the incident. I have concluded that the occurrence is a most undesirable one, and, accordingly, I name the honourable member for disregarding the authority of the Chair.

SUSPENSION OF MEMBER

Hon. J. BJELKE-PETERSEN (Barambah—Premier and Treasurer) (12 noon): It is obvious that the honourable member for Ipswich West has committed a very serious offence against the Standing Rules and Orders of this Assembly. I therefore move—

"That the honourable member for Ipswich West (Mr D. F. Underwood) be suspended from the service of this House for seven days, such suspension excluding him from Parliament House, the Parliamentary Annexe and the grounds known as the Reserve for Parliament."

Mr SPEAKER: Order! The question is that the honourable member for Ipswich West be suspended from the service of this House for seven days. Those in favour say, "Aye", to the contrary, "No". I think the "Ayes" have it.

Mr WRIGHT: Mr Speaker, I ask for your ruling as to whether you believe that that is a fair and proper reprimand or punishment, because the responsibility of seeing that no-one remains in this House surely lies with you or with the Chairman. I ask you to consider that matter.

Mr SPEAKER: The question has been stated. I now put the question to the House.

Question put; and the House divided—

Ayes, 48

Ahern
Austin
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Gunn
Harper
Hartwig

Harvey
Henderson
Hinze
Innes
Jennings
Katter
Knox
Lane
Lee
Lester
Lickiss
Lingard
Littleproud
McKechnie
McPhie
Menzel
Miller

Muntz
Newton
Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton
White

Tellers:
Kaus
Neal

Noes, 31

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs R. J.
Goss
Hamill

Kruger
Mackenroth
McElligott
Milliner
Murphy
Prest
Price
Scott
Shaw
Smith
Underwood

Vaughan
Veivers
Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:
Burns
McLean

Resolved in the affirmative.

Mr Burns: If I were you, Dave, I wouldn't go.

Mr SPEAKER: Order! Those remarks are not in order in this House.

Whereupon the honourable member for Ipswich West withdrew from the Chamber.

PAPERS

The following papers were laid on the table, and ordered to be printed—

Reports—

State Fire Services Council for the year ended 30 June 1983

Rural Fires Board for the year ended 30 June 1983.

The following papers were laid on the table—

Orders in Council under—

State Development and Public Works Organization Act 1971-1981

Gladstone Area Water Board Act 1975

City of Brisbane Act 1924-1982 and the Statutory Bodies Financial Arrangements Act 1982

Electricity Act 1976-1982 and the Statutory Bodies Financial Arrangements Act 1982

Explosives Act 1952-1981

Industrial Development Act 1963-1981

Harbours Act 1955-1982

Associations (Natural Disaster Relief) Act 1976

Land Act 1962-1983

National Parks and Wildlife Act 1975-1982

Regulations under—

Stamp Act 1894-1984
 Pay-roll Tax Act 1971
 Explosives Act 1952-1981
 Hospitals Act 1936-1983
 Chiropodists Act 1969-1981
 Health Act 1937-1982
 Consumer Affairs Act 1970-1983
 Companies (Application of Laws) Act 1981
 Prisons Act 1958-1974

Rules of Court under the Industrial Conciliation and Arbitration Act 1961-1983.

Report of the Workers Compensation Board for the year ended 30 June 1983.

MINISTERIAL STATEMENTS

Provisional Liquidation of Adair Insurance Broking Group (Qld) Pty Ltd

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (12.13 p.m.), by leave: I wish to inform the House that Adair Insurance Broking Group (Qld) Pty Ltd, which holds the insurance broking licence to operate in this State, is a subsidiary of Adair Insurance Broking Group, which went into provisional liquidation in New South Wales on 20 March 1984.

The Queensland Supreme Court yesterday issued an order for provisional liquidation of the Queensland licensee, Adair Insurance Broking Group (Qld) Pty Ltd. The Insurance Commissioner in Queensland will be taking immediate action to have the broker's licence currently held by this company cancelled.

In the meantime, any person who has placed his insurance affairs with Adair Insurance Broking Group (Qld) Pty Ltd would be well advised to examine the current state of his insurance cover with his insurance company and to take whatever action is considered necessary to protect his interests.

Safety of Two-post Garage Hoists

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (12.14 p.m.), by leave: I have issued a notice stopping the use of a certain type of garage hoist which could be dangerous. The Chief Inspector of Machinery has received reports of several failures of the two-post hoists manufactured by Molnar Engineering Pty Ltd, including a failure which resulted in the death of a mechanic in Western Australia.

Every owner of a Molnar two-post hoist was required to notify, in writing, the Chief Inspector of Machinery, as well as to stop using Molnar two-post hoists of the earlier design based on the use of 3 mm thick safety strap ratchet tooth material. My predecessor issued a warning in June last year about this hoist as well as another hoist.

A lack of knowledge of required maintenance procedures contributed to the failure of the hoists, and greasing or inspecting daily was insufficient if the reasons for this were not understood.

The hoists manufactured by Molnar Engineering Pty Ltd may have been marketed by distributors who may have affixed their own name to the hoist.

Advertisements notifying what has to be done by hoist owners will start appearing in newspapers next Saturday.

PETITIONS

The Clerk announced the receipt of the following petitions—

Closure of Calen Railway Station

From Mr Muntz (299 signatories) praying that the Parliament of Queensland will prevent the closure of Calen Railway Station.

Spraying of 2,4-D on Residential Areas

From Mr Borbidge (721 signatories) praying that the Parliament of Queensland will take steps to stop the spraying of 2,4-D on residential areas.

Petitions received.

QUESTIONS UPON NOTICE

Questions submitted on notice by members were answered as follows—

1. Road Toll

Mr Neal asked the Minister for Transport—

(1) Have any studies been carried out which show that more drivers are being killed in rural outback areas of the State than in the provincial cities or in the Brisbane area?

(2) Has any evidence been established regarding the alcohol pattern of road fatalities in city or rural areas?

Answer—

(1 & 2) The Queensland Road Safety Council has undertaken an examination of all road deaths in Queensland for which latest post mortem examinations have been completed from January to October 1983.

That study shows that 53 per cent of all road deaths in Queensland occurred either in rural or country areas of the State, whereas 21.5 per cent occurred in the Brisbane Statistical Division.

A further 18 per cent have been shown to have occurred in the major coastal and provincial cities, whereas only 6.3 per cent have occurred on the Sunshine Coast or Gold Coast.

Breath analysis readings taken from road accident victims have confirmed that 42.3 per cent of alcohol-related road deaths occurred in rural and country areas of the State.

The major coastal provincial cities accounted for 26 per cent of alcohol-related deaths and 22.5 per cent were in Brisbane.

A further 9 per cent were on the Sunshine and Gold Coasts.

I am sure honourable members will appreciate that, given the sparsity of population of our State and our extensive road network, the reduction of road fatalities in the more outlying parts of the State deserves special consideration.

To date the specific target-testing method which has been used by the police has proved to be the most beneficial in detecting drivers in these more remote areas, and it is my view that this method must continue if we are to use the most cost-effective method of deterring drinking drivers on our roads.

2. In-line Machines

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

With reference to his comments in this House and in the media that the allegation surrounding in-line machines and illegal gambling had nothing to do with his administration and were matters which involved previous Attorneys-General—

Did he, as Minister for Justice and Attorney-General, or officers of his department, recently confiscate what is called a "Cascade" machine on the Gold Coast and refuse its registration but at the same time allowed the registration of a similar "Cascade" machine on premises in Fortitude Valley?

Answer—

On 8 November 1983, inspectors from my department seized an unlawful commercial amusement machine called a "Cascade" from premises located at Surfers Paradise. Permits for machines known as "Cascades" are not issued by my department. These machines are played by inserting coins and as a result this then enables cash to be returned to the player as a prize.

A permit has not been issued for a "Cascade" machine on premises in Fortitude Valley. A permit has, however, been issued for what is called a "Free Fall" machine.

Mr Wright interjected.

Mr HARPER: The Leader of the Opposition finds it amusing. Of course, he is very keen to safeguard the interests of those who have contributed to his party. If he listens to the answer to the question he might not find it quite so amusing; nor might those who support his party by making financial contributions.

Answer (contd)—

There are major distinctions between the two machines in that the "Free Fall" requires a degree of skill in its operation and is operated by tokens, while the "Cascade" uses coins and the player has little or no control over its operation. I have looked at that aspect of both machines.

It is a condition of the permit issued in respect of the "Free Fall" machine that only tokens are to be used in its operation and cash must not be given as a prize.

However, I have determined that the permit which authorises the use of this "Free Fall" machine will not be renewed upon its expiry on 30 April 1984.

3. Albany Creek—Strathpine Bus Service

Mrs Chapman asked the Minister for Transport—

(1) Is he aware that there are problems associated with the bus service at Albany Creek connecting with the new electric trains at Strathpine?

(2) What solution may be reached in the near future, or will a survey be carried out on the viability of such a service?

Answer—

(1) Yes, I am aware of some concern expressed by the honourable member recently regarding the adequacy of bus services from Albany Creek. However, the Department of Transport and the Metropolitan Transit Authority have not received any recent complaints against the present bus services.

(2) In 1982, a survey was undertaken in the Brentdale Hill/Eatons Hill/Albany Creek area and, following extensive negotiations with the bus operator, additional bus services were provided by Brisbane Bus Lines.

The additional services provided a totally new concept in public transport for the area by co-ordinating with electric trains at the Enoggera Interchange where Brisbane City Council buses are also available. The improved services operated for a trial period, being substantially subsidised by the Metropolitan Transit Authority. However, owing to lack of patronage, some services had to cease.

Residents of Albany Creek at present have a variety of means of public transport available, such as direct bus services to the city, co-ordinated bus and rail at the Enoggera Interchange and local bus services.

There is also a return workers co-ordinated bus and rail service available to the Strathpine Railway Station, where the bus interchanges with the new electric trains. The present bus services are being poorly patronised, with the exception of school services and the present direct workers service to the city.

I will arrange for senior officers of the Department of Transport to be made available to meet with a representative group of residents to resolve any transport problems in the area, and I invite the honourable member to make such an arrangement if she believes that it may be helpful to the residents of Albany Creek.

4. Withholding Tax

Mrs Chapman asked the Minister for Employment and Industrial Affairs—

(1) Is he aware that many small businesses are suffering hardship owing to problems created by the Federal Government's withholding tax?

(2) Is there any way that the State Government can assist these businesses, as it appears that their profit margin will be greatly reduced, if they have any profit left after this tax?

Answer—

(1 & 2) The Federal Government's withholding tax on contracts in excess of \$10,000 in certain industries has the potential to impede the cash flow of some small businesses. This could restrict their ability to meet financial commitments such as wages and to restrict the opportunities for growth with a resultant effect on employment.

I must say, however, that the exemption provisions which have applied have relieved the potential problems for a number of payees under business contracts caught up in the web of the legislation.

The State Government assists small businesses in very many ways. Details could be obtained from my colleague the Honourable the Minister for Industry, Small Business and Technology, who is responsible for small business.

My Department of Employment and Industrial Affairs does offer assistance to small businesses. This assistance is available in the way of subsidy-support schemes through the Industry and Commerce Training Commission. These schemes relate to pay-roll tax exemptions; group apprenticeship scheme support; special assistance to out-of-trade apprentices; and a rebate of \$500 for employers engaging an out-of-trade apprentice above normal recruitment.

5. In-line Machines

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

With reference to his claim that he had no knowledge of any gambling related to in-line machines and that he had opposed the registration of machines that are a means of gambling or playing games of chance, and do not require skill—

Will he explain why he or his department in recent times has registered for a Fortitude Valley firm two machines that are clearly used for playing games of chance as they use tokens which can be cashed in?

Answer—

Permits for two machines known as "Free Fall" and "Wheel 'em In", which are operated by tokens, have been issued to Leisure and Allied Industries of Albion. It is a condition of the permit issued in respect of each machine that only tokens are to be used in its operation and cash must not be given as a prize.

Since I became aware of the possible method of operation of these machines, I have decided that the permits that authorise their provision and conduct will not be renewed upon their expiry on 30 April 1984.

6. Road Funding

Mr Lee asked the Minister for Local Government, Main Roads and Racing—

With reference to my question (No. 29) of 29 February, requesting him to instruct the Main Roads Department to support and increase the number of public tenders for road construction, in answer to which he stated that the acceleration in the ABRD program has been achieved by increasing the private sector component—

Why had only \$24.4m of ABRD funds been spent to 31 December 1983 out of the 1983-84 full-year allocation of \$91.6m, particularly as this Government has been critical of the Commonwealth Government over many years for insufficient allocation of Commonwealth funds for roads in Queensland?

Answer—

The present temporary situation in which Australian Bicentennial Road Development expenditure is below pro rata target levels has been caused mainly by the continuing and extensive wet weather throughout the State.

Queensland took early action under the ABRD program to accelerate the preparation of schemes, using consulting engineers as well as Main Roads Department designers, and major releases of work for construction by contract have taken place over the last twelve months. There is no delay in releasing sufficient work to tender. The Main Roads Department must consider also its commitment on signed contracts in relation to its likely income from the ABRD program in order to avoid financial embarrassment at a later date.

As I indicated to the honourable member on 29 February, there is already in excess of \$70m of uncompleted work in contracts presently let and there is ample follow-up work in the pipeline for the future. New contracts are being let in an orderly and controlled program.

I am confident that the contractors in this State will accelerate their expenditure rate as soon as weather conditions permit and that the ABRD program will return to normal.

7. Road Construction under Free Enterprise System

Mr Lee asked the Minister for Local Government, Main Roads and Racing—

With reference to information from the Federal Department of Transport identifying substantial underspending in 1983-84 by the Main Roads Department of ABRD trust funds allocated to Queensland for badly needed highway improvements and to the fact that, in the construction of the State's beef roads the Government engaged the services of private consultants and all work was constructed under a free enterprise system—

As this was an outstanding success, will the Government consider, particularly in this time of high unemployment, adopting the same system so that unspent funds can be used more quickly?

Answer—

I consider that my reply to question No. 6 adequately answers this question also.

8. In-line Machines

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

With reference to statements by him to the effect that there were only 1 100 licensed in-line gambling machines in Queensland and that only half of these were owned by the Rooklyn business, Queensland Automatics—

(1) Is he aware of a survey three years ago by the Club Development Association given to the then Attorney-General which revealed that there were in fact 3 000 in-line machines in Queensland, mostly unlicensed?

(2) If not, will he investigate this survey and explain the presence of these unlicensed machines?

Answer—

(1) No.

(2) As honourable members are aware, the member for Salisbury suggested that a survey had been carried out about three years ago by the Club Development Association and that the results had been given to the then Attorney-General. I would be most interested in receiving a copy of any such survey. As it is said to have been made three years ago, there would appear to be little point in now commencing an investigation with regard to the contents of such a survey. However, if the honourable member is able to provide me with any current information with regard to the use of unlicensed machines, I will institute an investigation to establish the substance of any claim. The honourable member may be assured that appropriate action will be taken whenever unlicensed machines are located.

9. Administration of Medical Profession

Sir William Knox asked the Premier and Treasurer—

(1) Has the Federal Government made arrangements with the State Labor Governments of New South Wales, Victoria, South Australia and Western Australia to supervise and discipline medical doctors in their respective States?

(2) Was the Queensland Government approached to join this particular arrangement and, if so, what was the Queensland Government's response?

(3) If the Queensland Government is not involved in this collusion with the Federal Labor Government, will he consider legislative or other action to prevent the Federal Government from interfering in State jurisdiction and the administration of the medical profession?

Answer—

(1) I am not aware of any arrangements. However, a press report in "The Sydney Morning Herald" on 25 February 1984 indicates that a meeting of Labor Health Ministers took place on the evening of Thursday, 23 February 1984. My Minister for Health was not invited to this meeting. From media reports this morning, I have learnt that a further meeting of Labor Health Ministers was held yesterday. Again, my Minister for Health was not invited.

(2) No.

(3) The Queensland Government will do everything in its power to prevent the Commonwealth Government from entering into any matter that comes within the jurisdiction of the State.

10. ALP Insurance

Sir William Knox asked the Premier and Treasurer—

(1) Is he aware of the name of the insurance company which carries and manages the ALP's Queensland insurance business?

(2) If not, will he make suitable inquiries?

(3) Would it be possible that the Leader of the Opposition might provide the information?

Answer—

(1) No.

(2 & 3) If the honourable the Leader of the Opposition has nothing to hide in this matter, I am sure that he will make the information available to the honourable member.

11. Enrolments for Brisbane City Council Elections

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

(1) What was the total enrolment for the Brisbane City Council elections as at the time when the last redistribution of Brisbane City Council wards became effective?

(2) What was the total enrolment for each successive Brisbane City Council election?

(3) What was the total enrolment for the Brisbane City Council area as at 31 December 1983?

Answer—

(1) 390,117.

(2) 398,472; 442,305; 437,623; 445,534.

(3) 478,539.

QUESTIONS WITHOUT NOTICE

Industrial Dispute over Decision Relative to Employment at Tarong Power Station

Mr WRIGHT: In directing a question to the Minister for Employment and Industrial Affairs, I refer to the provocative statements made by the Premier and Treasurer as reported on the front page of today's "Courier-Mail". He is quoted as saying—

"They can strike until they are blue in the face. If there is trouble (blackouts) let it be. I love it. We will make trouble for the unions."

I now ask the Minister: Does he agree that, prior to the Premier and Treasurer's return to Queensland, the dispute at the Tarong Power Station had been effectively resolved before the State Electricity Commissioner, Mr Galwey? Does the Minister support the Premier and Treasurer's move to reverse the decision relative to employment at the Tarong Power Station and, if not, what action is he prepared to take to ensure that the Premier and Treasurer's outbursts and actions do not provoke in the electricity industry widespread industrial action that can only hurt Queensland families and the industry? Finally, how does he respond to the Premier and Treasurer's admission that he loves trouble with the unions and industrial strife?

Mr LESTER: I make it very clear that the episodes to which the Leader of the Opposition is referring spread over the length and breadth of Queensland. On every week-end on which I return to my electorate, which is in a mining area, I find young people in Clermont who are unable to seek work because they are not allowed to do so.

Opposition Members: Rubbish!

Mr LESTER: It is not rubbish. Many young people in the town have waited for the development of the Blair Athol mine in order to gain employment. But now, because the union seeks to employ people from other parts of Australia—not Queensland—those young people find that they cannot gain employment.

I want to know who is running our State. Is the Queensland Government running this State? Or are the unions running it? It is about time that the local person is given a chance to seek employment if he so desires.

Mr WRIGHT: As the Minister did not answer my question, I will direct a supplementary question to him concerning the same article. I now ask the Minister for Employment and Industrial Affairs: Will he comment on the Premier and Treasurer's statements, which represent an attack on the independence, impartiality and integrity of the State Industrial Conciliation and Arbitration Commission? Further, does the Industrial Commission have the Minister's unqualified support?

Mr LESTER: I make it very clear that this Government has a role to play and that part of its role is to listen to the concern expressed by local people. No Government should set itself up as a pragmatic Government that will not listen to representations from all sides.

Appointment of Mr L. Carmichael and Mr J. Halfpenny to Australian Manufacturing Council

Mr NEAL: In directing a question to the Premier and Treasurer, I refer to his predictions following the last Federal election that prominent left-wing unionists and members of the Communist Party would be eased into positions of prominence and power in the new Federal Labor Government. I now ask: Does the appointment of Messrs Carmichael and Halfpenny to the Federal Government's Australian Manufacturing Council prove that his predictions were correct, and what are the consequences for Australia of such an appointment?

Mr BJELKE-PETERSEN: I hope that every honourable member in the Chamber is deeply concerned about the trend of events in the matter of control by communist agitators and people such as Halfpenny and Carmichael, who have made their position quite clear. They have made it plain that they will play tough and will create turmoil and strife. They are, of course, very strong left-wing operators.

I know that the Prime Minister is under very great pressure from the left wing. As the honourable member said, I predicted that, if Mr Hawke was elected, the left wing, to further its particular form of life-style and control, would come forward into positions with tremendous power and opportunity. It was very disturbing to read in

this morning's "Australian" that the Commonwealth Government has appointed two of the top communist leaders in this nation to the Australian Manufacturing Council. Those persons have already indicated that they will cause a large number of problems and a great deal of trouble for the nation.

Medicare

Mr NEAL: In directing a question to the Deputy Premier and Minister Assisting the Treasurer, I refer to the recent Medicare negotiations and their bearing on Queensland's financial position, and I ask: Is he aware of any action by the State Opposition that may have adversely affected Queensland's claim? Has the Leader of the Opposition publicly contradicted himself on that matter?

Mr GUNN: On a number of occasions the Government has said that, when put to the test, the Opposition has failed to stand up for Queensland. I possess evidence that indicates that the Leader of the Opposition played a major role in advising the Federal Government not to meet Queensland's demands for retrospectivity under the Medicare agreement.

The "Bulletin" dated 20 March 1984, which was circulated on 13 March 1984, states—

"Blewett had been prepared to give in to Bjelke-Petersen's demand for retrospectivity until State Opposition leader Keith Wright advised him 'not to give the bastard an inch.' Blewett then co-operated with Queensland Labor MPs in putting the Federal Government's case ..."

A day later—and this is the pinnacle of hypocrisy—the "Daily Sun" published a letter written by the Leader of the Opposition. It stated—

"I would welcome additional money for Queensland and I support payments being retrospective ..."

Mr WRIGHT: I move—

"That the document be tabled."

Mr GUNN: I will table the document. The Leader of the Opposition can relax.

If that is not a double shuffle, I have never seen one in my life. The point is made that, if by some twist of fate the Opposition becomes the Government in this Chamber, there is no way in the world that it would not become the puppet of that motley crew in Canberra at present. I table both documents, the one which he wrote in "The Bulletin"—

Mr Wright: What are they?

Mr GUNN: The Leader of the Opposition wrote them. He signed one letter. Is his name Keith Wright? I table the documents.

Whereupon the honourable gentleman laid the documents on the table.

Mr WRIGHT: I move—

"That the Deputy Premier and Minister Assisting the Treasurer table all the documents."

I noticed that he detached something and put it on his desk.

Mr SPEAKER: By tabling the documents, I think that the Minister has proved his point. If there is anything else, I will ask him to table it.

Mr WRIGHT: Thank you, Mr Speaker.

Fire Services Levy

Mr WARBURTON: In directing a question to the Minister for Environment, Valuation and Administrative Services, I refer to the table of fire levies presently imposed on Queensland house-holders by insurance companies during the phasing-out period to the end of June 1984, and I ask: Does the Minister realise that thousands of Queenslanders,

particularly pensioners and low income earners, who insure on the basis of what they can afford to pay by way of premiums, are being presently charged fire levies covering the period to the end of June 1984 far in excess of what should be charged on a pro rata basis?

Further, would the Minister explain why he and his National Party Government gave full approval to the implementation of that savage rip-off by insurance companies in respect to present fire levies?

Mr TENNI: I will answer the second part of the honourable member's question first. The question contains comments that are typical of what he has been saying over the past month. He has deliberately misled the people of this State. It is unbelievable that a man in his position would use such tactics to gain a few extra votes for the party that he represents.

Mr Warburton: Answer the question!

Mr TENNI: I answered that part of the question. It is misleading.

The National Party Government spoke to insurance companies about the fire levy content in insurance premiums issued before the end of June this year and the insurance companies promised to charge only a percentage of the rate. If the member has proof that that is not happening, he ought to advise the people involved to take up the matter with their insurance companies. That is the sensible thing to do. If satisfaction cannot be obtained from an insurance company and it is brought to my attention, that satisfaction will be guaranteed through the insurance company. I repeat that the people of Queensland ought to refer any problems to their insurance companies. If they fail to receive satisfaction, this responsible Minister will attend to the matter on their behalf.

Mr WARBURTON: I ask a supplementary question of the same Minister. I refer him to his response to my first question and, to give him an example of the fire levy rip-off to which I have referred, I will table some accounts for his edification. The person to whom the accounts were forwarded usually pays a fire levy of approximately \$30 for a 12-month period but has been charged approximately \$20 for a period of only four and a half months to the end of June 1984. Will he, as a responsible Minister, which is what he has just informed us he is, have immediate consultations with the insurance companies, as he did previously when he agreed to the table of charges, to have the table of charges revised so that Queensland house-holders are not forced to pay exorbitant fire levies to prop up the deal made between his National Party Government and the insurance companies in this State?

Whereupon the honourable member laid the documents on the table.

Mr TENNI: No deal was made. We do not make deals. A decision was reached and will be adhered to by all insurance companies in this State. Unlike Opposition members, they are responsible. I do not know how often I must explain that a person who has not received a sensible response from his insurance company need only refer the problem to me and I will have it attended to. I do not know whether the Deputy Leader of the Opposition wants that in writing or whether I have to say it a dozen times. We are prepared to look after the people of Queensland.

Fire Services Levy

Mr CAMPBELL: I ask a further supplementary question of the Minister for Environment, Valuation and Administrative Services: Is it true that Queenslanders who insure are being charged double fire levy for up to 30 days?

Mr TENNI: If that is happening, I am not aware of it. Perhaps the honourable member is aware of a particular instance. Is there any way in which I can get the message over that I am prepared to look at this problem? If Opposition members have the facts, they should bring them forward.

Personal Development Program in High Schools

Mr KAUS: In directing a question to the Minister for Education, I draw his attention to articles in this morning's press about the introduction of a personal development program for Queensland State high school students. Today's "Daily Sun" editorial criticises the program for being based on the desires of parents rather than on the objective needs

of the children. For the benefit of honourable members, would the Minister answer that criticism? Are there any indications, even at this early stage, of the extent of parental acceptance of the program?

Mr POWELL: I do not know what right an editorial writer has to presume that parental requirements for the education of their children are not in the interests of the children. That attitude surprises me.

Mr Fouras interjected.

Mr POWELL: It is clear that the member for South Brisbane and the team of which he is a part do not receive the support of the majority of the people of Queensland because of the attitude of the ALP and because they carry on with such a stupid attitude, which presumes to take over the rights of parents.

It is the Government's belief that, in the programs that are conducted in all schools in Queensland, it is the responsibility of parents to see that their children receive a proper education. The personal development programs in Queensland schools are conducted out of hours specifically so that parents can participate. Apparently, the ALP would conduct them so that parents could not participate. In other words, the ALP would conduct the programs so that somebody could be taking over the rights of parents in regard to their children. The Government is determined that that will not happen in Queensland, and that parents will maintain their rights in this matter.

An interesting fact is that the critics of the program are those who have not even seen it. I am always interested to see that the people who whinge, criticise, knock and are negative about things are those who have not even seen what they condemn.

I invite any member of the Opposition to talk to the president of The Gap State High School Parents and Citizens Association, who will tell him that the association at that high school, at which the teachers were trained during the trial program, is totally supportive of what is being done in the program. In fact, the interest in the program is such that the team is booked out until about June next year. That indicates to me that there is a great deal of supportive interest in the community and that, as usual, the editorial writers and the ALP do not know what is going on in the community.

Aboriginal Health Program Staffing, Cook Electorate

Mr SCOTT: I ask the Minister for Health: Does he know how many of the eight Aboriginal Health Program locations in the Cook electorate are staffed at all or staffed with qualified nursing sisters? As the AHP in north Queensland has serious staff shortages, will the Minister advise why the AHP sister from Cooktown was transferred at very short notice from that centre? Does the Minister agree that serious questions have once again been asked about health care in remote areas and that the absence of qualified staff in numerous positions in health care in remote communities is a significant factor in the continuing high level of disease and illness statistics in that part of the State?

Mr AUSTIN: As the honourable member would know, I am not aware of the numbers of qualified and unqualified staff, and their ratio, currently involved in Aboriginal Health Programs in his electorate. Because public hospitals have approximately 20 000 employees and the Health Department employs 10 000, it is impossible for me to know—

Mr Scott: It is an important program.

Mr AUSTIN: Of course it is an important program. Every program in my department is important. If it were not it would not be conducted.

It is impossible for me to know the exact whereabouts, technical knowledge and ability of every individual within my department. However, I will undertake to obtain the information for the honourable member in relation to the qualifications and the number of people employed in that area.

As to the transfer of a person from that area—a number of people, including the honourable member, have corresponded with me on that matter, and I have responded by letter.

Exploitation of Young People in Fast Food Industry

Mr McLEAN: I refer the Minister for Employment and Industrial Affairs to the publicity given recently to his concern about youths who have been, or are being, exploited by employers. I now ask: Is his concern genuine, or, is it once again, a hypocritical attempt by him to gain cheap publicity? If the Minister's concern is genuine, will he give the House a guarantee that he will investigate the blatant exploitation of young people employed in most sections of the fast food industry?

Mr LESTER: I make it very clear that I totally support the efforts of the fast food industry in this State relative to the employment of young people. I have been to McDonalds and inspected the operations. On another visit with the member for Toowong I was a guest of honour of the McDonalds organisation. I met the young people who worked there and their parents. They were 100 per cent behind what the organisation was doing. They are paid an award rate that was negotiated before the Arbitration Commission. Without doubt, those young people have to work hard. They are taught to be responsible. They are made to dress neatly. I think all honourable members will agree that they look neat. They are taught good manners. To be frank——

Mr McLean interjected.

Mr LESTER: I ask the honourable member to let me answer the question. In my opinion, McDonalds are the best transition trainers. They make young people fully aware of what life in the work-force is all about.

Mr McLean: While they are robbing them.

Mr LESTER: No, they are not. They are doing a good job. The honourable member should ask their parents.

Mr Kruger: They shouted you a hamburger, and you were satisfied.

Mr LESTER: No, they did not. I did not need a hamburger. I was fed adequately here, thanks to the good catering at Parliament House.

I am concerned about the dubious operations of some people who are exploiting youths. Four young people of the 15 who applied for a job in Sydney were told of a bonanza, a very big job available in Central Queensland. They came here. Some were given a very small commission and no retainer. Certain people who purchased photographs were badly done by, because the photographs were not up to standard. Those young people were found by Councillor Margaret Gibson, MBE, of the "Central Queensland News", camping on the banks of the Fairbairn Dam. The lady asked me to investigate the problem. I have done so. This morning, I had a meeting with Mr Brennan and Mr Barry Reid.

Some agencies in Brisbane, particularly introduction agencies, are acting badly. I have evidence about one young lady who is working six days a week, 10 hours a day. She has to sell of the order of \$1,000 worth of goods before she receives a retainer.

The Government intends to launch a small campaign to alert people to the fact that they can appeal to the Industrial Commission if payment outside the normal award provisions is due. The Industrial Commission can ensure that such people are dealt with properly. Most people in Queensland and Australia do not know about that.

I thank the media for uncovering the problem and highlighting it. The Government has acted to ensure that the rights of people who are badly done by are protected.

Deputation to Minister for Local Government, Main Roads and Racing about Illegal Gambling

Mr GOSS: In directing a question to the Minister for Local Government, Main Roads and Racing, I point out that on 7 March this year the House was told that three years ago the Minister received from Gold Coast clubs a deputation including Mr Holmes and Mr Adams from the Southport RSL Club and other Surfers Paradise clubs, that they revealed to him the widespread practice of illegal gambling on in-line machines and that they requested his intervention. On the following day the Minister was asked by the Deputy Leader of the Opposition what action he took. He said that although he recalled the deputation he could not remember the details. I ask the Minister: Since that time has he checked his records, and did he report this illegal gambling report to the Police Department, for which he was responsible at the time? If not, why not?

Mr HINZE: Somebody asked a question, and I told the House that I believed that somebody called on me a few years ago. I said that they could have talked about these machines, or some other type of machine. The honourable member now asks me whether I went to the police and indicated that the statements of whoever called on me were authentic and of sufficient importance to be investigated. I believe that that is the import of the honourable member's question. The answer is simply, "No, I did not take the matter any further." No-one ever came back to me. Obviously the matter could not have been very important.

I would welcome the opportunity to meet those people who are carrying stories to the honourable member. I would like to look them in the eye and hear them say what they have been saying to him. I cannot recall anything of any significance being said by the people who may have called on me at that time. I would like to look straight at them and have them indicate to me that I should have taken some action.

Mr Gunn interjected.

Mr HINZE: He is a new boy in the House. People come to these youngsters who have welcoming ears and believe anything. Then they come and drop it in the House and expect the Minister to take action.

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

Mr GOSS: I have a question without notice for the Minister for Transport, but as he is not here, yet again, I put it on notice.

Women's Emergency Services Program

Mr STEPHAN: I ask the Minister for Welfare Services and Ethnic Affairs: Will he advise the House whether the Queensland Government has accepted the \$691,000 offered by the Federal Government under the Women's Emergency Services Program? Have any plans been formulated for the distribution of this money?

Mr MUNTZ: The Government, along with every other State Government in Australia, has indicated that the original terms under which the Commonwealth Government offered to make this money available were unacceptable. Subsequently, the Commonwealth Government changed the terms under which it would provide the funding, and those conditions and the money offered have been accepted by the Queensland Government, whose share of the funding is \$691,000.

A letter has already gone to the 22 refuges in Queensland asking them as a matter of urgency to submit applications for additional funding. The distribution of that \$691,000 will be finalised following consideration of those submissions.

Discussions between the Queensland Government and the Federal Government are continuing to decide the conditions under which the Women's Emergency Services Program will operate in the future. In particular, discussions will address the problem of a broad crisis accommodation assistance program.

Mr LANE: I rise to a point of order. I understand that the honourable member for Salisbury directed a question without notice to me whilst I was temporarily absent from the Chamber.

Mr DEPUTY SPEAKER (Mr Row): Order! Does the honourable member for Salisbury wish to ask that question again?

Mr GOSS: I will do that, yes.

"The Age" Tapes

Mr GOSS: In directing a question to the Minister for Transport, I refer to the announcement by the Leader of the Opposition in the Senate (Senator Chaney) that it is intended to set up a Senate committee of inquiry into "The Age" tapes issue. In view of the serious allegations that, under the privilege of this Parliament, the Minister made against people and the admission that, on a visit to Sydney, he had received certain

information from New South Wales police officers, is he now prepared to assist the Senate committee of inquiry by giving evidence to substantiate his claims, allegations, implications and innuendos and, in particular, to reveal his source or sources in the New South Wales Police Force?

Mr LANE: I would like to clear up once and for all what is the figment of someone's fertile imagination, that is, the proposition that I received any information from the New South Wales police regarding the incident referred to as "The Age" tapes.

Mr Fouras: Where did you get it from?

Mr LANE: The member for South Brisbane should be quiet. I can answer the question quite adequately without any help from him.

Mr Fouras: You need help.

Mr LANE: I am anxious to answer the question so that there is not a repetition of what occurred earlier in this session, when questions were placed on notice on one day, speculated on in the press that night and next morning, and then answered on the following day in a manner that showed that they were without foundation. Unfortunately, some sections of the media and the Opposition are manufacturing situations in relation to campaigns being conducted by the Opposition, presumably against the Government. In order that that will not occur today, I intend to clear up the matter now.

In the first place, I inform the House that the sources of my information in relation to "The Age" tapes were simply "The Age" newspaper and "The National Times", together with general gossip that one hears about the town. I remind honourable members that "The Age" is a very reputable newspaper, as is "The National Times". I would expect that the integrity of the journalists who reported those——

Mr Fouras interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! I ask the honourable member for South Brisbane to withdraw that personal comment.

Mr FOURAS: I do that, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! As well, I advise the honourable member to cease interjecting so vehemently during an answer.

Mr R. J. Gibbs interjected.

Mr LANE: Mr Deputy Speaker, is that the sort of conduct that we are to have in Parliament each day?

Mr DEPUTY SPEAKER: Order! The honourable member for Wolston has used words that I consider to be unparliamentary. No matter in which sense he intended the words, he will withdraw them.

Mr R. J. Gibbs: I merely asked him——

Mr DEPUTY SPEAKER: Order! The honourable member will withdraw the words.

Mr R. J. GIBBS: I do so accordingly.

Mr LANE: I am suggesting to the House that one is entitled to respect the integrity of the journalists who have run those stories over several weeks in a very reputable newspaper. I might add that those stories have been run in depth and in a context and manner that makes them eminently worthy of belief. That is why I raised the matter in the House to clear it up. That is what I said in the House about the allegations against Mr Justice Murphy and Mr John Ducker. The matter should be cleared up by the Federal Government. It still has a responsibility to clear up the matter so that no suspicion remains.

I rose in this Chamber out of a sense of frustration, a frustration that is shared by thousands of people in this nation.

Honourable Members interjected.

Mr DEPUTY SPEAKER: Order! I warn honourable members on both sides of the House that shouting across the Chamber during question-time will not be tolerated by the Chair.

Mr R. J. Gibbs interjected.

Mr DEPUTY SPEAKER: Order! In a moment I will be forced to warn a member under Standing Order 123A. I ask the Minister to conclude his answer.

Mr LANE: I intend to do so, Mr Deputy Speaker, in a very thorough way, as I know you would wish me to.

This matter has been discussed publicly for several months, and it needs to be cleared up to restore the confidence that, traditionally, Australians have in the highest judicial court in this land, the High Court of Australia. The matter has still not been cleared up, so I again call on the Federal Government to clear it up.

In answer to the honourable member's question, I say that what concerns me is the possibility of another whitewash by Senator Evans, a whitewash similar to those by him on the Combe, Mick Young and Hughie William's ballot affairs. I am concerned, as many decent Australians are, that if Senator Evans believes any matter calls for a whitewash, he will whitewash it on this occasion, too.

Mr GOSS: I rise to a point of order. Obviously the Minister is confused. I made no reference to inquiries conducted by Senator Evans. I referred to an Opposition inquiry organised by Senator Chaney, not Senator Evans. The Minister's reference to a whitewash indicates that he is confused. I was asking about Senator Chaney.

Mr DEPUTY SPEAKER (Mr Row): Order! Does the Minister accept the explanation given by the member for Salisbury?

Mr LANE: The honourable member for Salisbury is attempting to make a cute legalistic point. That is something with which honourable members are becoming familiar in this Chamber. We will not be fooled by trick lawyers' questions or dishonest lawyers' propositions. He can jump up with that sort of verbiage and he will not get any further.

Mr GOSS: I rise to a point of order. The Minister made a reference to "dishonest lawyers' propositions" That is untrue and personally offensive. I seek a withdrawal of those remarks.

Mr DEPUTY SPEAKER: Order! I consider that the discussion on this question has gone beyond the usual bounds of question-time. I conclude the discussion concerning that particular question.

Mr GOSS: There is one rule for them. You, Mr Deputy Speaker, made me withdraw several times last month.

Mr DEPUTY SPEAKER: Order! Would the honourable member state the words that he wishes the Minister to withdraw?

Mr GOSS: I have stated them already, and I will repeat them. The words were "dishonest lawyers"

Mr DEPUTY SPEAKER: Order! There will be order in the Chamber while the honourable member states his point of order. I ask the honourable member for Salisbury to make his point clear.

Mr GOSS: The phrase was "dishonest lawyers' propositions" The word, in specificity, is "dishonest"

Mr DEPUTY SPEAKER: Order! I did not hear any unparliamentary terms used by the Minister relative to that specific part of the honourable member's question. I cannot take a point of order on every single matter that he raised. I will not take the point of order.

"The Age" Tapes

Mr FOURAS: In directing a supplementary question to the Minister for Transport, I refer to his answer in which he stated that his information came from "The Age" newspaper and not from other sources. I ask: What gave him the right to name Mr Justice Murphy in this Parliament when that name was not given in "The Age" newspaper? Will the Minister answer the question asked by the member for Salisbury as to whether he will give evidence at the inquiry?

Mr LANE: It is obvious that, as usual, the honourable member was yelling too much whilst I was answering the question, otherwise he would have heard me specify the sources of my information. I do not intend to repeat them. He can resort to "Hansard" tomorrow morning in the usual way and discover exactly what the honourable member asked and what I said in my answer.

I wonder whether the honourable member is attempting to usurp the role of the Leader of the Opposition in this Chamber. We have yet another challenge to the leadership of the Opposition.

Brisbane City Council Ward Redistribution

Mr McELLIGOTT: In directing a question to the Minister for Local Government, Main Roads and Racing, I refer to his original announcement that the redistribution of wards of the Brisbane City Council would be done by departmental officers. As that conflicts with his latest statement that he is now setting up a three-person committee, which will include the Principal Electoral Officer, to investigate the matter, I ask—

(1) Will he clarify the situation and inform the House of the proposed membership of the second committee?

(2) Will he give a guarantee that no person who is appointed will be a member of any political party?

(3) What measures does he plan to take to ensure that political impartiality prevails?

(4) What plans does he have to redistribute wards in those provincial cities that operate under a ward system?

Mr HINZE: Had the honourable member been here long enough, he would know that I will certainly be impartial in any judgments that I make and in any selection of tribunals to make sure that the people of Brisbane receive their just entitlement, that is, fair representation in local government. It is true—

Mr Kruger interjected.

Mr HINZE: I could shoot the honourable member's head off from where I am standing.

I have been thinking deeply about the tribunal to ensure that the right people are appointed to it. I have suggested that the Principal Electoral Officer should be one member. This morning I had discussions with the Premier about the other two members. I will be in a position to make a statement to the House in a couple of days—probably by Thursday.

Opposition Members interjected.

Mr HINZE: The Opposition will be quite happy with the people whom I appoint. They will do a jolly good job. They will be fair, honest and all the other things the Opposition would expect.

Queensland Grain Growers Association

Mr KRUGER: I ask the Minister for Justice and Attorney-General: In view of the reported partnership bid between Elders-IXL and the Queensland Grain Growers Association, and in view of the problems leading up to the appointment of a receiver/manager—

(1) Has there been any investigation into the association and/or its directors by the Commissioner for Corporate Affairs?

(2) Is he aware of any investigation carried out, or being carried out, by the Fraud Squad into the affairs of the troubled association?

(3) Is he aware of any investigation carried out, or being carried out, by the Federal police into the affairs of the troubled association?

Mr HARPER: Only the first part of the question deals with my portfolio. I would have thought that the honourable member had been in the House long enough to know that matters relating to the Fraud Squad come within the province of the Minister for Lands, Forestry and Police. Of course, it is not competent for me as a State Minister to

answer questions about the Federal police. However, I feel constrained to say that that area should still be the responsibility of the State Minister. There really is no need for intrusion by a Federal police body into Queensland affairs.

To answer the first part of the question—the only part that has any relation to my portfolio—I must say that the people of Queensland, and in particular the members of the Queensland Grain Growers Association, were appreciative of the action that I and my Commissioner for Corporate Affairs took to facilitate the setting up of a trust in an attempt to assist the Grain Growers Association to overcome its problems. In the event, that was unsuccessful. However, by no means did that failure have anything to do with the assistance received from this Government.

Naturally, during the course of discussions at that time, my Commissioner for Corporate Affairs considered the problem from the point of view of members of the Grain Growers Association, particularly the executive. Some thoughts on that matter continue. If at any time there is need to take any action as a result of investigations that may have been made or which may continue to be made, I will inform the House.

Mr DEPUTY SPEAKER (Mr Row): Order! The time allotted for questions has now expired.

FIREARMS AND OFFENSIVE WEAPONS ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 6 March (see p. 1886) on Mr Glasson's motion—

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

Mr GOSS (Salisbury) (2.34 p.m.): I preface my remarks by saying—

Mr DEPUTY SPEAKER (Mr Row): Order! There is too much noise in the Chamber. I ask those members wishing to leave to do so expeditiously and as silently as possible.

Mr GOSS: Thank you, Mr Deputy Speaker.

I preface my remarks by saying that in a broad sense the legislation introduced by the Minister is quite sensible. Generally, it is very practical legislation.

Mr DEPUTY SPEAKER: Order! There is far too much audible conversation on my right and at the rear of the Chamber. I ask that the Chamber come to order.

Mr GOSS: As I was saying, generally the legislation is based on common sense. It is very practical. The Opposition has no great quarrel with the amendments included in the legislation.

A significant part of the Bill deals with correcting what amounts to nothing more than typographical errors in the original legislation. There is no need for comment on those corrections. The Minister has simply taken this opportunity, when some other necessary amendments need to be made, to correct other minor defects in the legislation. As I say, the Opposition has no trouble with those or the main amendments.

Typical of the amendments is the one that relates to the definition of “dangerous article”, which would include a Molotov cocktail. That amendment omits the word “main” and substitutes the words “content or portion of the”. As I see it, that amendment is designed to improve the position of the police when they are bringing a charge, and a court when determining it. It is better to make commonsense amendments that recognise the practical realities of offences based on those sections than to introduce any substantive change to the law. Had they been retained, they would have been quite unobjectionable.

The community has come to recognise, as a result of many recent events, particularly the tragic shooting of a police constable a few weeks ago, that there is a need for better regulation and control over guns in the community. I agree. I suggest that the Government consider a number of proposals in that regard. Some of these ideas stem from the legislation itself, which refers to incorporating, for example, bullet-proof vests, in the items that could be prohibited or the subject of charges. I ask the Government to provide each police station with at least one bullet-proof vest so that, when a police officer is called to a domestic argument similar to that which confronted that constable in Rockhampton some weeks ago, he can wear a bullet-proof vest and have substantial protection for the main and most

vulnerable part of his body. Vests are not inexpensive, and I do not suggest that one be supplied to every police officer or even to every police car. However, one of these vests could be supplied to each police station. That would be a very positive move. It would mean that if an officer had to go to a domestic or other incident which could involve violence, he could have that protection just in case. The expense would be well warranted and I commend that suggestion to the Minister.

I ask the Minister to consider some other proposals in relation to this legislation. I suggest that police be given better training and education in relation to these sorts of incidents. I am not sure of the current training, but as far as I am aware police undergo no specific training to deal with these sorts of incidents. However, other countries have training courses and specific programs. In the United States, police officers are specially trained to deal with these sorts of circumstances. The training seems to cover simple things, but if they were part of the standard drill and safety procedures they may prevent future tragedies. I understand that the training programs involve instruction on where each officer stands, whether the officers should crouch down when the door is opened or take up some other position to minimise the target or, in some cases, remove the target altogether from the line of fire of the dangerous person or the offender inside the house.

There is an important need to extend public training and education. A good approach would be for people seeking licences or seeking to obtain firearms to be compelled to undergo some sort of training or educational program or to demonstrate in some way that they can safely handle firearms. On my understanding quite a number of incidents involving firearms are accidents. Tragedies have occurred as a result of a misunderstanding of the proper use of firearms or mishandling them.

As well as introducing the type of amendments contained in the Bill, the Minister should be ensuring not only better control and establishing clearer offences so that police can charge people, but also allowing the police to intervene earlier. The police should be able to intervene at an earlier stage of the process to try to prevent happenings. In other words, the legislation should be preventive instead of providing a clear set of offences to which the police and the courts can respond after the happening.

It is impossible to say whether any of the things about which I have spoken would have made any difference to what happened recently to the constable in Rockhampton. I do not for a moment suggest negligence or neglect on the part of the Minister or the department. That incident was really one of the very sad tragedies that occur from time to time in the police force. I am suggesting only that the Government should look at other alternatives and measures that have been tried in other countries with the idea of minimising such happenings. I acknowledge that they will never be eliminated; but perhaps the incidence of such happenings and the seriousness of the injuries suffered can be minimised.

A very pleasing feature of the redrawn legislation—and I give the Minister credit for being prepared to make the additional change—is the appeal provision. Honourable members are aware that at the time of the debate in February on other legislation, provision was made for appeals to be made to the Minister. After wide discussion on those matters, the Minister indicated that he was prepared to take the proposition back to Cabinet that in certain instances an appeal would lie to a court. The action taken by the Minister was excellent.

The original firearms legislation has been redrawn and re-presented and now includes a provision under which an appeal can be made to a Magistrates Court. I commend the Minister's action. If members of the community have their legitimate rights or aspirations refused by a Government department—in this case, the Police Department—in the first instance, they should have a right of appeal, so that justice may be done and be seen to be done. There is no real appeal when the citizen is not permitted to see the material that is influencing the police and that has been passed on to the Minister. It is only an illusory appeal; the person is virtually appealing in a vacuum, not knowing what he is appealing against.

The Government has certainly done the right thing in including the appeal provision. The legislation has been improved substantially. The removal of former section 103 is commendable. It is part of the trend introduced recently by the Minister to restore appeals to a court. That move is contrary to the previous trend by which appeals were taken away from courts and put in the hands of the relevant Minister.

I should like the new trend to continue. I will certainly encourage the Minister along that line. I would particularly like to see it extended to the Traffic Act and the present system of appeals relative to permits and applications relating to the right of people to march. The principle is good across the board. I hope that the Government will follow the trend started by the Minister in recent months and recognise the legitimate rights and aspirations of people to assemble and register their points of view. The police can deal with a matter in the first instance; but there should then be an appeal to a court, rather than an illusory appeal. Although it is not an appeal to the Minister, it is an internal appeal, an appeal that is not open and is not seen to be open. Frankly, I doubt its value. Certainly, in recent years, since the amendment was inserted by the Government, it has not proved to be of any value or credit in terms of the operation of democracy in Queensland.

I shall deal now with some of the other concepts embodied in the legislation. I again stress that recent tragedies have indicated that better control, better registration and better public education are needed. Although this legislation is good as far as it goes, it could go further in that respect. Problems are difficult, but I hope that the Government will consider them in an endeavour to make some worthwhile changes.

In so many other cases, this Government and the other State Governments require that people undergo tests, obtain licences and register items. That applies to motor vehicles, boats and so on. Certainly, firearms fall into the category of items that have so much potential for harm, either deliberately or accidentally, that they should be the subject of some controls—certainly more controls than those that operate at present.

Recently, I was interested to read a paper containing some suggestions made by the Queensland Police Union of Employees. I found that many of the suggestions in that paper were good. I do not agree with all of them. Certainly, the Police Union recognises that the problem of gun control is of immense interest and importance.

The union, in preparing the paper that has been distributed to a number of people, referred to a lot of recent empirical data. Of course, the people involved were experienced police officers with considerable practical experience. They were looking towards producing a manageable, effective paper, and I commend them for that. As the House is discussing firearms, their control and some changes in relation to new and developing forms of firearms and dangerous articles, I shall make some brief reference to the paper.

For example, the union talks about the very vexed problem of making a distinction between long guns, such as rifles and shotguns, and concealable firearms. Although the union recognises that it would be ideal to know who owns every rifle, shotgun and air gun, it admits that that is a quite impracticable proposition. It may well be; but I would like to think that, perhaps at some time in the future, such a system of registration could be begun. Certainly, it would be very difficult to begin to license and register all guns that are presently owned. Perhaps it could be argued that the number that are already owned would make it impracticable and not worthwhile to begin a scheme for the future registration of firearms; but, with the increase in the number of violent incidents involving firearms and, in particular, with the increasing number of firearms being used in hold-ups and other offences, that is something that will have to be considered.

The Police Union suggests that the registration of long guns would not deter their use in crimes, and I must acknowledge the reality of that argument. The union goes on to point out that hand-guns are required to be registered, and that their use in the commission of serious criminal offences is "prolific". The union says that only those persons with a legitimate use for firearms would register them, thus inflicting great hardship on the honest citizens in the community. It says that even if guns were registered, that would not prevent their use in the commission of crimes.

The paper goes on to argue that the present system for registration of concealable firearms and the legislation in respect of their use should be maintained. The Opposition has no argument with that, but the system could be better than it is.

The union suggests that all purchases of ammunition for concealable firearms should be made only on the production of a concealable firearms licence. That is certainly a good measure, and I do not think that it would be too difficult or too impracticable to enforce it.

Also, the paper suggests that the sale of long guns should be restricted to licensed gun-dealers. At present, the law permits the sale of long guns through a variety of retail outlets.

Last year, I was involved in a case in which a young man of 20 or 21 years of age was involved in a marriage break-up. After drinking a substantial quantity of liquor, he purchased a Russian shotgun from a hardware store in an outer suburb. In my opinion, it was of fairly shoddy manufacture, not that I am an expert in the actual use and operation of firearms. He subsequently went to a residence where his estranged wife was living. The gun was loaded and, in the course of waving it about, it went off and holes were blasted in the windows at the front of the residence.

The police apprehended him within a day or two and I went with him to the police station where he was interviewed. With his co-operation, the police obtained the gun. I think it would be fair to say that, in the course of talking to him, the police officers and I became somewhat sceptical about his claims that the gun had gone off accidentally. He had clearly gone to his estranged wife's residence very upset and angry. However, as a very experienced detective from the Fortitude Valley Criminal Investigation Branch was fiddling with the gun, the firing pin clicked. Fortunately, the gun had no ammunition in it. However, that was an indication of the shoddy manufacture of this very cheap shotgun and the fact that it could easily go off, even in the hands of an experienced police officer.

As a consequence of that, and of other information that the police officers obtained, my client was charged with a much less serious offence than would otherwise have been the case. In other words, because the fault lay elsewhere, the police were persuaded to give him the benefit of the doubt.

Two comments can be made. Firstly, a tragedy almost occurred because of inferior workmanship, which made the gun very dangerous. If a better system of controlling the sale of firearms existed, tragic incidents could be avoided. Secondly, in this case a young man, who was heavily under the influence of spirits, was readily able to purchase the firearm and ammunition. Within hours he was involved in this almost tragic incident. The press wrote it up as a deliberate shotgun attack on this residence and the people in it whereas it was not. I am sure that similar incidents have occurred many times and will occur in the future.

Another concept raised in this paper from the police union is the introduction of a waiting period of one month from the time a person selects a long gun from a licensed dealer to the time that the purchaser takes possession. In the light of the incident that I have just spoken about, that suggestion has much to commend it. The police use a phrase that often appears in legislation—it is simply a cooling-off period. The police union says that there are many instances in which a long gun is purchased and, a short time later, is used in a violent incident. The examples cited are robbery, assault and suicide. It has been my experience, working on the opposite side of the law to the police, that quite often people who are in desperate straits or are highly emotional act on the spur of the moment and with inadequate planning. The fact that they can obtain guns and ammunition so easily makes the situation worse. The police union document says that a cooling-down period will allow the intended purchaser time to rethink his actions and possibly prevent the misuse of firearms.

Another point is that once the intending purchaser selects the type of gun he wants, he should apply to the Police Department for authorisation to purchase that particular rifle. I do not see that that is so difficult. The intending purchaser would have to go to the local police station and supply particulars. The police could then make some inquiries. This process will occur under the provisions of legislation to be debated later today. If a person wants to go into business to sell or collect second-hand books, he has to go to the police station and supply all sorts of personal particulars and documents and provide fingerprints, toe prints, palm prints and voice-prints before the police decide whether or not to issue a licence for that person to collect second-hand books. Why is it that the same sort of restrictions cannot operate for a much more serious situation and a much more dangerous item, namely, a gun?

Why cannot the principles that this Parliament is prepared to bring to bear on second-hand dealers, second-hand collectors, hawkers and pawn-brokers be imposed on people who purchase guns? I am sure that those people who legitimately engage in the use of guns for recreational purposes or as members of clubs would have no quibble with that and nothing to fear from it. However, a certain percentage of other people would be deterred if there were such regulation.

No-one pretends that persons who intentionally commit serious crimes will be prevented by any legislation from obtaining guns and using them. Professional criminals will obtain guns and use them. However, between persons in that category and those who legitimately use guns for recreational purposes lies a third group of people. It is in relation to the

people in that third group that some improvements can be effected by considering the matters to which I have referred and to which the Queensland Police Union has referred. Those matters concern a wide range of the community as well. So let us look at those matters.

Crimes involving the use of firearms will never be eliminated totally. However, the incidence of such crimes can be reduced for the benefit of the community. If such a reduction were achieved, it would be a worthy step by this Government and this Minister.

Perhaps I can draw an analogy with the road toll. The road toll will never be reduced to nil. However, as the result of recent campaigns—such as “Campaign 500” or “Campaign 550”, which was promoted by “The Courier-Mail”—combined with other means of public education and promotional programs, the incidence of tragic road accidents has been reduced. I suggest that similar principles could be brought to bear in relation to the use of firearms.

The Police Union subcommittee, which prepared this document, referred to a matter that I mentioned earlier, namely, the passing of an examination by an applicant before authorisation to purchase a firearm is issued. Such an examination would involve the safe use of firearms. Applicants could be handed a booklet containing a list of safety precautions together with other advice. Similar publications concerning the rules of the road are handed out to persons who apply for drivers’ licences. So why not insist that a person who applies for authorisation to purchase a firearm goes through a similar process?

Anyone who wishes to purchase a gun for legitimate purposes, for example, on his property or as a member of a shooting club, does not need the authorisation today or tomorrow; he can wait for a month if need be. The suggestion is that after that one-month period the applicant, before being given the authorisation, must sit for and pass a written examination on both the safety and maintenance of firearms.

The Police Union, in its policy document, deals with the specific issue of police having firearms. Although it does not arise directly from the Bill, I shall touch on it briefly. The Police Union supports the carrying of side-arms by police. I, too, support it, although I suggest that the carrying of side-arms be not as widespread as it is. More discretion could be used.

The union contends that violence in society is on the increase. I think it is fair to say that. Almost invariably, the police are the first on the scene of an accident involving violence, such as a siege or a hold-up. The union contends that, to be able to perform their duty effectively, police need to be well equipped and in possession of firearms. I do not agree with that. I do not think we should see the widespread carrying and use of firearms that we have witnessed.

The union suggests that no value can be gained from taking existing firearms from police. However, it recommends that a firearm be worn in a fully covered holster so that it is hidden from public view. The document goes on to say that considerable public resentment has been expressed at the open display of firearms by police. That is understandable. From time to time I have felt such resentment. The union suggests that fully enclosing the holsters will conceal the guns from public view and lessen the negative effects. That is a good suggestion. I do not think that they need to be worn or carried to the extent to which they are. However, if they need to be carried, surely the fully enclosed holster option is very worth while.

Interestingly enough, the union suggests that police access to high-powered weapons should be restricted. I agree with that. The union says that in some instances police have requested the issue of high-powered firearms, such as shotguns and rifles, for general police duties. The union suggests that that is not acceptable, and that the use of high-powered firearms should be limited to special cases. I agree. The existing side-arm is the only firearm that should be issued for general use. When heavy fire-power is needed in a siege situation, surely it can be made available without very much difficulty. The Emergency Squad, which is a special unit attached to the Police Department, is trained and equipped with that sort of firearm. That is adequate. In recent years the need for large numbers of police to carry high-powered firearms has not been demonstrated.

The union advocates the training of police in the use of firearms. At present they receive some training. Although the union considers that that training is adequate, I believe that it should be more regular and that more intensive and lengthy training should be

provided at the commencement of a police officer's career. I agree with the union that there should be no public display or public advertising for the sale or use of firearms. That is a worthy proposition. I commend the union for its comments on that matter.

Other members will touch upon some of the unfair misrepresentations, particularly during the last election campaign, about the Labor Party's firearms policy.

Mr Davis interjected.

Mr GOSS: I think that some persons from the gun lobby are extreme in their views. That is unfortunate. As the member for Brisbane Central and I would agree, rational debate should take place on such an important and sensitive issue. I am glad that the honourable member is joining in the debate so that we can conclude on a rational note.

Government Members interjected.

Mr GOSS: I have been asked by the grunTERS from the back benches about the Labor Party's policy. Put briefly, Labor will introduce legislation to restrict the possession of firearms to persons who are licensed to possess such firearms. Should an application for a licence be refused, there shall be a right of appeal to a magistrate. All firearms will have registered rifling marks. Although that is a brief summary of the Labor Party's policy, it would be extended to include the sort of matters about which I have spoken today.

Some questions were put to the Leader of the Opposition during the election campaign. Reference was made to them in "The Sunday Mail" on 9 October 1983. I shall refer briefly to one passage in that newspaper. The Leader of the Opposition pointed out that the issue of such legislation has attracted considerable attention and that much of that was based on misinformed and misleading statements. He pointed out that, regrettably, the State branch of the Sporting Shooters Association had been largely responsible for the situation that had arisen. The Leader of the Opposition stated that the association had blatantly and, he thought, deliberately misrepresented the ALP attitude and approach on this important issue that affects many thousands of Queenslanders.

The Leader of the Opposition stated that some experts had suggested that the proposal for registering rifling marks was impracticable. He stated that fresh thought was being given to that matter. From discussions I have had with the Leader of the Opposition, I know that fresh thought is being given to such matters. The ALP wants to obtain a wide range of views from the community before making a final policy statement on the matter. That does not detract from the Labor Party's general policy that moves along the lines to which I have referred.

Some of the specific proposals in the legislation relate to such things as Molotov cocktails. As I said before, that is quite a sensible and, as it appears to me, logical amendment. It deals also with power heads or similar devices which are used in or through water. It seems to me that they are the sorts of dangerous article which, with technology improving and people's imagination for creating lethal weapons continuing to manifest itself, will have to be included. This is the type of legislation that will necessarily have to be amended every year or two just to keep up to date and remain in tune with changes in technology and new inventions. It does not necessarily reflect any defect in the original legislation.

One matter that concerns me relates to serious offences, a matter that is dealt with in passing in the legislation. I would like to see a further amendment to the section dealing with serious offences. In my opinion, the Government over-reacted in categorising serious offences into two sections, one relating to serious offences and the other to prohibited persons. The section relating to prohibited persons says that included among the people who will be prohibited persons is—

"any person who has been convicted on or after the commencement of this Act either summarily or on indictment of any offence under section 130 of the Health Act ... for a period of five years from the date of such conviction".

That is unnecessarily extreme. It is an unnecessary provision. I cannot see the logic for it at all. Section 130 of the Health Act relates to a person found in possession of, for example, a prohibited plant. That is an offence. Nobody is arguing with that. However, why should that be singled out as leading to somebody being made a prohibited person

under this Act? If such a person is subsequently—within five years—found in possession of a firearm, he is liable to be convicted of a serious offence and automatically gaoled. Such a provision can lead to hardships.

Over the last couple of years a number of people in their early 20s or late teens have been convicted in our magistrates courts of possession of a very minor amount of a prohibited plant. They have seen the error of their ways and gone on to lead otherwise decent and law-abiding lives. Some three or four years later they might acquire a firearm for use in a normal recreational way; yet they could be gaoled for no other reason than that they had been convicted and fined a couple of hundred dollars for being in possession of a prohibited plant. There is no logical connection. It is an extreme reaction—to what? I do not know. It is either an extreme reaction to the increasing prevalence of drugs in our community or to the concern about firearms. No matter which one it is, in my view it is ill-conceived and ought to be reconsidered to prevent the injustice I have referred to. I suggest that the Minister look at that if he wants to effect a worthwhile improvement and avoid those instances.

What is the concern? Is it that somebody who is drug crazed could, if in possession of a firearm, commit a serious offence? Why could not the same sort of logic apply to somebody who has been convicted of drunkenness or being drunk in charge of a motor vehicle? If the prohibition is directed at self-control, why not direct it to lack of self-control caused by liquor, which can be just as productive of dangerous circumstances as can the effects of the drugs referred to in section 130 of the Health Act?

In my view, the provisions amending reference to liquor or a drug appear to be evidentiary matters. I would have no hesitation in supporting them.

A number of pieces of legislation contain differing provisions in relation to police powers to require a person to give his name and address. As I have said to the Minister outside this place, the time will come when there will have to be some standardisation. I think that the Minister and his advisers recognise that. For the police to have varying powers on such a matter is very confusing for everybody in the community, including lawyers, judges and police officers.

Other honourable members and I have previously expressed concern about the power of police to demand such particulars as a person's name and address "as may be required". That opens up the possibility for abuse and putting citizens in a difficult position simply by virtue of the fact that a police officer can demand a document that a person does not have with him. Perhaps there should be an obligation on a person to produce some evidence of his name and address, but not such particulars as the police officer requires. A person may have a passport, a driver's licence or some other document and should be entitled to produce that evidence. That should not be rejected, because it could lead to a police officer's endlessly demanding other forms of identification. In such circumstances, a person could be dragged home, have his home searched and be arrested simply because of his failure to comply with a request by a police officer.

The Opposition does not object to the Bill. However, the Act creates some problems along the lines I have mentioned and I would like to see changes made in that regard. I make particular reference to police powers, serious offences and prohibited persons, and to the introduction of stricter requirements in relation to registration, licensing and cooling-off periods before people can buy a firearm.

Perhaps I should take things in order. Firstly, there should be public education along the lines of "Campaign 550" in "The Courier-Mail", which deals with the road toll. Secondly, a person should be required to produce appropriate identification and select the firearm. Then a cooling-off period of a month should be mandatory before a person can collect the firearm. Furthermore, the person concerned should have to go to a police station to obtain a permit for a licence before he can collect that firearm. Before such a permit is issued, the applicant should have to sit for a test. For Heaven's sake! People have to undergo a test to obtain a licence to drive a motor vehicle; surely a similar provision should apply in relation to firearms.

Mr Glasson: Is that with the first purchase of a firearm?

Mr GOSS: I suppose that is logical. One could find plenty of cases in which somebody already has a firearm and then acquires another. The fact that a person already has a firearm does not for one minute prove that the police are satisfied that he is an appropriate

person to have one or that he has the appropriate skill and experience in the safe use and, equally importantly, maintenance of that firearm. It may well be that if a person has had a rifle for a number of years, is still alive and has not accidentally shot anybody, it is fair enough to say that he does not have to go through those procedures. However, that may be a small, necessary evil to try to do something to reduce the incidence of criminal offences and tragic incidents that occur in the grey area between the serious criminal, who will never be stopped, and the legitimate sporting or recreational shooter.

The educational campaign must be concentrated on the area in the middle, where accidents occur and where criminal offences are committed fairly spontaneously. From that will flow the benefits that the restrictions and the regulations are designed to achieve. I commend that attitude to the Government. Until those problems are addressed, the legislation will be deficient.

Mr McPHIE (Toowoomba North) (3.15 p.m.): I assure the honourable member for Salisbury that Government members are equally concerned about the tragedy that recently befell a police officer in Rockhampton. If the Government had known how to stop such happenings, it would have taken action. I am sure all members are concerned that, throughout the State, members of the police force are at risk every hour of the day because of the short-comings in the control of weapons that are available to the public. However, an answer is not easy to find. The amendments proposed in the Bill are designed—

Mr DEPUTY SPEAKER (Mr Row): Order! There is too much audible conversation at the rear of the Chamber.

Mr Burns: You could have thrown them out.

Mr Casey interjected.

Mr DEPUTY SPEAKER: Order! If the House does not come to order, I will throw someone else out.

Mr McPHIE: The amendments are designed to improve controls wherever possible.

I acknowledge the comments made by the member for Salisbury, particularly those in his opening remarks, wherein he said that the Government is introducing sensible, practical and commonsense amendments. I acknowledge also that he spoke strongly in favour of the amendments to the Firearms and Offensive Weapons Act. He could see no great problem in the amendments. I agree with him. However, the honourable member raised a number of matters that must be examined.

He delved at length into documents issued by the Police Union on gun controls. That document is in the Minister's possession. It formed the basis of much of the work that was done to formulate the amendments in the legislation. The honourable member for Salisbury did not introduce anything new.

Mr Davis: Are you in favour of that document, or aren't you?

Mr McPHIE: Broadly, of course, the Government is in favour of it. That is why certain provisions were incorporated. The honourable member knows that. In due course, we will hear more from Opposition members. We will hear Labor's policy on firearms.

An Opposition Member interjected.

Mr McPHIE: We heard it. The main point was that Labor sees the need for licensing all firearms. That might be the ideal, but is it practicable? I do not think so. The Sporting Shooters Association of Australia estimated that it would cost \$6.5m a year to introduce registration of rifles and shotguns in Queensland.

Mr Hamill: Is that in Australia, or in Queensland?

Mr McPHIE: In the State of Queensland.

Mr Hamill: You fudged those figures.

Mr McPHIE: No, I did not.

Registration of all weapons in Queensland is simply not practicable. Probably the long rifles and shotguns in the community number hundreds of thousands. Registration would be an impossible task.

Mr Casey: It is frightening, isn't it?

Mr McPHIE: It is frightening. It would be an impossible task to register and control them all. Because the socialist States to the south, have no gun controls, weapons could be imported into Queensland without restriction. Registration is just not a practicable proposition.

Without doubt, better control of guns is needed, but the program must be cost-effective. It must be sensible and not over-restrictive. A start has been made.

Mr Hamill: Like South Australia?

Mr McPHIE: I am not talking about South Australia; I am talking about what the Government is doing in Queensland. Queensland has made a start. Some of the southern States could well copy our legislation.

An interesting point made by the honourable member for Salisbury was that bullet-proof vests should be available at police stations. I do not know whether they are available. I am certain that this Bill does not provide for them. They are part of the normal equipment that is available at police stations and to police officers in the field. The flak-jacket, which was used most effectively in Vietnam, is a protective device that could well be used by police. If such a jacket were to prevent tragedies, such as the one that occurred recently in Rockhampton, the money used to purchase such jackets would be well spent.

The honourable member for Salisbury, in his sensible remarks in support of the Bill, suggested that public training is another area in which something should be done, and I agree with him. There is provision in the Bill for increasing public training.

The honourable member suggested that we should look at the controls in other countries. Anyone who watches the late-night cops and robbers and Wild West shows on television would know that there are many shortcomings in the control of firearms in America. I do not think that we should be looking at that example.

The numbers of incidents involving guns will never be eliminated by controls, but they will be minimised, and that is what the Bill seeks to do. The point has been made that possibly the legislation will have to be amended further as different weapons become available. That can be done. I do not consider that the lack of provision for future weapons is a shortcoming in this legislation. Further amendments will be introduced as and when they are required.

I have not got an answer to the question of gun controls. The legislation is moving in that direction, but it is not the complete answer. Since 1929, in Queensland, it has been mandatory to register pistols and concealable weapons; yet the statistics of the Queensland Police Union readily indicate that criminals and other people can obtain unregistered weapons without a great deal of difficulty. Such weapons are used regularly.

The same comment applies to the registration of long weapons. Controls in the form of the mandatory registration of all weapons would be over-restrictive and impossible to completely implement. The present provisions relative to concealable weapons have proved to be ineffective. That part of the ALP's firearms policy is just not a goer.

An Honourable Member: The ALP's firearms policy is about three lines long.

Mr McPHIE: That would be it.

A Government Member: Ban all guns!

Mr McPHIE: Yes.

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! There is not going to be a general discussion round the Chamber. I ask the honourable member to continue his speech.

Mr McPHIE: I am not taking up all the interjections. Some of them are not worth answering.

I have had a quick look at the overall situation, and I shall now summarise some of the points in the Bill. Two of the major points in the Bill are of interest to me personally and are significant. One deals with the restrictions placed on the sale of replicas of firearms. I am sure that all members are familiar with advertisements that appear, usually in glossy

magazines, for the sale of replicas of all types of concealable firearms, including pistols, automatic weapons and sub-machine-guns. They can be bought at a surprising cost for a replica. In appearance, they look like the real thing. Frequently, they have been used in hold-ups. In themselves, they are a dangerous type of weapon because police or other people involved in incidents have no way of knowing that they are anything other than a real weapon. As a result, shooting can occur, often to the detriment of bystanders.

The Bill prohibits the carriage of replicas in public places without reasonable excuse. That provision is very sensible and practical. It will also not prevent the true collector of replicas from moving his toys or trophies, call them what you like, from point to point. If a collector has a reasonable excuse, he can do it legally. The provision can be extended to include a child's toy gun. Because it is a replica, he can take it to a public place without restriction because the reasonable excuse is that it is a child's toy.

Handcuffs are now readily available on the open market although some years ago they were only on issue to the police force or obtainable by law-enforcing agencies. Today handcuffs can be obtained anywhere, especially by people with contacts, such as criminals, and put to criminal use. The Bill restricts the use of handcuffs to law-enforcing agencies.

The Bill covers the use of guns by people under the influence of drugs or liquor. This provision is aimed precisely at ensuring that, where a charge is laid, no duplicity will occur; one charge will be laid and that charge will stick. An offender will not have the alternative of duplicity to enable him to escape punishment.

The Bill provides for the right of appeal to a magistrate rather than to the Minister. This provision is in line with National Party thinking and has been introduced into a number of other Bills. The evidentiary provisions of the Bill are also in line with National Party thinking.

Mr Hamill interjected.

Mr McPHIE: I am quite happy to have the support of the member for Ipswich. The member for Salisbury also supported the amendments to the Bill. When legislation that is sensible, needed and practical is introduced, it is fine to see the Opposition acknowledging its true worth.

I shall now quickly summarise some of the other provisions in the Bill that together make up a useful document. The definition of "dangerous article" has been broadened. It now covers more than Molotov cocktails, which is a precise weapon. The definition of "dangerous article" covers the composition of any inflammable liquid-type weapon, and covers many more weapons than the common or garden-type Molotov cocktail. Power heads from spear-fishing equipment are included. They need to be registered because the power heads can be detached. Some of them are only 10 inches long. When they are detached from the rest of the spear-fishing equipment, they become a concealable weapon.

Mr Comben: You seem to know a lot about the fine points of the construction of military weapons.

Mr McPHIE: My training was with the air force, not with the military. We did some basic training on weapons. I am not an expert. A military person and many other users of these weapons who come out of dark alleys might be experts. I have never been into those areas.

Mr Hamill: Can we go back to your common or garden Molotov cocktails?

Mr McPHIE: No, I will not talk about Molotov cocktails.

I now turn to the broader controls and the provisional licences for pistol-users. This provision has been included because of the need for better training of the public. Although the member for Salisbury did not think that the Bill addressed the problem, it does. At the present time a provisional licensee for a pistol club can only use his weapon on the range of the club he belongs to. This is very restrictive on the training of that pistol-shooter.

The broader controls provided for in the Bill will permit him to use weapons under supervision on other licensed pistol ranges. Therefore, his training, knowledge and experience can be enhanced at a greater rate than if he were restricted to one range.

The Government has also extended the provisions in relation to who can use pistol ranges in the under-training role. In certain circumstances, people other than those belonging to a particular pistol shooting club or another pistol shooting club can receive controlled instruction on that type of weapon.

Furthermore, the Government has looked into the requirements concerning licensed dealers in firearms. It has extended the precautions and the recording needed in the sale of and dealing in those weapons to include all firearms, both concealable and rifle and shotgun.

The Government looked also at the needs in the shooting galleries. Here, too, time has overtaken the provisions of the Act, and an amendment is long overdue. The Act dealt with .22 calibre rifles. These days, .22 calibre rifles that appear on the market may be very high-powered automatic weapons. The Government has now restricted rifles in shooting galleries to what was intended originally, namely, bolt-action, single-shot, .22 calibre short rifles capable of firing rimfire ammunition.

I am sure that other speakers to the Bill will be supporting my remarks and those of the previous speaker. I compliment the Minister for his introduction of this sensible legislation.

Mr HAMILL (Ipswich) (3.32 p.m.): I am pleased to take note of the remarks of the honourable member for Toowoomba North. As he foreshadowed, generally the Opposition is in support of the legislation. However, members on this side of the House believe that the Government should direct its attention to certain sections of the legislation in order to ensure that the safety of the public is given the highest possible priority.

Some of the points made by the honourable member for Toowoomba North were both disconcerting and disappointing. I say in all fairness to the honourable member that he expressed his views quite sincerely. He said that he did not have any nostrum or ready solution to the problems that arise in relation to the control of firearms. A problem does exist; the honourable member admitted it. He said that the increase in the number of firearms used in the community is alarming. I agree.

As in so many other areas of government, the matter of arms control—gun laws—has been placed in the too-hard basket. The Government has said that a solution to the problem is too costly, that as there are so many firearms already in the community any legislation that sought to further control the spread of the holding of firearms would be ineffectual. If the Government were to adopt such an attitude in relation to other areas of government, why should it bother legislating at all? It is very easy to say that a problem is too hard and too costly to solve. It is easy to say that because a problem is widespread there is no point in trying to stamp it out or that it is too hard to stamp it out. Such an attitude displays negativism, which achieves absolutely nothing.

The matter at hand is the grave community concern about the licensing and registration of firearms. I refer the honourable member for Toowoomba North to a poll that was conducted right across Australia in 1981. It showed that approximately 86 per cent of Australians supported the imposition of tougher controls on the availability and use of firearms. In Queensland, which, like Tasmania, has very liberal gun laws, 84 per cent of the population supported such controls.

Mr McPhie: What type of poll was that?

Mr HAMILL: It was a Gallup poll.

Mr McPhie: Where was it?

Mr HAMILL: It was a Gallup poll, and the honourable member should know where such polls are conducted. In Queensland, 84 per cent of the persons involved in that poll supported tougher gun laws. Only 6 per cent opposed the notion of tougher gun laws.

When the claims made by the Sporting Shooters Association are considered, it will be noted that Mr John Galbraith stated in "The Courier-Mail" in September last year that the 13 per cent of the voting population who own guns have a right to question the validity of a policy to further regulate the ownership and use of firearms. I point out to that person, who was speaking on behalf of the Sporting Shooters Association, that at least half of the people he claims to represent must be among those who believe that there should be more stringent controls on the use and ownership of firearms in this State. According to the poll figures, only 6 per cent of the population indicated opposition to further restrictions

in relation to the ownership and use of firearms. The community concern is very real. That is not surprising when 86 per cent of the population favours greater regulation of firearms. The concern is frequently expressed.

Recently, a policeman was killed in the performance of his duties. That matter was aired in this Chamber this afternoon. The policeman's death was most unfortunate. That very tragic incident has highlighted the problems with firearms in our community.

As other members have said, no guarantee could be given that, had the firearms laws been tightened prior to that incident, the incident may not have occurred. The point I make is that it highlighted the concern that is evident.

That concern has been recurrent and has been expressed by the Australian Bank Employees Union. That is one group that has a very great grievance about the use of firearms, because its members find themselves staring down shotgun barrels in banks during robbery attempts. During the last State election, that group showed a great deal of initiative when it highlighted the question of firearms control. A report commissioned by the ABEU and prepared by Dr Paul Wilson pointed out that approximately 800 Queenslanders had lost their lives in the last six years through firearms incidents. I am not concerned only with those persons who have lost their lives through firearms incidents. I think that we need to look much further and consider those persons who have been maimed and injured through the use of firearms by themselves or by someone else. We need not look only at mortality in relation to this matter.

The use of firearms obviously brings to mind incidents involving murder, suicide and armed robbery. Accidents involving firearms need to be examined seriously. In a whole range of other areas of legislative competence of the State Government, legislation has been introduced to protect members of the public from other members of the public, or from themselves. That is a legitimate exercise of the law-making authority of this Parliament. For the life of me, I cannot understand arguments that are advanced that legislation of this type, which is designed to protect members of the public from other members of the public and from themselves, should not be applied in relation to the carrying and use of firearms; neither can I see that it should end in relation to concealed firearms or pistols. Why is legislation not being propounded to cover the whole range of what I regard as offensive weapons, namely, firearms?

We must return to examining the whole question of the carrying and use of firearms—whether the use of a firearm is a privilege or a right; whether people, as of right, may obtain firearms and carry them on their person; or whether the use of firearms is a privilege that must be won by a person wishing to carry or to possess firearms. They are very important points, particularly when it is remembered—and these statistics are from the police union—that some 326 000 firearms other than airguns are held in this State. As the member for Toowoomba North has pointed out, there has been an alarming escalation in the stock of firearms in our community. Alarm is felt not only in Queensland but also nationally. About two and a half million firearms are owned privately in Australia today. That is a 25 per cent increase on the number held in 1975.

I am not saying that the fact that there are more firearms is necessarily bad. What I am saying is that the untrammelled increase in the number of firearms is bad when the community does not really know what is going on in relation to the holding and the use of firearms in its midst. I wonder, in view of such figures, whether we are treading the same path as the USA, or whether the fears of the member for Toowoomba North have been generated from long nights watching Starsky and Hutch and other programs on the television. I wonder whether they are really legitimate fears. Certainly, the holding of firearms is increasing in our community.

The State Government has very properly placed controls upon concealable firearms and hand guns. However, no similar legislation is deemed necessary by the Government to control the use and ownership of long guns.

Organisations such as the Sporting Shooters Association—an organisation that I mentioned earlier—inundated candidates at the last State election with their own version of ALP policy, with their own version of a fear campaign being run, so they claimed, in a blatant attempt to stop people holding firearms. The ALP does not disagree with people holding firearms, as long as they are being held for legitimate reasons and being used in accordance with those legitimate reasons.

The Sporting Shooters Association claims that about 13 per cent of the voting population is affected by changes in the laws relating to firearms. I ask that association to account for the fact that, according to the evidence we have before us, over half of its members would support more stringent controls over firearms. I would not be surprised at that. I am sure that most sporting shooters are very responsible people who realise that the misuse of firearms by any minority within the community would reflect badly upon all those wanting to use firearms for legitimate reasons.

Mr Stoneman: What is a legitimate reason?

Mr HAMILL: I will come to that in just a moment.

Firearms are not inherently dangerous. We are not arguing about that. That is something we have in common with the Sporting Shooters Association. However, neither is the automobile inherently dangerous.

Mr Kaus: They kill more people, though.

Mr HAMILL: The member for Mansfield misses the point. It is not the motor vehicle that kills more people. The fault lies with the idiot behind the wheel. Likewise, the idiot who pulls the trigger is the problem.

Mr Kaus interjected.

Mr HAMILL: Do we have to quantify the number of human lives lost? It is a sick attitude to be worried not so much about the principle that people are losing their lives as about the numbers.

Let me return to my analogy. The automobile is not inherently dangerous. A firearm is not inherently dangerous. However, it is with the misuse of those instruments—they are otherwise very useful instruments—that we are concerned. The automobile is very useful. We as a community—and this Assembly, through its legislation—expect a degree of proficiency to be shown by a person wishing to obtain a driver's licence so that he may sit behind the wheel. That is not unreasonable, I would argue. However, we do not require a similar degree of proficiency to be shown by a person wanting to buy a long gun. We do not require any proficiency in the use of that instrument. Not surprisingly, lives are lost or injuries sustained through accidents that occur in the handling of firearms.

Licensing is important. It is important that those who wish to use those instruments—and we would hope that the use would be in line with what the community regards as an acceptable use—show that they have the knowledge to use the instruments correctly and safely.

Unfortunately, plenty of evidence is available that the present holders of firearms do not have that knowledge. Studies indicate that people are careless in the storage of firearms. I refer to a publication called "Firearms and Violence in Australian Life". Mr Harding, whose report is quite instructive, stated—

"Those whose firearms were unsecured for the most part kept them in a wardrobe or other cupboard (57.5 per cent of all owners)—"

that is a lovely situation—

"a further 16.8 per cent simply left them lying about the house somewhere. The most popular rooms for keeping firearms were; a bedroom (60.7 per cent of all owners), a garage or shed—"

that is probably where Mr McPhie is storing his Molotov cocktails—

"(8.5 per cent) or a storeroom (4.8 per cent)."

From those figures, one can reasonably assume that there is a dearth of knowledge about how to properly care for and store firearms. However, the Government says that it is OK to have long guns, that it will do nothing to halt the increase in their number and that it will not even try to ensure that they are properly stored and cared for. Again it comes back to that question of knowledge. The community expects that a person should have basic knowledge before driving a car, so it is reasonable that a person who wants to obtain and use a long gun should have the appropriate knowledge.

Mr Vaughan: The Act makes provision for that, but it is not policed.

Mr HAMILL: The reason is that the Government does not have the will to police it. It has said that the problem is too hard and that it does not want to know about it. The fact is that the Government is in the political debt of gun clubs and the crazy leadership of the Sporting Shooters Association of Australia.

I now turn to what I believe is a very relevant aspect of this matter. The question of why people hold firearms is very pertinent to this debate. I hope that all members would agree that the untrammelled growth in the stocks of firearms in the community is a very unacceptable aspect of our society. An Australia-wide survey showed that 23.1 per cent of those holding firearms had them to afford some measure of protection. In Queensland, the figure is 32.5 per cent, or almost a third. I hope that that is not some reflection on the sad understaffing of the police force and that, as a result, the community feels somehow insecure. Certainly I hope that it does not reflect some innate state of paranoia in Queensland that people must have firearms to ensure their protection. However, the fact is that more people in Queensland than in any other State hold firearms because they feel insecure. That is both interesting and alarming.

Owing to the ready availability of firearms, particularly long guns, a person who is so upset that he wants to take the law into his own hands is not stopped from obtaining a long gun for purposes that no-one in this House could condone. Legislation directed towards the proper licensing and registration of all sorts of long guns should provide for a cooling-off period so that a person who wants to obtain a firearm cannot do so on the spur of the moment—he cannot rush into a shop in a very emotive state when he wishes to take the law into his own hands—but rather has to apply for a licence and then wait for it to be granted. If a person in a state of passion applies for a licence it is to be hoped that by the time it is granted his passion has cooled. As I say, I suggest the implementation of a cooling-off period before a person can obtain a firearm, particularly a long gun.

Earlier, I tried to draw the attention of the member for Toowoomba North to the situation in South Australia. In 1977, extensive amendments were made to the South Australian firearms legislation. I have pleasure in saying it was a Labor Government that pushed the measures forward. The enactments of the South Australian Parliament have received considerable commendation throughout Australia because of their sensible nature. Opposition members are arguing not for some draconian measure to restrict the legitimate use of firearms, but for a balanced approach to the whole matter of firearms in the community, particularly the ownership of long guns.

The South Australian legislation is very valuable. A number of its features could well be adopted in Queensland. Although it is not the answer in toto, it could make a significant contribution towards achieving the objectives that I hope all honourable members have in mind. For the edification of Government members particularly, I point out that the features of that legislation include the licensing of all owners of firearms—the registration of all firearms. That does not preclude a person from owning more than one firearm, but it does require that firearms be registered. Not surprisingly, the police have an important role to play in the registration procedure. In fact, the Commissioner of Police is designated as the Registrar of Firearms for the State of South Australia.

Mr R. J. Gibbs: That would worry me a little in Queensland.

Mr HAMILL: The Police Commissioner in Queensland should exercise the same measure of discretion and impartiality as his counterpart does in South Australia.

I am sure that the Minister has cast his eye over the South Australian legislation. A person who desires to obtain a firearm licence applies to the registrar. If his application is rejected by the registrar, the matter is referred to the three-person Firearms Consultative Committee. That committee receives written and oral submissions from the applicant and from the registrar. If the applicant feels that an unsatisfactory situation still prevails, he can appeal to a magistrate. In the context of the Bill we are considering, I commend the Minister for providing for appeals to magistrates. I agree with the member for Salisbury that the principle should be extended to other areas of legislation.

The Firearms Consultative Committee in South Australia is very useful. It has the expertise to consider reasonably all applications rejected by the Registrar of Firearms. It comprises a legal practitioner, a nominee of the Police Commissioner and a person

experienced in the whole area of firearms. The South Australian legislation is founded clearly on the principle that the holding and use of firearms is a privilege that must be won and not a right. Important criteria are considered by the South Australian—

Mr Kaus: How do they get that right?

Mr HAMILL: I am not talking about a right; I referred to a privilege.

Mr Kaus interjected.

Mr HAMILL: If the honourable member were to listen he would learn that the privilege is won by the applicant showing that he is proficient in the use of firearms and is prepared to put the firearm to legitimate uses. Before a licence is issued the Registrar of Firearms, the consultative committee, and, ultimately the magistrate, consider the prevention of death or injury to person or beast and the prevention of property damage resulting from the use of firearms. How many country members drive round their electorates and note the traffic signs riddled with holes put there by people who use firearms irresponsibly in the area?

In addition, action must be taken to ensure that firearms are not going to areas in which crime might flow from their possession. I am sure that the member for Toowoomba North (Mr McPhie) would join with me in congratulating the South Australian Government for providing that the unnecessary increase in the stock of firearms in the community should be halted, and that public safety, which I said at the outset should be the highest priority of any Government, should be ensured. They are very worthy considerations, which the Minister, if he were here, would take stock of and introduce further amendments.

In conclusion, I wish to try to allay the fears of the ratbag fringe who argue that reasonable legislative enactments of this type in relation to firearms are somehow an infringement upon their civil liberties. We have heard the outcry from some of the unthinking, irresponsible members of the Sporting Shooters Association in Queensland. I said earlier that the responsible members of the association would be concerned that the firearms in the community should be used only for legitimate purposes.

Mr Stoneman: What are those purposes?

Mr HAMILL: A voice from the wilderness!

An Opposition Member: He has just come in.

Mr HAMILL: No. He is waking up because he is the next speaker in the debate.

The fears that were generated by those groups before the last State election were the same sorts of fears that were trotted out in South Australia before the South Australian Government acted so responsibly to restrict the use and the holding of firearms in that State.

In a paper presented to a firearms conference in Perth in 1981 on the South Australian legislation of 1977, Mr Hunt said—

“Even some of the severest critics of the new Firearms Legislation prior to its introduction have admitted that the genuine law abiding firearms owner has not been disadvantaged; contrary to the expressed belief of the gun lobby.”

I cannot see why the situation should be different in Queensland.

Mr STONEMAN (Burdekin) (3.57 p.m.): I am delighted to support the Bill. The important matters incorporated within it have been very well covered by previous speakers and by the Minister in his second-reading speech. Most of the amendments are of a technical nature.

It is interesting to note that several Opposition speakers have, by accident, supported the legislation. They have used the debate as a forum for putting forward their somewhat unbelievable attitudes to gun legislation.

I was interested to note that the member for Ipswich completely avoided the question of the legitimate use of firearms. What he said was that the Opposition is against all sensible and practical uses of firearms, unless the firearms are used to shoot diseased stock. It is amazing that Opposition members could not answer a simple question about the legitimate use of firearms when in fact they are asking for the introduction of tougher gun laws. Quite frankly, Queensland's gun laws are extremely tough. In some areas they are too tough.

The Opposition seems to be saying that all weapons should be banned and that people who purchase weapons are guilty until they can prove otherwise. In my opinion, it is a right, not a privilege, for people to have a gun.

Mr Vaughan: Have you got a gun?

Mr STONEMAN: I am pleased that the honourable member asked that question.

Mr Vaughan: Have you got a hand-gun?

Mr STONEMAN: Yes, I own a hand-gun. Ownership and licensing are two very different facets. I own a hand-gun, and I do not have a licence for it. How is that?

The Labor Party seems to have picked as its speakers members with no experience in the use of guns. I am amazed. I would like to know whether any Labor members who have spoken have any practical knowledge of the use of guns and whether they own guns. Why have they been singled out to speak about guns when, obviously, they do not have a clue what they are speaking about?

The member for Nudgee asked me whether I owned a gun.

Mr Vaughan interjected.

Mr STONEMAN: If the member for Nudgee will let me answer him—and, unlike the member for Ipswich, I am not afraid to answer the question—I do own a hand-gun.

Mr Hamill interjected.

Mr STONEMAN: I understand that, because of his youth and inexperience, the member for Ipswich does not understand the implications of owning a hand-gun and not having a licence for it. I say that in the House without fear or favour and to highlight how tough Queensland's gun laws are. However, the Opposition insists on calling for tougher laws. I do not know how many long guns I own, but I guess it is a dozen or so. That does not make me any more eligible to have a licensed hand-gun. For 23 years I have been the holder of a concealable firearm licence, and I have owned several concealable firearms; not as a member of a pistol club, but as an individual.

Mr Fouras: What do you want it for?

Mr STONEMAN: The member for Nudgee asked me about that. The member for South Brisbane either wants to hear about it or he does not.

Under certain provisions of the Firearms and Offensive Weapons Act, I have become ineligible and am now deemed not to be a fit person to hold a firearm. My firearm is locked away in the police station, where I guess it should be. If anyone can tell me that a licensing provision that precludes me from holding a licence for a firearm after 23 years of use is an easy provision, I will eat my hat. I have surrendered the gun because of the law, and that is fair and proper.

Mr Vaughan: You said you had one.

Mr STONEMAN: I own the gun; it is my gun; but it is not on my person. It is locked away in the police station.

Mr Vaughan: For what reason did you own one?

Mr STONEMAN: Obviously, I owned it for legitimate reasons.

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Booth): Order! I have been reasonable in allowing interjections, but I do not think that they should be as persistent as they are becoming.

Mr Fouras: We want an answer.

Mr DEPUTY SPEAKER: Order! The member for Burdekin does not have to answer. He may either accept or ignore the interjections. I suggest that the honourable member continue his speech.

Mr STONEMAN: As I said earlier, I am not afraid to answer the question, unlike certain members of the Opposition, but I will answer it my way, not their way. I owned the gun so that I could shoot diseased stock, pigs, eagles, kangaroos—you name it, Mr Deputy Speaker—and for 23 years that is what I used it for. I had no reason to own the gun any longer, so I surrendered the licence—I had to surrender it.

Mr Vaughan: Reluctantly.

Mr STONEMAN: Yes, I guess the member for Nudgee is right; I surrendered it reluctantly. I do not have a reason to own the gun. I am the patron of the pistol club in my electorate and I could join the club if I wished. I am not a full member of it because I do not want to become a member simply to own a gun. That is not necessary.

I have a copy of an article passed around by the Sporting Shooters Association. It has not been proved to me that the facts in it are not accurate. I would now like to ask a couple of questions of Opposition members and place on record my concern, and the concern of many members of the community about pistols.

The member for Ipswich spoke about the licensing of long guns. But pistols have been licensed and registered in Queensland since 1929. The document from the Sporting Shooters Association makes the point that police records show that more than half of all armed offences involve the use of pistols. Since 1929, firearms have been stringently licensed in Queensland and I have practical experience of those controls. Yet the honourable member for Ipswich suggested that, by licensing long guns, the crime rate would be reduced. What a lot of poppycock! I cannot believe that such impracticable suggestions can be made. The honourable member for Ipswich was quite correct, however, when he said that it was not the gun but the nut behind the bolt that was at fault. That is definitely correct.

I take up a couple of the points made by the honourable member for Salisbury. He put forward the commendable suggestion that police should be provided with a vest. He suggested one vest per station. I am a little intrigued by his suggestion, because I should like to know how it could be implemented when a mobile police patrol received a radio call to attend a certain domestic disturbance. Would the officers in the patrol car return to their police station to obtain a vest? Further, what would happen if the vest was already being used at the site of another disturbance?

Mr Goss: I suggested one vest for each car; but you are obviously too tight.

Mr STONEMAN: Wait a moment. The honourable member said, "I know they are very expensive." I listened very carefully to what the honourable member said. His inexperience in this matter, as in others, is quite profound. He specifically said that at least one vest should be provided at each station.

Mr Goss: If you suggest that one be provided for each police officer, I will support you.

Mr STONEMAN: One thing that the honourable member did acknowledge was that vests are very expensive. The Government would have to impose more taxes on the people.

Mr Goss: Come on, get into him, and I will support you.

Mr STONEMAN: Oh, yes, and then the honourable member would have police officers ask the people involved, "Is this incident dangerous? If it is, I will put my vest on."

I acknowledge that police officers are frequently placed in very difficult situations. As has been remarked, recently a police officer was shot in tragic circumstances. I certainly condemn such a situation, together with that in which two people in the Mackay area were shot. However, not for one moment would I suggest that the toughening up of gun laws would stop such tragedies, which have been occurring for many years.

I wonder whether the honourable member for Ipswich, who suggested that all weapons be banned, included concealable weapons such as knives. If he did, I do not know what people would use to spread their butter in the morning. Knives are used in a tremendous number of threatening situations. They are used in hold-ups, yet not one member has called for the banning of knives. And what about hands? The hands of karate experts would have to be chopped off, because they can kill. A karate expert's weapon in fact is his hands. Similarly, wire would have to be banned, because lengths of wire can be used to strangle people and a piece of heavy-gauge wire can be used to stab a person.

Mr Menzel: You would have to ban cars, too.

Mr STONEMAN: I suppose the honourable member for Ipswich would ban cars totally.

Because pillows can be used for the purpose of smothering a person, pillows would have to be banned. Tyre levers, too, would have to be banned. I recall that years ago a police officer in the Vice Squad in Sydney explained what he did when he went into a particularly tough area of Sydney. He said that, whereas some police officers went into the area with guns, he used a tyre lever, because by the time a police officer was thinking of using his gun he would have been mincemeat.

I have shown that a large number of implements can be used to create a hazardous situation, so the banning of guns is incidental. Many implements can be used as semi-concealable weapons. Golf clubs, for example, can be used to kill a person. The same thing can be said of baseball bats and tennis racquets.

An Opposition Member: What about golf balls?

Mr STONEMAN: I am talking about weapons actually used in the hands. In the hands of a determined person, virtually anything can be used as a weapon. I could pick up a glass, break it over the edge of my desk and inflict grievous wounds, or even fatal wounds, on another member. The whole matter needs to be looked at in its proper perspective.

I agree with the honourable member for Salisbury that a need exists for more training. Training should start in the home when children are at a very early age. For that reason, I believe that every home should have a gun, thereby enabling children to grow up with an understanding of the dangers and the practical uses of guns.

A gun can be an air rifle; it does not have to be a high-powered rifle. One can set up a little target range under one's home. I have yet to find a situation in which a person well versed in the use of guns was irresponsible. People who understand the use of guns do not go round shooting at signs, shooting people and so on. When I say "under one's home", I do not direct my remarks to the metropolitan area; I acknowledge that that should take place only in country areas.

It is not possible to legislate for common sense. No matter what laws are made, emotive situations will not be eliminated. The member for Ipswich referred to crimes of passion. They usually occur in circumstances in which there is no chance of summoning a policeman. Crimes of passion could be committed by smothering a person or in many other ways.

The suggestion that a person enters a shop, says that he is desirous of purchasing a gun and then has to wait a month is nothing short of ludicrous. Thousands of people have a very positive need for guns. Graziers have a day-to-day need for guns. People use guns to get rid of vermin throughout the State. I ask the member for Salisbury to tell me what they should do. Do they enter a gun shop and say, "I have travelled 200 miles. I want to buy a gun. I will return next month and collect it."? In the meantime, ewes and lambs have been savaged or dingoes have eaten the cattle. That sort of thing can happen. To say that a person will be more responsible in a month's time is to legislate against the commonsense people of this State. The ungodly will not be affected by it. It is a further screwing down of the commonsense person and his rights, not his privileges.

Mr Goss: That was suggested by the police, and I am supporting them.

Mr STONEMAN: Is the honourable member suggesting that a person should go to the police to obtain permission to purchase a gun? The member said that the legislation was similar to other legislation that will be debated later in that a hawkers and a pawnbroker must go to the police. One is a commercial operation. A person will not be going to the police to ask for permission to sell guns; a person will be asking the police if he can use a gun. The day that we must apologise for the use of a gun will be a tragic day in this State if we are dinki-di and for real, and 99 per cent of people express that view.

Mr Lee: A dingo won't come back a month later.

Mr STONEMAN: The honourable member is right. Maybe the dingo would wait round for a month and say, "He has his gun. Now I can be shot." What a lot of rubbish! It is obvious that a totally impractical and biased view is taken by the Opposition in its attitude to guns.

The member for Salisbury said that the Government should provide more funds for police protection. The member for Toowoomba North said that it was estimated that the annual cost of registration of guns in this State would be \$6.5m. Many persons would need to be employed in the licensing section to issue documents. That would mean that even less protection would be given to the people. The honest members of the community would be disadvantaged.

Mr Goss: You didn't listen. It would happen at the local police station. They are already there. You should listen more carefully.

Mr STONEMAN: I listened very carefully. I become more and more amazed at the honourable member's lack of understanding and knowledge of the real life out there. I invite the honourable member to come out into the world proper to examine what goes on. He will then understand some of the problems with which honest and everyday people must cope. I acknowledge that some persons misuse guns. However, I disagree totally with the ways in which he would use——

Mr Goss: Why wouldn't you support the police in their request for bullet-proof vests, one to a car and one to a station?

Mr STONEMAN: I do not agree or disagree. The honourable member's suggestion is totally impracticable. Have one at the station? What a lot of rot!

I have no doubt that the ALP has a positive commitment to continue its push towards licensing all guns in the State. The thousands and thousands of people who use their guns for sporting purposes or for the protection of their property——

Mr Goss: Have nothing to fear.

Mr STONEMAN: Exactly. They have nothing to fear. However, they would be totally disrupted if the ridiculous attitude to guns taken by the ALP were imposed against them. It is nothing short of screwing down the rights of the ordinary, decent people of this State.

Mr R. J. Gibbs: You've lost your place.

Mr STONEMAN: No. This is what the member for Wolston would call a pregnant pause.

The Bill is another very positive indication that this Government is dealing realistically with the concern it has for firearms legislation. The ALP has gone off on a tangent again. Its members are ducking for cover. Not one of its members has indicated to me what he would consider to be a legitimate use of a gun. I suspect that Opposition members will not be happy until they create another huge bureaucracy to control the legitimate, everyday use of guns by the people of this State. I support the amendments. I compliment the Minister on the way in which he has reintroduced the Bill in a consolidated form. Most of the Bill consists of technical amendments.

I agree with those members of the Opposition who suggest that when a gun is purchased a small handbook on safety in its use ought to be provided. That is a commendable idea. A ban on the purchase of ammunition overlooks the fact that ammunition can be reloaded quite easily. If a person buys or steals one packet of ammunition, he is right for life. Is it suggested that reloading gear be banned? Is it suggested that the lead and powder be banned? What would the Opposition do?

I reiterate my support for the suggestion that there ought to be more practical handbooks on the use of firearms available for legitimate users. A person does not have to apologise to anybody for owning a gun, as long as he uses it for a legitimate reason. A gun can be bought and kept for ever. There does not have to be a use, as far as I am concerned. The very important part of any legislation relating to guns is that providing penalties for their misuse.

I commend also suggestions made by several members that there ought to be more practice. That applies to police as well. Members of the pistol club in my area often invite police and bank employees who have pistols to use the club's facilities under supervision. The Burdekin Pistol Club, I am proud to say, has one of the finest sets of facilities in

this State. In fact, it would probably bear favourable comparison with any other facility in the nation. Members of the club have offered members of the police force access to the range for training. In very many instances police officers do not have sufficient training or do not have access to the facilities necessary to allow them to hone their skills.

Unlike members of the Opposition I am not one-eyed. I can see the worth in many arguments that have been advanced. I commend the suggestion that gun holsters should be covered with a flap. For a multitude of reasons that is a very good idea. People have expressed to me their concern about the blatant exposure of firearms. That is a worthwhile suggestion. I have no doubt that the Minister, the commissioner and his officers are constantly considering that matter. Queenslanders do not want any policemen imitating Starsky and Hutch riding around the streets of Queensland. Certainly I would condemn anything like that wholeheartedly.

I acknowledge that some of the points made by members of the Opposition on ways to approach firearms legislation are realistic, but I earnestly suggest to them that they get out into the community and talk to people other than the anti-gun lobby. They should talk with graziers and those who have no reason to own guns other than that guns have traditionally been owned by people in all free countries.

Although I do not know the exact words, a famous speaker well before my time—

Mr Comben: It must have been a long time ago.

Mr STONEMAN: It was.

He said—

“When we take away the right to bear arms, we take away the rights of people and we also hand over to potential anarchy.”

What would happen if somebody suddenly invaded Australia? People say that cannot happen but, if it did, most people in this nation would not have a clue on how to use a gun.

Mr R. J. Gibbs: You would look good as part of the First Burdekin Rifles.

Mr STONEMAN: The member for Wolston should pray not only that I looked good but also that I was effective. I would be in the north fighting the invaders while he would be shivering in his boots in Brisbane, which would have very few guns. I promise to protect the member for Wolston and all people like him. I can do that if this State maintains the very basic right of people to bear arms without the restrictions suggested by members of the Opposition.

Mr COMBEN (Windsor) (4.22 p.m.): I am interested in being able to follow Queensland's answer to Alabama's Governor George Wallace. I was not actually sure whether he was trying to ape that fairly conservative right-wing governor or whether he was trying to be a medieval knight throwing down the gauntlet. However, he raised two or three issues that I wish to answer.

He asked why the Opposition was not proposing the licensing of pillows, because they could actually kill somebody. Obviously the fallacy in that argument is that not many people approach bank tellers with a pillow and say, “Hand over the money or I'll smother you.” That is the sort of thinking and logic that can be expected from the member for Burdekin. He also asked what was the legitimate use of guns. Obviously the legitimate use of firearms in this State is, in some minor instances, to keep the peace and maintain good order. The Opposition would not hesitate to issue firearms, as they are issued to the English constabulary, in times of crisis and when the issue is certified by an appropriate judicial officer. Obviously, when stock have to be killed and there is no other humane means, guns have to be used. Those are the legitimate uses of firearms that the Opposition would not hesitate to license. I do not understand why the honourable member was raving on in that regard about his own guns. He has nothing to fear from gun regulations if he is not shooting wedge-tailed eagles, as I think he said he was. They are a protected, indigenous species and I cannot really imagine that that is what he said, but tomorrow I will examine “Hansard” with interest.

He said that the House has not heard from an Opposition member with any experience in the use of firearms. Some of those who will follow me have had experience with firearms, and I remind the honourable member that I spent seven years labouring in the

bush in central Queensland. All station-hands know how to look after a gun, as they do a bit of roo shooting on the side. I ask honourable members not to tell my conservation friends that as I am not proud of it; nevertheless, I did it. I was a young man on the land who went round with a group of mates, went to the pub for Sunday lunch, had a few beers and then went out to shoot the local signs. I want to see this Parliament get rid of precisely that sort of thing.

Mr Austin: I always thought you were suspect.

Mr COMBEN: It is interesting to hear the Minister for Health use the word "suspect". The Redcliffe hospital case might be suspect, but of course I would not mention sub judice matters.

On three occasions when I was a young, inexperienced station-hand, I saw events that could easily have resulted in a tragedy. I hope regulations are introduced to control the actions of such people.

Mr Stoneman: You are nervous because you are speaking of something you know nothing about.

Mr COMBEN: I am not at all nervous.

Mr R. J. Gibbs: The personality clashes are dreadful.

Mr COMBEN: Yes, they are. They are always from the right to the left.

When I consider the drafting of this legislation I find myself in a quagmire. The most repeated term in the Minister's introductory speech was "technical amendment". Time and time again minor changes have had to be introduced.

Under the Westminster system, which the Government says it is proud to uphold, and about which a member said in his maiden speech that the only similarity between Westminster and this place is the green carpets and the corridor between the Government and the Opposition benches, the Minister must be responsible for his Acts. I do not think the Minister can be very proud of introducing a Bill to amend words, inverted commas, provisions that may raise slight doubts, wording that might create a defence of duplicity to a simple offence, wording to prevent unnecessary repetition, or wording to correct a drafting error. Time and again technical problems arose under the original Act. No matter what the lawyers or the technical advisers in the Minister's department may say, the Minister must bear the responsibility.

I can only believe that this is another reflection of this low-tax Government that does not spend enough money on teachers, health or education; a reflection of the Government's attitude that is cast on the public service so that the parliamentary draftsmen and the lawyers in the Minister's department are so overworked that errors creep in. I suspect that in the future more and more amending legislation will not effect substantial changes but merely overcome many loopholes in the Acts to be amended.

When I started doing arts and law at the University of Queensland the cliché about the Acts interpretation subject was to the effect that if students could understand a Queensland Act of Parliament they could understand statutory interpretation anywhere in Australia. An improvement has been effected in recent years, but the Act being amended is a disgrace to the Government and to the Parliament that passed it some five years ago.

Some of the changes being effected were dealt with by the member for Nudgee in the original debate. The Government chose to ignore the advice then by members of the Opposition or to listen to reasonable suggestions. Again the Government displayed a total lack of democratic principles. Government members can tell that the Opposition contributions are reasonable by listening to the present one, which is excellent in content and excellent in conception.

The Government's uncaring attitude to every group in society, including those that aided the Government and campaigned during 1983 for the National Party against the ALP, can well be seen in the firearms legislation, in the regulations, and in other wider matters.

The Sporting Shooters Association, which received some criticism from my colleagues this afternoon, mobilised its fairly considerable membership to attack the ALP policy during the 1983 campaign. However, the true hand of the National Party of Australia is now being shown to this group. The Sporting Shooters Association is a respectable club with, I believe, slightly misguided views on the regulation of firearms. With at least eight other

shooting clubs, it is presently using the pistol and rifle ranges at Belmont. Honourable members will recall that that was one of the areas improved and used for the Commonwealth Games.

Mr Kaus: The best in the southern hemisphere.

Mr COMBEN: According to the member for Mansfield, the facilities are the best in the southern hemisphere. I agree with that. They are excellent facilities. The Government provided some money—not enough money—to aid the Brisbane City Council in providing those excellent facilities.

This somewhat isolated area facing Mt Petrie is excellently situated so that stray bullets do not cause any harm. It is ideally suited for a rifle range. For a number of years, the land has been provided by the Commonwealth Government to a range of sporting shooting clubs. These clubs have improved the facilities. The value of the land and the improvements, including targets and club facilities, would be about \$10m. Now, the Commonwealth has, apparently underhandedly, sold the land. A recent request from the Sporting Shooters Association resulted in the Federal inspector of rifle ranges refusing permission to provide improved facilities. There was also a somewhat odd comment in the letter of refusal stating that the new owner felt that there would be too much noise associated with a further-upgraded range. The new owner has not been revealed, but it is believed to be the Queensland Housing Commission.

Now, several thousand sporting shooters, who supported this Government until this information was received, do not know from week to week whether they will be able to continue their sport at a world-class facility at Belmont. Like so many other people in our community, the sporting shooters now see the real two faces of the National Party. Two-faced policies are usual with this Government. If the Government has any public decency, it ought to make a public statement about the future of the complex and allay the fears of large numbers of shooters.

Specifically, I refer briefly to the clubs involved. They are the Metropolitan Pistol Club, the Brisbane Pistol Club, the Sporting Shooters Association, the Cannon Hill RSL Rifle Club—hardly a left-wing organisation—the Queensland Rifle Association, the Mt Petrie Bowmen, Field and Game Club and the shotgun shooters:

The Government should be concerned about this matter. Unfortunately, the legislation that is before us this afternoon does not go far enough, as was so ably demonstrated by the member for Ipswich. Although the Act that we are amending today will place restrictions on some concealed firearms, it goes nowhere near far enough. Labor's policy was expressed by the Leader of the Opposition during the last election campaign, and we do not hide from that policy. He is reported as saying—

“Labor's approach as clearly stated on Page 18 of our Transport and Police Policy is as follows:

Because of widespread community concern over the increase in the use of firearms for violent crime and the apparently easy access to them, Labor will set up a select committee of the Queensland Parliament to report on and recommend legislation in the area of firearms control.

It is not Labor's intention for such legislation to adversely affect gun collectors or reputable shooters.

Labor's aim is not to interfere with a very popular sporting and recreational activity or to affect reputable shooters and gun collectors, but to do what it can to lessen the indiscriminate sale of guns and their use in violent crime.”

That is the very crux of our policy. We will not in any way deprive people of the right to legitimately use firearms. Any legislation that was introduced as a result of the findings of a select committee would make provision for the people mentioned by the Leader of the Opposition. Our legislation would be aimed only at those people who would use firearms indiscriminately and who would use them for improper purposes. The wild catcalls from the Government side of the Chamber are totally uncalled for. The public and the lobby groups in this State largely support Labor's policy. The Government does not listen to the lobby groups who want the legislation changed so that the ordinary citizen is protected properly from hooligans and from the improper use and misuse of firearms.

The Government does not listen to the lobby groups that want changes. The Government listens only to the pro-gun, anti-regulation lobby group. The latest survey that I could find was in August 1979, although I believe a later one has been conducted. In the 1979 survey, 89 per cent of Queensland people were in favour of compulsory registration of guns. On the other hand, only 8 per cent were opposed to their registration, and 3 per cent did not know. However, the Government listened to that 8 per cent of the population. That 8 per cent is really the National Party membership of this State.

Mr Hamill: Troglodytes like the member for Burdekin.

Mr COMBEN: Yes, troglodytes like the member for Burdekin comprise that 8 per cent. They are not concerned about the majority of electors in Queensland. They are concerned only about a few people who seem to constantly misuse firearms, and this legislation protects those people.

Mr Goss: What about the police and their need for bullet-proof vests? Why have they abstained from that?

Mr COMBEN: I have no idea why they have abstained from that. Members of the Government seem to have cast-iron digestions.

For a number of years, police organisations have been in the forefront of those calling for tighter regulations.

Mr Hamill: The Government ignores them.

Mr COMBEN: Yes, it ignores them, as it ignores everyone except those who contribute in some way to its campaign coffers or support it in some way in election campaigns. As has been said this afternoon, the Sporting Shooters Association supported the Government during the last election campaign. Every candidate was deluged with letters from the sporting shooters calling for no regulation of firearms of any type.

Mr Hamill: What have the sporting shooters to fear?

Mr COMBEN: The sporting shooters have only to fear what the Government could do to the Belmont Rifle Range.

Despite some differences between the views of individual police officers, many Australian police organisations strongly favour strict firearms legislation. The attitude of police organisations has been widely reported by the Queensland media over a number of years. In 1972, the secretary of the Federation of Police Associations, Mr R. M. Tremethick, called firearm control one of the community's most pressing priorities and added that all firearms should be under the same severe restrictions as concealable weapons, which require a good, specific reason for purchase. The Opposition does not argue about the need for a good reason. The need to shoot cattle and kill vermin and police protection and control are good reasons. The Opposition does not argue about that. The Opposition talks about the person who can buy a long rifle and then go into the bank next door and hold it up. Most bank robbers buy rifles. Unlike the honourable member for Burdekin (Mr Stoneman), they do not use pillows for the purpose of robbing banks.

The Queensland Government has also ignored two other similar recommendations from law enforcement representatives. In April 1977, the South Pacific Police Commissioners conference in Melbourne recommended uniform gun control laws for each State. In 1979, before the original Act was proclaimed in 1980, the Australian Police Federation meeting in Darwin urged the introduction of stricter firearm legislation throughout the Commonwealth. When the original legislation was debated, it was my late friend whom we have honoured today, Mr Kev Hooper, the member for Archerfield, who said—

"All guns and their owners should be licensed. I know that the gun dealers in this State will throw up their hands in horror at any suggestion of registration but, of course, it is quite obvious, as the Minister knows, that they have a vested interest."

Bullet-proof vests have been mentioned in this debate, but the Government has put the Queensland people in a straitjacket.

Mr Hooper went on to say—

"They are afraid that there will be a drop in sales. They are afraid that they will be saddled with extra paperwork . . ."

That is the real reason. In passing this legislation, the Government is not concerned with what will happen through the indiscriminate use of firearms. Government members are burying their heads in a feather pillow, and that is the only decent use for a pillow. "The Courier-Mail", the State's largest circulation daily newspaper, has also published a series of editorials supporting stricter gun controls. They are similar to those advocated by the Australian Bank Employees Union, a great lobby group for stricter legislation. That is the sort of advice this Government should be considering. The Australian Bank Employees Union usually is a fairly conservative group, and is not seen as being radical in any way. But its view is totally ignored. It conceded that stricter controls might reduce the availability of firearms generally. It saw that as being a benefit not only in reducing violent crime but also in assisting police in the apprehension of criminals and in reducing serious accidents resulting from irresponsibility.

I know that last year in England firearms were issued to police on about 24 occasions. The English Police Force has a higher clear-up rate than the Queensland Police Force. The rate of violent crime in England and in Queensland are about the same. Usually, English police are not issued with firearms. Again I am talking about the ratbag element and about the accidents that I have seen in this country. I have seen accidents that were almost fatal accidents. In summary—I am not talking about a small irresponsible group when I refer to the advocates of higher regulation and greater legislation. It is across-the-board support for further control.

The need for legislative changes to attempt to curb the increasing trend to violence has been dealt with adequately by previous Opposition speakers. The concern that has been expressed is really only a reflection of the reports emanating from the Minister's department.

In the 1977-78 annual report of the Police Department a reference was made to the "considerable increase in recent times of armed hold-ups". Reflections of that opinion can be found in reports since that time. In spite of that, no attempt has been made to restrict the sale of firearms. Sometimes I wonder whether the Minister listens to his departmental advisers. Obviously he does not listen to the Queensland Police Union. The honourable member for Salisbury referred at length to that union's submissions, which have been ignored. However, when the Labor Party is returned to office in 1986 it will implement those submissions quickly.

Although it is a view shared by the vast majority of Queenslanders, it is still necessary to outline to this Government the suggestion of minimum legislation. Such legislation should have been brought forward this afternoon if the Government was genuinely concerned for the welfare of people.

Probably one of the best outlines of minimum legislation is contained in the small booklet "Firearms in Crime, Accidents and Suicide with particular reference to the State of Queensland 1983" by Dr Paul Wilson, who is well known to most honourable members. He is an executive member of the Australian and New Zealand Society of Criminology and an associate professor in sociology at the University of Queensland.

That book was commissioned by the Australian Bank Employees Union and sought to survey all relative literature and statistical data on crime, accidents and suicides in Queensland involving firearms. I commend the booklet to all honourable members.

I shall quote what Dr Wilson saw as being minimum requirements for satisfactory legislation. I have no hesitation in quoting from such a partisan publication. The Australian Bank Employees Union knew that the result of an examination of all the relevant data and documents would be inevitable. So it turned to Dr Wilson and asked him to give it the facts, figures and conclusions.

Only one conclusion can be drawn—the need for minimum legislation that goes far beyond the Bill.

Dr Wilson sets out that such minimum legislation should provide—

"1. A person of 17 or older to be eligible for a firearms licence, other than one relating to a handgun. The Commissioner of Police should not, however, grant a licence to a person if in his opinion:

- It is not desirable in the public interest; or
- That person is unfit to hold a licence; or
- That person does not have a good reason for acquiring or possessing the firearm or ammunition to which the application relates."

If there is a good reason, the honourable member for Burdekin need have no worries. But he has gone off to have his cup of tea.

Dr Wilson goes on to say—

"2. With regard to the fitness factor, regulations should provide that: for the purpose of enabling the suitability of the applicant to be assessed he may be required to answer a written questionnaire relating to firearms and regulations and knowledge of firearms safety.

3. Licences for handguns to be granted by the Commissioner only when, after exhaustive examination of all circumstances, he decides it is in the public interest or the interests of the safety of the individual to possess a handgun. In general it should be assumed that it is not in the public interest for any citizen to possess a handgun."

In general it should be assumed that it is not in the public interest for any citizen to possess a hand-gun—unless, of course, there is a pressing need. Dr Wilson continued—

"4. Licences for replica pistols to be granted by the Commissioner only when it is conclusively demonstrated to him or his agent that such pistols are inoperable.

5. All persons wishing to deal in firearms to apply to the Commissioner for a dealer's licence, which is only to be granted if, after exhaustive examination, the Commissioner decides that the dealer is a fit and proper person to trade in firearms."

The final matter refers to a fairly touchy point in this Parliament during past weeks. It states—

"6. An applicant for a firearm licence who is refused a licence by the Commissioner to be entitled to appeal against his refusal by stating his case to a special magistrate."

That matter was enlarged upon this afternoon by the honourable member for Salisbury. I endorse his remarks.

If we are serious about protecting lives and being concerned about people, firearms legislation is needed. That point was widely canvassed in 1979 when the original Bill was passed. During the past five years it should have been apparent to the Government that such a need still exists. Recently the death of a police officer occurred in Rockhampton. It highlighted the need for strict controls. Even with such controls the overall problems will not be resolved; death caused by firearms will not be prevented. However, if the crime of passion in which a person purchases a firearm and returns to a house and shoots another person can be prevented, something will have been achieved. The respectable people who need a gun or a firearm for any legitimate reason need have no fears of the Labor Party in Queensland. In 1986, following a joint parliamentary committee review and consideration of the matter, it will be the pleasure of the Labor Party to pass legislation to regulate guns in this State.

Mr INNES (Sherwood) (4.46 p.m.): When the original legislation was introduced in this Chamber four and a half years ago, I said that I thought that it was based on the wrong premise. It fell far too severely on the legitimate user of firearms and left the illegitimate users, be they criminal or merely negligent, comparatively unaffected. Contrary to some of the speeches made in support of the Bill, I believe the changes are of a comparatively minor nature. They deal with some matters of detail that should rightly be addressed and that should receive the support of this Assembly. Nobody will unduly criticise the Minister for what appears in the legislation.

It is a shame that it takes four and a half to five years for suggestions made in this Parliament to be absorbed by the Government. I commend the Minister for taking on board the principle of appeals. He will recall that I suggested a similar provision in the pawn-brokers' legislation earlier this year. It is a good principle, and he should stick with it.

We know that everything that happens in this House is predictable. It is predictable that members on the Government side will support the Minister; that is their obligation. The member for Toowoomba North, who represents the garden city, horrified me when he said that Molotov cocktails are common or garden objects. For those persons who live elsewhere in this State, they are not a familiar part of urban life. Things must have changed

since I was last in Toowoomba. The honourable member suggested that the legislation moves towards something better. I ask: What is it moving towards and why is it not moving all the way now?

The honourable member suggested support for the Queensland Police Union's attitude as shown by its documents. He suggested that it was taken on board in the development of this legislation. I ask: If the legislation is moving towards what is proposed by the union, why does it not go all the way? If there is force or wisdom in what the union says, why can it not be accepted now rather than the legislation going only part of the way?

Really, what the union is about is exactly what I and others were about four and a half years ago. It is not the illusion, but the reality. It might be easy for an urban Queensland dweller to take one attitude and for a bush dweller to take another attitude. Guns are more part and parcel of life in the bush. We know that and we respect that. However, people in the bush must respect that the urban dweller is more likely to be around if there is a robbery because he is in a more closely settled area and is more likely to be in danger if bullets fly. Special fears are present. One should look at whether both views could be accommodated.

One of the strongest matters of complaint when this legislation was considered for the first time was the problem of the irresponsible use of weapons in the bush. Everybody has seen tank stands ruined and cattle jeopardised as a result. Everybody has seen road signs or stock shot at by irresponsible users of weapons. It will be recalled that the original legislation contained a proposal to allow property-owners to detain people. That is an unusual power, one that itself could lead to dispute. I and others made the point that, on the very ground that there could be arguments over weapons, there was a real danger in giving property-owners the right to take action themselves. One of the most likely ways in which guns are used irresponsibly, or possibly criminally, is if there is a fight over a gun. When a person seeks to grab a gun from somebody else or seeks to arrest him, obviously a gun is present and danger is present. One wonders how many isolated bush deaths in the last few years have resulted from somebody, after hearing gunshots, remonstrating or trying to take action against people unlawfully shooting on his property.

The complaint of people living in the bush was absolutely valid. They had a fear about the irresponsible use of weapons. Recently there was the tragedy in central Queensland of two people on a lonely property being shot. It is not just a matter for the bush. It is not just a matter for the towns. It is a common problem. Let us try to find a common answer. Let us not just politically buckle in favour of people who live in one area rather than those who live in another. What is the middle ground? I do not believe the Labor Party has found it. I do not believe that we should go as far as registering all weapons and licensing all people. I do not necessarily wish to buy into the argument about whether owning a gun is a right or a privilege. Every sensible and responsible person recognises that firearms are dangerous and can be the source of property damage, physical damage or death. Every adult ought to believe that any dangerous instrument, thing or object has to be used responsibly. Therefore, it is not really a matter of rights and privileges. It is a matter of trying to ensure that people use dangerous instruments properly. That, I suppose, is really what the driver's licence is all about.

Where is the danger to the majority of Queenslanders? As I pointed out in 1979, it is not the concealable weapon. Statistics were used today that I contest. The police statistics for 1978-79 show that 90 per cent of all crimes involving firearms notified to the police or investigated by the police involved long arms. Approximately 70 per cent were .22s, 20 per cent were high-powered weapons and only 10 per cent involved concealable weapons. Therefore, legislation that concentrates on concealable firearms ignores 90 per cent of the problem. It is ridiculous to concentrate on the concealable firearms, which account for only 10 per cent of the problem.

The problem arises in a number of ways. I have dealt with property damage. There is also injury and death caused by the criminal use of a weapon. There is the threatening use of a firearm as in armed hold-ups and there is accidental shooting. A slight modification to the criminal use is domestic violence. It is probably true to say that as long as a large number of weapons is generally available the criminal who has a great deal of time to plan will get hold of one and plan a deliberate long-term premeditated crime. Nothing can be done about that. If that is his bent, it is easier if he has a concealable weapon but as long as he can procure a long arm he can saw the barrel off and doctor it up accordingly.

I recognise some validity in the argument that the hard-core criminal will find a weapon one way or another. His task should not be made easier for him and steps should be taken to control the most dangerous weapons that he could possess, which is obviously why I support the attitude towards concealable weapons.

Accidental injury is of enormous proportions. In the course of the 10 years of the Vietnam war, more Australians were injured and killed by accidental gun discharge in Australia than were killed or wounded in Vietnam. That is a sobering statistic. Other statistics mentioned this afternoon show the extent of damage, injury and death caused to people by accidental gunshots. Only two weeks ago in the criminal court in Brisbane a soldier—one might be relieved to say he was in the artillery, not the infantry—was charged with discharging a gun on returning to his quarters and very badly wounding a fellow-soldier. That sort of thing is happening all the time. On the last occasion this legislation came before the Parliament, I went through newspaper cuttings. In a period of about six months only two cases involved pistols. The majority of accidents involved people carrying long arms with one still up the spout, or using guns with which they were not familiar.

In 1978-79, about 70 per cent of all incidents involved a single, very dangerous brand of .22 rifle, which is manufactured in the Philippines and sold in supermarkets. The cocking action of that weapon is not particularly visible. It does not have the old-fashioned cocking action, which makes it clear when a weapon is primed. Unless a person has an intimate knowledge of the workings of this weapon, he is not aware if it is primed.

Probably nothing can be done other than to minimise the number of weapons available, particularly concealable weapons, to hard-core criminals. Surely to God something can be done about accidental shootings and something can be done about the incidence of domestic violence which, as all policemen know, takes more policemen than any other form of shooting. The recent tragedy in Rockhampton bears testimony to that. Too many policemen are shot down at the doorstep—inevitably with a long arm—when they go to investigate domestic disputes. Because of that, the cooling-off period, which has been mentioned by police and some Opposition spokesmen, is a sensible proposal.

One of the reports I read about the Rockhampton incident indicated that the man had bought the weapon only a couple of days beforehand when clearly he was emotionally disturbed and distressed. Obviously something had happened with the police, on whom he focused his psychiatrically unbalanced state. Perhaps that would have been prevented—and other incidents will be prevented in the future—if the accessibility to firearms is restricted by introducing a cooling-off period or by some other practical device.

Mr Davis: Have you ever been a keen supporter of the gun lobby?

Mr INNES: Some parts of the gun lobby are irrational.

When I was younger—I will reveal my interest—I shot a variety of weapons in my Army battalion shooting team. I shot the .303, the FN, the SLR, the Bren, the Sterling sub-machine-gun and the pistol. I did so for two years and enjoyed it. As a young person and after I left the army I enjoyed shooting. I understand people's wish to target shoot. I also understand people wishing to hunt. I understand only too well that people need a weapon, as a tool, on a property. I have nothing against the proper use of guns.

For generations people my age and older did national service and their fathers did national service or served during the war. They knew guns and they taught their children how to use them. At the time, a less extensive range of guns was available. It was therefore easier to know the type of gun being used. The present generation knows nothing about guns but the youngsters have the fascination for guns that men have always had. This is happening at a time when their purchasing power has increased and guns are readily available in the supermarket situation.

If I were to call on the Minister to do anything it would be to stamp out supermarket guns. They are not wanted and they are not needed. They are bad. They are a temptation and they are available to kids with an experimental interest but no gun knowledge. Kids can buy guns in a pack and walk out of the supermarket door without warning or instruction.

Just before the legislation was dealt with on the last occasion, a 16-year-old on the Gold Coast sneaked into a supermarket and bought a rifle. He and his 16-year-old mate sneaked home when the mother was out and played with the new .22. They practised putting ammunition into it, practised cocking it and, inevitably, a death occurred. As a result of that death one young fellow was on a manslaughter charge and the mother became psychiatrically disturbed and had to be institutionalised. That was a horrifying tragedy, but that sort of tragedy could be controlled by turning off the tap in the supermarket for the damned cheap .22s which are so readily available and are sold by people who know nothing about guns to people who know nothing about guns. If a person has water running through his house, the first thing he does is turn off the tap. He may have problems mopping up but he cuts off the source of the problem.

Other than in remote bush situations, only genuine gunsmiths or gun-dealers should sell firearms. I accept that, in remote areas, a general store should carry guns and ammunition. In the provincial areas only gunsmiths should sell firearms. If the huge department stores are to take part in this trade, let them have discrete and separate gun departments, with trained staff who have an obligation to tell buyers something about firearms before they are sold. In too many instances, even people with a knowledge of guns cannot tell whether a firearm is cocked and, in many instances, people with a knowledge of guns do not know whether a gun is an automatic or a single shot. Nowadays, youngsters do not know enough about weapons.

Outlets for firearms should be restricted, and they should be staffed by properly trained people who have an obligation or are compelled to demonstrate the firearms and warn customers about them. One manufacturer supplies a small leaflet that outlines 10 safety rules or 10 rules for dealing with guns. I forget the exact description, but it outlines the 10 basic steps to be observed by gun-owners.

There is something in the proposal to license gun-users. In my view, an 18-year-old who wishes to obtain a long gun, and who is not insane and does not have a criminal record, has a right to acquire and own such a gun. But let us make sure that he knows something about his gun. The police are trained in firearms. As with a driver's licence, that 18-year-old should go along to a police station and get a gun licence after answering a few questions.

In Queensland, there is the extraordinary situation in which anyone can buy any military weapon in a gun shop. In an army barracks, there is an armoury behind double-locked doors. Anybody who mishandles a weapon or loses part of a weapon is charged and appears before a court-martial. Total responsibility is shown by the armed services, but absolutely no responsibility is shown by anybody else who has anything to do with weapons.

I was certainly trained in the use of weapons. I was not allowed near the real thing until I could dismantle a weapon and put it together again and deal with ammunition blindfolded. I had to do that before I was allowed onto the range.

Let us do something sensible. Let us provide that anyone who wishes to own a gun must go down to the local police station. The sergeant could say, "Listen, fellow, what do you know about guns? What are the 10 rules of the road?" Even if people say once in their lives, "I must never point a gun. I must never carry a weapon with a bullet up the spout. Before I carry a weapon or pass one to somebody else, I must check the breech to make sure it is empty.", we have gone some way along the track to teaching them one of the basic rules of the road.

A whole generation of people know nothing about guns but still have a fascination with them, and those guns are very freely available. We can do something without cutting down the right of a person to own a weapon. If he is responsible, let us make sure that he knows something about the weapon. Let us check him out for psychiatric disturbance or criminal record. Let us also check his age. That would be a simple administrative arrangement.

Once a person obtains a licence for a gun, he should be able to have a number of guns until he breaches his licence or commits an offence. I have no hang-ups about a person having one weapon or nine weapons.

I think that the law is too harsh in relation to concealable weapons and antique weapons. The legitimate interests of the person who collects firearms, antiques firearms, or even concealable firearms, should be recognised. There is the ludicrous situation in which some extremely valuable muzzle-loading pistols and other sorts of pistols are absolutely defiled by welding up the blocks or by removing the actions. Gun-collectors are the most responsible

of all gun-owners. For them, the working weapon is what it is all about. It is a piece of machinery. It is a thing of beauty and of interest. Some people in Queensland have put together world-class collections and have written books that are the envy of the world about the art of gun-collecting and the art of the gunsmith and gun-maker over the years.

On the one hand, absolutely unrealistic burdens are placed on people who are responsible and have enormous knowledge of guns. On the other hand, no burdens are placed on people who are not responsible, have no knowledge of guns and can use them only dangerously.

The antique dealer or collector should be licensed. He should be allowed to have not only one concealable weapon but a number of them without paying multiple licence fees. People who are so licensed should be allowed to trade with each other, and that is another area. The proper balance was not found in the first place, and it has still not been found. On the one hand, the legislation is too tough on the most responsible people. On the other hand, the long-arm situation is comparatively untouched, and that represents 90 per cent of the problem.

The Minister is new in his portfolio. He has made a start. I support the member for Toowoomba North and say to the Minister, "Let us move further along the track to rational gun laws." I do not believe that a total balance has been found.

I do not believe that all members of the Sporting Shooters Association are rational. I received letters from sporting shooters saying that it is a constitutional right of Australian people to bear arms. That is rubbish. There is no constitutional right. Australia has no written constitution with regard to traditional rights. Whatever this Parliament decides becomes part and parcel of the law and constitution of this State.

A lot of nonsense is being talked, and it has been whipped up by people with half-baked ideas. After the last debate on the firearms legislation, I received a letter from a part of Queensland suggesting that I should have remembered that only a few short years ago—in 1974—this country stood on the brink of civil war. At that time, it was suggested, every right-minded citizen should have had a gun under his bed. That is the sort of craziness that is so dangerous. It is well-known what I think of Gough Whitlam and that period of Labor administration, but Australia did not stand at the doors of civil war. If we listened to some of the cranks and idiots involved with firearms, Australia would stand at the brink of civil war and the arms would be provided to go with it. The balance must be found. The cattle and the tank stand in the bush must be looked after, and the peace and security of the urban dwellers of this State must also be looked after.

Mr VAUGHAN (Nudgee) (5.11 p.m.): Because I was the Opposition spokesman in 1979 when the Firearms and Offensive Weapons Act was introduced, I shall make a few comments about the Bill to amend that Act.

The Opposition spokesman for police, the member for Salisbury, has outlined in detail and very correctly and positively the attitude of the Opposition to the licensing of people who own rifles or shotguns in Queensland. The other Opposition speakers have more than adequately answered the remarks that have come forth from speakers on the other side of the Chamber.

I shall comment first on the manner in which the Bill was introduced. With the explanations given by the Minister for Lands, Forestry and Police, I found it very easy to follow the proposed amendments. I have said when debating Bills introduced by the Minister for Mines and Energy that it is a shame that the introductory speeches bear no relation to the contents of the Bill. The speech by the Minister in charge sometimes does not flow. In a recent debate in which I led for the Opposition, the explanations of the provisions in the Bill jumped all over the place. The Minister began with an explanation of a clause at the beginning of the legislation, then jumped to one at the end of the legislation. However, this Bill flows and each clause and section can be read in conjunction with the explanation given by the Minister. That has made it so much easier for members to follow.

Mr Davis: You want the Acts in loose-leaf folders.

Mr VAUGHAN: I am always on about loose-leaf folders.

As the member for Salisbury said, the Bill is fairly straight forward, contains many technical amendments and cleans up many mistakes overlooked in 1979. At that time, a rather long debate took place. It took almost two hours at the Committee stage, and honourable members went through the Bill clause by clause and virtually word by word.

I have been through this Bill clause by clause to make sure that I understand exactly what it is all about, and I would like to make a few remarks about it before I speak about my attitude towards firearms legislation in Queensland.

Clause 11 makes provision for licensees, as well as personnel of financial organisations, to shoot on a pistol range. At present, people with a pistol licence are restricted to shooting on their own range, and the proposed amendment corrects that situation. I will discuss that further at the Committee stage, but I believe that if section 50 of the Act is to be amended, section 52 should also be amended. Section 52 deals with an attendance register. As I see it, although some members of pistol clubs are allowed to shoot on the range at their club or, as is provided in the Bill, on any pistol club range, and are required to sign an attendance book, no reference is made to other persons. Section 52 should be amended to provide that all people, not only members of pistol clubs who shoot on pistol club ranges, sign the attendance register.

Another clause relates to the effects of the prohibition order. An amendment was made to that clause to include a dangerous article. Under the section of the Act dealing with prohibition orders, a prohibition order can be placed on a person and that person shall not possess, acquire or hire any firearm conversion unit, ammunition or dangerous article. The latter portion has now been inserted by the Bill. The Act further provides that no-one shall knowingly supply to a person who is a prohibited person an article, firearm, conversion unit, etc.

Because no licensing system exists for persons who want to own or possess a rifle or shotgun, no effective way is provided of ensuring that, although the Act makes provision for a prohibition order and although it relates to the effect of a prohibition order, no prohibited person shall own a firearm, unless that person's conscience prevents him from purchasing such an article.

I come back to the tragic shooting of the police officer in Rockhampton. As I understand it, the person who shot that officer was a prohibited person. The point I am making is that, even though he was a prohibited person, he was able to purchase a firearm—in that instance, a rifle.

Although the Act provides for prohibition orders and the effect of prohibition orders, it does not state how a person selling firearms and offensive weapons can be enabled to not commit a breach of the Act by supplying such a person. A dealer does not knowingly supply, but a gap exists in the legislation. That is why previous speakers and I believe that if the legislation provided for the registering of firearms when people obtained licences, an opportunity would be given to the person to whom they made application for the licence to check on whether the applicants were prohibited persons. The tragedy that occurred at Rockhampton illustrates quite clearly what should be done.

I am sadly disappointed that the Government has made no attempt in the Bill to cover such a situation. I realise that the Government might not have had time to amend the legislation to cover such a situation, but I know that police officers throughout the State are concerned.

As has been pointed out by the previous speaker, the honourable member for Sherwood, a police officer engages in a most dangerous activity when he answers a call to an alleged domestic disturbance. He does not know what will confront him. The Government owes it to the police officers and the bank officers to take the bit between its teeth. It should forget about emotional outbursts such as those that came from the honourable member for Burdekin. He claimed that every household should have a rifle or a firearm so that every man, woman and child could be taught all about firearms. That is absolute garbage.

Because of the proliferation of firearms throughout the community, the present situation has developed. I appeal to the Minister to take on board what I have said. I hope that it does not take another four years to amend the legislation and that something positive is done before then.

I read the speech that I made during the introduction of this legislation in 1979. As the Opposition spokesman on police matters at that time, I made it quite clear that every person who wanted to own or possess a firearm should have no objection to going along and obtaining a licence to own or possess that firearm. In conjunction with the application for a licence, a person should be given a basic course in firearm safety.

In 1979, I asked why a person, particularly in the metropolitan area, would want to buy a range of firearms unless he wanted to join a gun club or go out west to do some shooting. Although a significant number of persons have a range of firearms in their houses, they never use them. I do not advocate that a house-to-house check be undertaken. However, if a house-to-house check was conducted, it would be found that there is a proliferation of firearms within the suburbs in the metropolitan area and in provincial cities throughout the State. I suggest that anybody who wants to own a firearm should be a member of a gun club. He should be trained in the use of firearms. Rifle and gun clubs can be found in most areas. People receive the correct training at those clubs.

I take on board the comments made by the member for Sherwood. I did my National Service training in 1956. For the first four weeks of my National Service training, I was not allowed to touch live ammunition. I learnt how to handle a .303 rifle. It was only after that four weeks' basic training that I was allowed on the range to fire the rifle. That is the way it should be.

However, that is not what is happening at present. One can buy rifles at the supermarket. The K mart, A Mart and other companies take full-page advertisements in the newspapers. When the Bill was originally introduced in 1979, the situation was virtually the same as it is now. Since the introduction of the legislation, those who sell firearms have shown more application. A record is kept of the people who purchase firearms. I have been to K mart with my son. He has a fascination for firearms and rifles. I am trying to talk him out of it. I do not see the sense in his having a firearm in the city, because the chance of his using it is very remote. A person can walk into a K mart store and handle a high-powered rifle.

Reference has been made to Armalite rifles and M31s and .22 high-powered rifles. Rifles of that type can be purchased provided that the purchaser is at least 17 years of age. Ammunition can also be bought. The person signs his name in the register. I do not think that proof of identity is requested. That is wrong.

The Act presently contains many sections governing persons who possess certain types of weapons. One big gap exists in the legislation. The Bill does not provide for the most misused or abused firearms, which are rifles and shotguns. At present, a person must possess a licence for a concealable firearm. All honourable members would acknowledge that that is as it should be. The Government has seen fit to provide that a person must have a licence for a blank-fire, concealable firearm for sporting, theatrical or other purposes. That is a gun that fires a blank cartridge to start a race or a gun that is used in the theatre. I suppose that there is an argument for that.

However, if there is an argument for licensing those guns, surely there is an argument for licensing rifles. The argument is advanced that people in the country ought to be able to own firearms. I spent the first 15 years of my life in the west and I owned a .22. I went out rifle-shooting with .303s. I shot kangaroos and pigs. It is a different ball game out there. Country people do not have the same appreciation of the need for gun control as do city dwellers.

Even in the suburbs there are times when firearms are discharged. Road signs in the metropolitan area have been damaged by firearms. Not so long ago a person was telling me about a very dangerous blind spot on the Mount Mee road, where a sign indicating a winding section of the road had been practically blasted apart. People using firearms in that area would not be such good shots that they would always hit the target. There is always the chance that some unsuspecting motorist will cop the blast. These are the matters that have to be taken into consideration.

Licences have to be obtained for antique and souvenir firearms. There is merit in that. I do not disagree with that. Many of the owners, however, did not agree that they ought to hold a licence. A licence has to be obtained for a conversion unit for concealable firearms. That is fair enough. There is also a pistol club shooter's licence and a restricted firearms licence. Then, of course, there are the dealers. A person who wants to operate an explosive-powered tool in the building construction industry must have a licence. Licences are required for all those categories—yet a person does not need a licence to own a shotgun or even the most high-powered rifle.

I press my point and appeal to the Minister to rethink the matter. I have not done as much research in preparation for this speech as I did in 1979 when the original Bill was debated. However, I point to a few instances. On Sunday, 18 March 1984, a husband

and wife were shot with a .22 rifle outside Mackay. Again, the .22—the most common weapon available in this State. On Friday, 23 March 1984, a youth was firing a rifle at cars on the South East Freeway, in the Brisbane metropolitan area. How did that come about? I would be very interested to know how the police investigation went. How did the lad come to have a rifle? Why did he purchase it? Where did he purchase it? Why was he firing at cars on the freeway? The obvious answer is that he was bored, he had a firearm that he wanted to try out and he wanted a moving target. In the metropolitan area it is difficult to find a moving target. What better than a car moving along the freeway? On Saturday, 24 March 1984—the next day—there was a report of a youth firing eight shots at Woolloongabba. I do not know whether it was the same youth. However, on my reading of the newspaper report, it was a different youth. Again, the rifle being used was a .22, which he probably obtained very cheaply at A Mart or a similar store, along with all the ammunition he wanted.

I have already spoken about country road signs being blasted. There has been reference to hunting. In this day and age, very few metropolitan dwellers go hunting. People used to go out to Goondiwindi or to the Carnarvons; but the amount of hunting done these days by city people in the country would be very, very limited.

Mr Neal: You're joking!

Mr VAUGHAN: The member for Balonne is from the country. I am talking about city people who go out on hunting expeditions. They might go out and shoot kangaroos. The poor old roo is the most sought-after quarry. They might go to shoot wild pigs or deer. However, the point I make is that, in comparison with the number of rifles owned by Brisbane people, the number used for hunting is very limited.

A fellow who lives in my street had an arsenal of weapons. It was known that he had threatened to shoot people. As I understand it, until such time as the rifle's trigger was pulled, nothing could be done about it. Perhaps action can now be taken against such people under the Peace and Good Behaviour Act.

Mr Eaton: It is just as well that the former member for Caboolture is not here, otherwise he would tell us about his pig-shooting expeditions.

Mr VAUGHAN: He would be one of the few city people I know who still goes hunting.

I must emphasise that if a person wants to obtain a firearm, be it a rifle or a shotgun, he should have to establish that he knows how to use it and how to handle it. As has already been said, and as is contained in the Act, a person who wants a licence for a concealable weapon has to establish that expertise. The same provision should be applied to those who want rifles or shotguns. That would not be too hard to accomplish and would certainly be in the best interests of the people of this State.

I will now consider regulations throughout the length and breadth of Australia. As I understand it, my information is up to date. In New South Wales, those who want to own a rifle or a shotgun must obtain a shooter's licence, which covers all firearms other than pistols, for which a special pistol licence is required. The licence is issued for periods between one and three years and the applicant has to be at least 18 years of age to obtain one. In Victoria, a person who owns a shotgun, a rifle or a pea rifle—that is a .22—must obtain a shooter's licence which, once again, is issued for periods between one and three years and the applicant has to be at least 18 years of age. In South Australia, all holders of firearms have to be licensed and each firearm has to be registered. In Western Australia, each firearm has to be registered.

Mr FitzGerald: What is their record?

Mr VAUGHAN: Each firearm has to be registered. The honourable member has asked about Western Australia and I am telling him.

That little island that has an alliance with Queensland, Tasmania, is different. Only pistols are required to be licensed. I would say that not too many people in Tasmania would be running around blasting at things with rifles. In the Australian Capital Territory, firearm-owners are licensed. To obtain a gun licence, a person is required to be 16 years of age and,

for a pistol licence, 18 years of age. In the Northern Territory, which in my opinion is one place where a person who owned a rifle or a shotgun would have a use for it, all shooters are licensed and all firearms are registered.

I know that licensing and registration would be a big job. The arguments advanced by those who are opposed to the licensing of persons who want to own a rifle or a shotgun is that it would be too costly and impossible to police. I will go along with the member for Sherwood: It may be difficult to cover what has happened before this, but a start should at least be made now.

Mr FitzGerald: Does it work to cut down crime?

Mr VAUGHAN: Of course it must work.

Mr FitzGerald: Give us the figures for crime in Queensland and Western Australia.

Mr VAUGHAN: The honourable member should consider what I said previously. Had he been in the House when I spoke not about the accidents that have occurred but of the incidents that have occurred in the last three days, he would realise the validity of my point. As I said, a husband and wife were shot in Mackay. Several months before that, another person in that area was shot in mysterious circumstances. In the last few days a youth fired at cars on the freeway and at Woolloongabba another youth fired a .22.

I appreciate that the incidents that have occurred in the last few days, or the last few months, occurred too close to the date of the introduction of this Bill for the Minister to incorporate amendments that may prevent future, similar incidents. However, I stress the point that if a better way existed to police the prohibition orders that are imposed on people who are determined as being unfit to own or possess a firearm, the police officer in Rockhampton who was shot would be alive today. In order to prevent the same thing happening to police officers in the future, something has to be done.

I appeal to the Minister to do something about licensing the people who own guns. I do not go the whole hog and ask for the licensing of firearms; I believe in the licensing of the person who wants to own a firearm. If a person such as a grazier, a pastoralist or a person out west—for that matter, a person anywhere—really wants to own a firearm, it should not be too much of an imposition on him to be checked out to ensure that he is a fit and proper person and competent to handle that firearm. Anybody in the metropolitan area, or even in country areas, who wants to own a firearm should be encouraged to join a rifle club. I have been a guest of the Queensland Rifle Association and fired on its range. I appreciate the tuition and the checks that that association carries out to ensure maximum safety by everybody who handles a firearm.

Mr PRICE (Mt Isa) (5.35 p.m.): This afternoon, most of the argument has been presented, and most of the words that I planned to use have been said. I have received a great deal of correspondence from my constituents on this subject. I remind honourable members that I was not in the Chamber when the legislation was debated in 1979. My principal objections to the amendments would surface if the Minister did not give an assurance on a couple of clauses. I have in mind clause 2, which amends section 6, "Application of Act", and its effect on clause 16 which introduces new section 67A. Section 6 of the principal Act is to be amended in paragraph (a) by inserting after the words "body vest" the words "or handcuffs or other similar restraints of a type approved for use by members of the police force or any other law enforcement agency or security service in Queensland".

New section 67A will read—

"Subject to this Act, a person shall not have possession of or acquire handcuffs, thumbcuffs or other similar restraints unless he has reasonable excuse for so having or, as the case may be, acquiring."

I seek an assurance from the Minister that the amendments make adequate provision for genuine collectors of militaria, that is, that they cover items desired by collectors of war relics and artifacts from the penal system. Should an assurance not be forthcoming I will move an amendment to allow genuine collectors and dealers specialising in historic militaria and penal artifacts to have in their possession handcuffs and similar restraints that the proposed amendment may outlaw. A "reasonable explanation" will cover my objections adequately.

The Government is avoiding the matter of firearms in the community. I remind honourable members of what has been said about the fatal shootings in recent months of the policeman at Rockhampton, the couple at Mackay and so on. I also remind honourable members that Queensland and Tasmania have the weakest gun laws in Australia.

The statistics quoted earlier in the day by the honourable member for Ipswich were taken from a report that I had read. I shall now present to the House some figures that the honourable member did not produce. The report showed that 3 million guns are privately owned in Australia. That is one for every four people. In 1974, 10 years ago, the ratio was one in six. In America, the ratio is one in two. According to the report the majority of Australians (86 per cent) support stricter gun laws. Between 1977 and 1982, 832 gun-related offences were committed in the country. Of the total number of offences, 744 involved males, 90 involved females, 75 were accidents, 94 were murders, 650 were suicides and 15 were indistinguishably guns or explosives. The report revealed that, from December 1982 to August 1983, 93 armed hold-ups, six sieges and 25 gun-related incidents took place. Most gun deaths were caused by rifles and shotguns but, as has been said already today, this legislation is aimed mainly at concealable firearms or hand-guns.

Almost anyone over the age of 17 years can buy a rifle. He could be mentally unstable or have a criminal record. The Parliament is being asked to amend firearms legislation, mainly because of the pressure from a successful lobby group. I bring to the Minister's attention an editorial that appeared in "The Courier-Mail" last year. It summed up extremely well the attitude of Australians. Earlier, the member for Burdekin said that 90 per cent of people in Queensland see things his way and that he would like to see guns in every home in Queensland.

Mr Stoneman: I said 99 per cent are honest.

Mr PRICE: I stand corrected—99 per cent.

The editorial states—

"The opinion poll last year—"

that is the one from which I have already quoted statistics—

"showed that the vast majority of Australians believed that ownership of guns should be more strictly controlled and drew critical response from this lobby group. It argued that there must be a clearly demonstrated threat to public safety before restricting the right of law abiding citizens to own and use firearms.

The last few months in Queensland have shown that such a threat exists.

Those people holding the gun in each case. Were they law abiding citizens whose right to carry firearms should be defended? Obviously all of them were not. In each case the accessibility of a weapon was an important factor. In any cases where shooting might be intentional, lack of access to a gun can give time for cooling off.

Certainly some people need guns. This applies particularly in the country.

In the U.S.A. where gun laws have been notably lax easy access to firearms has led to an enormously high trigger rate.

Australia does not want to get into that situation.

The State Government should look closely at our gun laws or lack of them.

Perhaps the gun lobby if it is shocked (as it should be) by the recent shooting in this State can offer some positive suggestions which still would protect the right of those who need guns to have them."

Are these amendments all that such a lobby could offer? What of the firearms in the home and their accessibility to children? Anyone who wants a gun should undertake a course in safety before being licensed. Surely gun clubs would happily provide such a course. It would mean increased membership for the clubs and certainly public awareness of the role that they are playing. On production of a certificate of competence at a police station, a licence could be issued that lists all guns, rifles, etc., owned by the applicant. That information would be computerised, and any sale or destruction of a firearm would carry the requirement of police notification. No firearm could be sold to an unlicensed person. The advantages are obvious.

Hand-guns would be allowed in the public interest or in the interest of the safety of the individual, and the attitude of the police in that instance should be that it is not in the public interest for anyone to own a hand-gun.

I urge the Minister to have a further look at this Bill and to examine the overwhelming evidence in favour of the setting up of a parliamentary select committee to look into the licensing of firearms.

Mr SHAW (Wynnum) (5.44 p.m.): Many comments have been made about safety requirements that should or should not be included in this legislation. Those matters have been well canvassed, and I do not intend to go over them again. I wish to discuss a different aspect. I refer to the dangers that exist on some rifle ranges in this State and the lack of control or lack of regulation over them. To a large extent, it is left to the clubs to impose self-regulation. Although, in many cases, that self-regulation has been adequate to date, I do not believe that the concept of self-regulation in the running of rifle clubs is sufficient. There needs to be some sort of regular supervision.

The rifle shooting clubs are very, very well intentioned and some are very capable. At the same time, I have no doubt that other clubs are not quite as capable. The safety precautions of the Brisbane clubs that are affiliated with the Queensland Rifle Association are first class. However, the Act and the Bill under debate are very silent about the conditions under which rifle ranges should operate. A grave risk exists because at any time a fatality could occur on one of these rifle ranges, and that includes the Brisbane ranges, of which members have spoken so proudly. It is really a case of an accident waiting to happen.

Two main aspects of safety should be brought to the attention of the House. The first is the problem of children riding trail bikes in the area behind the rifle ranges and even behind the targets. It is incredible but it does happen. It is happening regularly and it is only a question of time, if something is not done urgently, before a child is accidentally shot. It is happening at the Belmont Rifle Range and I know that that club is doing everything possible to police the area to ensure that unauthorised people are kept away from the danger areas. The State police regularly visit the Belmont Rifle Range, as do the Federal police. They are trying to do something, but their efforts are in vain. The people supervising the rifle ranges insist that the areas be adequately fenced. But as fast as clubs repair the fences and re-erect signs to tell people of the dangers and to keep out, the kids keep breaking the fences down and riding their trail bikes in the prohibited area. They seem determined to commit suicide. As most honourable members are aware, there is a shortage of places in which children can ride trail bikes. But how they can ignore the signs, break through safety fences and ride in an area where they know there is every possibility of being hit by stray bullets is quite beyond me. They ride right behind the targets! Bundaberg and Maryborough are situated in fairly flat country and the local trail bike riders look for mounds to ride or leap over. Therefore, they are leaping their bikes over the mounds on which the targets are mounted. Although they hope that they are riding when people are not shooting, I know of instances in which mistakes have been made and the trail bike riders have ridden onto the ranges when people are preparing to shoot or in the process of shooting. I do not know whether parents are aware that this is going on but I hope that it is brought to their attention that their children are playing a modern version of Russian roulette.

This is particularly important because, as I understand it, moves are afoot to change the ownership of the Belmont range. As most honourable members know, because it is Crown land, the range has been under the control of the Federal Government. The Federal Government wishes to pass ownership over to a more appropriate controlling body. It has been suggested that control by the various clubs of a State Government or Brisbane City Council lease would be appropriate. I have been informed that negotiations are under way at the present time that will, most likely, give the Queensland Rifle Association control of the whole area and that it, in turn, will sublease to other clubs.

I am deeply concerned about that because, with the member for Nudgee, I visited the Queensland Rifle Association and some of its kindred clubs and, although I have nothing but praise for the safety precautions that they take and for the way in which they operate, I realise that the association would have difficulty in controlling its subsidiary bodies. If neither the State nor the Federal police have been able to overcome the problem that I have outlined, the association on its own will experience even more difficulties. I believe that the Queensland Rifle Association will have extreme difficulty.

That brings me to the second problem. Some time ago the Sporting Shooters Association was given control of an area adjacent to Mount Petrie Road on which to establish a range. At that time the objectives that the association put forward were quite praiseworthy. The association wanted an area of the sort that was outlined by previous speakers. In both the metropolitan and near-country zones, people who are desperately looking for an area in which to shoot have been shooting in quite inappropriate areas. I found three young lads between the ages of 14 and 17 years shooting with .303 rifles within a couple of hundred yards of suburban homes. They were shooting sparrows, and they had no idea that a .303 bullet would carry the couple of hundred yards to where the homes were located. I tell that story to bring home to some members from the country the ignorance in the city community about the power of rifles. I view the matter with grave concern.

The Sporting Shooters Association expressed a desire to overcome that type of situation and to provide a proper area to which people could go and shoot. It wanted a range on which people could shoot at targets in safety. The range that the association set up beside Mount Petrie Road was at that time in a fairly remote area. However, the position has changed dramatically and the shooting range now adjoins a very busy road. I reiterate that the range is used by very inexperienced shooters who, in many instances, do not understand safety precautions and the danger associated with the firing off of a loose round. A strong possibility exists that people using that range will not follow the proper precautions. There is every danger that a motorist driving through that area will be the victim of a serious shooting accident.

The safety of people driving past is governed purely by the fact that the range faces slightly away—I stress “slightly”—from the roadway. That means, however, that if a firearm is turned even slightly when fired, the projectile will follow the course of that very busy road. The range is used by people firing anything from .22 rifles to very high-powered rifles and shotguns, and again I emphasise that some people using that range are very inexperienced.

I do not blame the Sporting Shooters Association for the situation that exists. However, in view of the fact that inexperienced people are using the range, the supervision that is exercised is far from adequate. I have seen what happens. All too often the supervision is quite insufficient. It depends on the enthusiasm of the club members who are supervising on a particular day.

I have seen young people arrive at the range with ex-army .303 rifles, report to the fellow in charge, pay their fee of \$2 or \$3 and go out on the range. They fire at targets that are put up. The procedure that is followed is that the fellow in charge says, “Will you please put your weapons down and open the action?” The shooters then go forward to check the results. In other words, people are walking forward onto the range to see the results. On a range used by experienced shooters, you can bet your life—that is exactly what one does when one walks out onto the range—that every weapon that is laid down has the action open and, possibly, the bolt removed. I have walked behind the Sporting Shooters range and seen weapons closed. There is no way of knowing whether or not there is a round in the breach.

The situation is critical. I urge the Minister to take this matter on board and to ensure that action is taken. The association is entitled to assistance from the Brisbane City Council and from the State Government either to relocate the range or to provide a buffer between that busy road and the range.

As I said, the range was established when the area was remote. It is not the association's fault that that situation does not prevail today. I avoid Mount Petrie Road. Many people do not realise what is happening. When I drive along Mount Petrie Road and I see that the range is in use, I sit down low in the seat, put my foot to the floor-boards and travel as fast as I can to get out of the range of fire. I am pleased that recently the Brisbane City Council increased the speed limit in the area, because I travel flat strap to get out of the area.

Mr FitzGerald: Have you had any complaints of vehicles being hit?

Mr SHAW: How many complaints would the honourable member like to receive? How many complaints must be received?

Mr FitzGerald: “Any”, I said.

Mr SHAW: The honourable did not make a sensible interjection.

I have outlined very seriously the situation that has come about because of development. Surely we do not need to wait. An obvious danger is present. If any person has any doubt that loose rounds are fired, I invite him to visit the area and look around. He will see bullet holes in the corrugated iron roof in the area from which shots are fired. It is obvious that the shots were not fired into the range. A serious situation exists, and it requires urgent action before a tragic accident occurs.

I wish to ask the Minister some questions that he might care to answer later. Members have referred to the need to improve holsters worn by police officers in public places. The Minister might like to answer my question privately because he might not like his reply to be made public. I would like to know whether or not police are permitted to carry loaded weapons in public places. I believe that they should not be allowed to do so. Police officers should carry their ammunition in a separate place. No member of a rifle club would carry a loaded rifle from a rifle range. The circumstances in which a policeman would need to pull a weapon from his holster and use it quickly without time to load it would be very unusual. There would be a great danger to a crowd of people if somebody took a loaded gun from a policeman's holster and used it. I hope that the Minister will be able to give me an assurance, perhaps in private, that loaded weapons are not carried in public.

The problems that I have outlined about rifle ranges are very serious. I hope that urgent action is taken to correct them.

[Sitting suspended from 5.59 to 7.15 p.m.]

Mr DAVIS (Brisbane Central) (7.15 p.m.): This is a very interesting Bill. As the Opposition spokesman stated, Opposition members agree with and support most of the proposed amendments. However, the comments of Government members today showed just how in need they are of real education on the matter of firearm control. I was absolutely astounded when the member for Burdekin suggested that almost every house ought to have a gun. I do not know whether he did that with the knowledge of the Minister, but we certainly could not agree with such a suggestion. However, that reveals the mentality of some Government members and shows the attitude of some sections of the community, particularly the gun lobby.

At this stage, I wish to refer to the actions of the gun lobby during the recent State election. I do not dissociate the National Party from the gun lobby. The Leader of the Opposition made it quite clear to sections of the gun lobby what we would do to the Act. He stated quite clearly to them that we would have talks with them about any changes to the Act that would affect them. What happened? They deliberately attacked the Labor Party but made no comment about the National Party or the Liberal Party. I represented my friend the Deputy Leader of the Opposition in discussions after those people deliberately misconstrued Labor Party policy. When we confronted them and asked them to show us the National Party policy and the Liberal Party policy, they could not do so because, as they said, neither the National Party nor the Liberal Party had a policy on gun control.

That was bad enough. However, some of my colleagues and I were more concerned that some sections of the gun lobby were fanatically advocating that there should be no control whatsoever on guns. In common with most other members of Parliament, I am very courteous when people get in touch with me by telephone. But after a while even my courtesy vanished, because some statements made by people representing the gun lobby were absolute nonsense. One of them said that the member for Lytton lost his temper with him. I said that I could not believe that Mr Burns could lose his temper. However, after five minutes of discussions with some of those cranks, even I lost my temper. They want absolutely no control on firearms. They want every person to be armed. When I asked for their reasons, they said, "When an invasion force comes from down south and raids Brisbane, how will you protect your family?" I said, "We have the defence forces to do that." They said, "Not good enough. Every home and every person ought to have a gun." That is the policy of the John Birch Society—a policy that the Opposition certainly would not agree with.

The Government requires licences on hand-guns. The Labor Party's view is that there ought to be controls over all firearms, not merely hand-guns.

As one Opposition member has pointed out already, a licence is needed for a starting pistol, and rightly so. I wish to table a full-page advertisement from the "Australasian Post" of 2 February. It is for replica hand-guns that "fire loud blanks as fast as you pull the trigger". For \$19.95 a person can buy a Python .357 revolver. The advertisement is also for a service automatic, a Gunfighter .45 and a 22LR target pistol. Those replica hand-guns are available by mail order. The advertisement states that no permit is required for the purchase but that the New South Wales Weapons Act may require police approval after purchase in that State.

Those pistols can be purchased through the Collectors Armoury at Burleigh Heads. That is ridiculous. I put it to the Minister that if a person had a replica hand-gun pointed at him during a hold-up, he would not ask to see whether it was real. The Minister should have the whole matter investigated. During a hold-up, nobody can tell whether or not the gun is a replica, and certainly nobody is going to try to prove it. The Australian Bank Officers Association wants stricter control over the sale of replica pistols. When the Minister replies, I ask him to say that he will have the matter investigated. Whether or not a pistol is a replica Smith & Wesson .38 or a real one does not matter to the person at whom it is pointed during a hold-up.

As I said, I am concerned about the advertisement that appeared in this State and also about the fanatical people who support the John Birch Society, particularly those in the country areas. This State must have stricter controls over firearms.

Mr CASEY (Mackay) (7.23 p.m.): Most of the points on this legislation and the strengthening of gun laws have already been canvassed in the debate. It is not my intention to be tedious and repetitious, as other members have covered a tremendous amount of ground. However, I should deal with the Labor Party's policy on this matter and the row that erupted at the last State election, particularly with the gun lobby, which is very closely associated with the National Party.

The most important point to remember is that guns kill people. There is no question about that and the Minister would be the first to agree with it. I agree that guns are used in many cases of suicide. If a fellow cannot find a gun to blow his head off, if he is really determined, he will find some cyanide or something else. However, because sometimes a weapon is readily available, in the heat of the moment after something has happened some people will commit suicide with a rifle before they are able to take wise counsel, and be talked out of taking their own lives.

Just as the Parliament has a responsibility to review motor vehicle legislation in an attempt to reduce the road toll, so too it has a responsibility to ensure that gun legislation reduces the number of needless deaths caused by firearms.

Reference was made to the Labor Party's policy. We do not, and will not, run away from it. Considerable thought was given to the policy at the time it was created. Indeed, I had some input into its formulation. Simply put, the Labor Party wants to licence the shooter and not the gun. That is a very sound, wise philosophy.

A person is licensed to drive or use a motor vehicle. Similarly, a person is licensed to drive a motor boat. We are even to consider legislation to licence people who drive vehicles in which dangerous goods are carried. The licence is issued to the person as a condition under which he can do certain things or carry out certain acts. In the same way, there is nothing wrong with this Parliament's saying that people who want to use guns should be licensed to do so.

I need not remind the House of the tragic shooting of the policeman at Rockhampton. If we had had legislation whereby the shooter was licensed, the offender, because of his problems, would not have been able to get a licence to buy a gun. However, he was able to purchase a gun and we know what happened.

Why should not a shooter be licensed? Licensing would not be a great inconvenience. It would not affect those who engage in the sport of shooting on rifle ranges and target practice areas. It would not cause them any inconvenience. In some ways licensing would make it much easier for them to participate in that sport.

Licensing will not affect farmers who want to keep a gun on their properties. Getting a gun licence should be just as simple and easy as getting a driving licence. It should involve a test of weapons, a knowledge of weapons and an assessment to determine if the applicant is qualified.

We have heard much about the enormous task that is allegedly involved in licensing. Frankly, that is just a heap of emotional, male bovine excreta. Because of the computer facilities available today it would be a simple matter for the police to keep more accurate records of what is happening to people who have licences for motor vehicles, motor boats, the carriage of dangerous goods or the ownership of firearms.

Mr Glasson: A prohibition order was out against the assassin in Rockhampton.

Mr CASEY: That is so. If he had had to produce a document to show that he was a licensed person he could not have purchased the weapon. The prohibition order against him is akin to the alcohol prohibition order issued on certain people. It is very easy to have such an order taken out but it is very difficult to police it. Unsuspecting persons behind a bar who have not seen the advertisement, or do not know that a prohibition order has been issued on the person concerned, cannot be certain that alcohol should not be sold to him.

Today, many honourable members have said that we are trying to upset the graziers and farmers. The Labor Party believes that it is all right if a grazier needs to keep a rifle or a shotgun. We accept that he may have such a need on his property. The cane-farmers on fringe areas, and in your area, Mr Deputy Speaker, who are plagued by wallabies at certain times, need guns. We say that that is OK if they are licenced.

If a long-distance truck-driver finds that he needs to carry a gun on his vehicle as he travels round the countryside, that is OK. He is not being denied the right to get a licence to carry a gun, but he should be licensed to have a gun. It is as simple as that. It should be no more difficult for a person to obtain a gun licence than a driver's licence.

One important aspect is that if a person is licensed, the police will have some knowledge of the guns that he keeps and where he keeps them. They will have somewhere to start. I have been most disturbed by events in my own district in the last week. There was the terrible tragedy of the double murder of the Jenkins family from "Springvale" station, which is just past Eton near Mackay. It was almost five days before the tragedy was discovered. By that time the murderer had a long start on the police. If, from the pathology reports, the police knew the type of weapon that had been used and if they knew who had that type of weapon, they would have a starting point.

There was also the Parkinson murder near Nebo, which is west of Mackay. A very unusual high-powered rifle was used. If people were licensed and if the police knew who owned certain types of rifles, they would have a starting point. I know that the Labor Party's original policy referred to rifling marks. I accept that there are technical problems with that matter, but they could be overcome in the future. A start must be made somewhere to make it easier for the police to apprehend people who commit crimes.

In addition to licensing people, conditions should be placed on the licence. One very important condition relates to the storage of a weapon within a home. How many members have gone into a homestead on a grazing property and seen guns of all types standing in the corner of the kitchen or in a bedroom? They are an obvious target for a thief. Any thief who enters a homestead would see the guns and take them. That is another problem to be considered in gun legislation. If some regulatory control is to be imposed on the shooter, he has to accept some responsibility for the weapons that he possesses. He has to ensure that they are securely stored.

A Government Member: That is very hard to do.

Mr CASEY: Maybe it is; but because of code numbers and serial numbers, video recorders, television sets and many other electrical goods that are prime targets for thieves can be located. Why should that not be done with guns, too? In fact, guns should be the first to be coded because theft is the main source of supply of guns to the criminal element, and everyone in the police force accepts that. On several occasions in recent years, thieves have broken into police stations in Queensland to get the weapons needed to carry out armed robberies and other offences. That has happened; there is no question about it.

Recently, a case in my own area involved a fellow who did not know much about guns. He committed a spate of breaking and entering offences. He broke into one unoccupied house and found a rifle. He went into the house next door armed with the rifle. He was disturbed by the occupier. He pointed the gun at that person. I do not know who got the biggest fright when the gun went off. The victim got a hell of a fright, and the chap who fired the gun got an even bigger fright because he dropped the gun, left his thongs on the floor and ran up the road for the lick of his life.

That rifle had not been properly stored in the next-door property. The offender stole the rifle, used it in the robbery next door even though he had no idea of how to use it and frightened himself more than he did the fellow who was to be his victim. That is happening all over Queensland, and any police officer will verify it.

Mention has been made about the warning issued by bank employees, their efforts and the use of firearms against them. In most cases the firearms used in bank hold-ups have been thieved. But things are getting worse and the Minister must accept the Police Department's records that show an increase in the incidence of crimes involving weapons—rifles, guns and illegal, concealed firearms. The banks and TAB agencies are not the only places suffering. The hamburger joints, fish and chip shops, little corner stores, taxi-drivers, and small businesses are subjected to crimes involving weapons. People on the roads are being pulled up and, in some cases, mugged and threatened with offensive weapons. I, like so many others, have heeded the proposal of the bank officers' lobby.

Prior to the State election, when material about the use of firearms was being distributed by the Sporting Shooters Association, the bank lobby and other interested parties, letters of support from quite a number of people were sent to the bank officers for their proposal. I proudly say that most members of the Labor Party showed their support for the bank lobby. Surprisingly, support for the proposal was given by four National Party back-benchers namely, Harper, Lester, Muntz and Randell. Three of those gentlemen are now in the Ministry. Apparently the honourable member for Mulgrave had his letter in the mail too, but, as usual, he was a bit lousy and did not put a stamp on the envelope.

Mr MENZEL: I rise to a point of order. The statement is incorrect and I ask that it be withdrawn.

Mr CASEY: I am sorry. The member for Mulgrave did put a stamp on the envelope and maybe it was lost in the mail.

Harper, Muntz, Lester and Randell are on record as supporting the bank lobby proposal. Of course, because of the pressure applied by the National Party lobby, those gentlemen have run a mile.

Although certain parts of the legislation have been criticised because they are not progressing very well at the moment, I am pleased that the Government is considering what actually constitutes a firearm, and that the definitions have moved into the twenty-first century. Some of the definitions were outlined in a recent Government Gazette. Firearms have moved into the space age. Offensive weapons and dangerous articles under the Firearms and Offensive Weapons Act now include the invisible pain field generator. It sounds like something that Claude Wharton would use. But it is not; it is used for generating moderately intense directional ultrasonic acoustical energy.

Government Members interjected.

Mr CASEY: No, they are not as updated as that in Gayndah, that is for sure.

Another dangerous article is a phasor pain field generator, which is used for generating a highly intense source of ultrasonic acoustical energy. That sounds like something more from Charleville or near Cunnamulla, where the first rockets were sent up against frosts in Queensland. If those weapons are not used, there is the high-powered ultrasonic gun which is used for generating a high-powered directional source of ultrasonic acoustical energy. Owning that one would give Flash Gordon a lot of pride, especially as it gives a touch of modernity to the National Party. But the big surprise is the phasor shock wave pistol which produces an intense field of highly directional, adjustable frequency shock waves. That sounds more like Buck Rogers or Joh Bjelke-Petersen roaring in the National Party caucus.

Mr Goss: I understand that cardboard police cars are no match for them.

Mr CASEY: The honourable member for Salisbury mentioned cardboard police cars. He has referred to them on previous occasions. I have not seen any in my area, but the honourable member for Salisbury may have seen some in his electorate.

The next device referred to is a high-powered riot and animal control wand, which is capable of producing up to 100 000 watts of pulsed electrical energy. However, that does not include a low-voltage device, commonly known as a jigger used or designed for

use in controlling the movement of livestock. It is more likely that that device would be used by the Minister for Local Government, Main Roads and Racing to push his trotters along a little bit faster. Perhaps that is why the jigger is specifically exempted.

The next device referred to is the phasor burning stun wand. Certainly that sounds much better than the wand used by the fairy in Cinderella and other stories. The phasor burning stun wand comprises in part a microelectric oscillator and power multiplier generator capable of producing direct electrical current energy. Unfortunately, most members of the National Party cannot even spell some of those words, so they really would not understand what I am talking about.

Like the device to which I referred previously, the phasor burning stun wand does not include the jigger, which is more likely to be used on the racehorses that the Minister for Local Government, Main Roads and Racing buys on his frequent trips to New Zealand.

It is good to see that the Government is updating its legislative measures. As I said before, Flash Gordon and Buck Rogers would be very pleased to learn that. I suppose that those people who are connected with the devices to which I have referred will be quite happy playing Space Invaders on their slot machines or on the machines to which the Opposition's shadow Minister for Police referred in recent days.

As I say, it is good to see that the Government is preparing for these new devices. Perhaps it is even preparing for some of the new toys that the Premier and Treasurer brought back to Queensland with him from China.

Mr CAMPBELL (Bundaberg) (7.43 p.m.): I rise to mention three respects in which this legislation is very deficient. The deficiencies will not be corrected by the changes that are proposed in the Bill. The many people in the gun clubs and sporting shooters associations who are concerned about this legislation have expressed certain doubts. Those doubts are related mainly to the registration of firearm-dealers. The legislation places no emphasis on the registration of dealers who sell firearms. This point was raised mainly by the honourable member for Sherwood and by the Opposition shadow Minister (Mr Goss).

The first aspect that has been raised is the sale of guns by supermarkets. At present, a 17 or 18 year old kid can sell a cheap new gun to another 17 year old kid who has absolutely no experience in the use of firearms. That practice will be allowed to continue under the Bill. So, in that respect, the Bill is deficient in that it does not provide for a better registration of firearm-dealers.

If that is not bad enough, guns can be purchased through the mail-order system. The Sunday papers contain pages of advertisements for guns for sale through the mail-order system. How can people who purchase guns possibly be licensed if they are allowed to purchase them through the mail-order system? The Government's attempt at licensing is ridiculous and hypocritical; it cannot work.

The third serious aspect that has been raised is the lack of licensing on the sale of second-hand guns. Absolutely no provision is made governing the sale or purchase of second-hand guns to or by prohibited persons. The Government is doing nothing whatever about that aspect.

An unbalanced person who walks out of Wolston Park can read "The Courier-Mail" and buy any gun that he likes. Last Saturday, he could have bought a Bentley pump-action shotgun in good condition for \$85. If he was really upset, he could have gone further. He could have purchased a double-barrel .58 calibre muzzle-loading rifle or a double-barrel 12-bore shotgun. No questions would have been asked. Those guns could have been sold second hand and in any condition. They could have been sold in an unsafe condition. However, nothing will be done to stop the sale of unsafe second-hand guns to prohibited people.

Last Saturday a person could have purchased a Stirling 22 Magnum with four-power scope, sling, bullet belt, gun bag and ammunition in an as new condition for \$150. A nice young 17-year-old kid could buy that gun and no questions would be asked. What is the use of licensing gun dealers if that can happen? The final classified advertisement offers for sale by auction a Winchester shotgun in very good condition and three .243 Winchester rifles.

The Act is deficient and it will continue to be deficient until the Government introduces proper licensing of gun dealers. I hope that in the future the Minister will consider amendments to the Act to correct its deficiencies.

Mr YEWDAL (Rockhampton North) (7.47 p.m.): I do not wish to delay the debate. I am sure that most of my Opposition colleagues have referred to the pertinent points on gun laws. In stressing one specific aspect of gun laws, I shall refer to the problems experienced by one of my constituents.

The man concerned is a reputable gun-collector. He is a local citizen who has complied with all the requirements of the Police Department in respect to the holding of his collection in his private home. I will not refer to that in greater detail. Like many other collectors, he is happy to comply with those requirements. I took up his case verbally and in writing. He communicated with the department and the responsible officer and inquired about the purchase of a gun that he described in detail as a collector's item. He was told by the responsible officer that if he purchased the weapon the officer would approve the purchase. He was told that he would be able to register it and hold it as a collector's item.

In accordance with that advice, he purchased the weapon and went through the formality of applying to have it registered, only to find that the officer with whom he communicated was not the same person. Documentation was produced to me. I could readily obtain those documents again. When the person applied to register the gun, he was told by the responsible officer that, in accordance with his decision, he would not be allowed to register the gun. I hope that the Minister and his officers would investigate this matter.

A responsible officer made a decision to approve the granting of a licence for that particular collector's item. After the collector had been informed of the procedure to be carried out in order to obtain a licence, he was told that the gun would not be registered as a collector's item. At that stage, the gun was in the possession of a registered firearms distributor and locked away. The collector does not have possession of it. His conscience will not allow him to dispose of the weapon, because it cannot be registered as a collector's item and because the department has adopted a certain attitude.

Although I do not want to delay the debate, I want to get through to the Minister and to his officers that if the department is to function efficiently, somebody must lay down the criteria that apply to each and every person.

In my view, no one officer should have the prerogative to make his own decision, because that decision may change when another officer takes his place. As I understood the position, the first officer gave approval and the second officer rejected the approach by the collector to register the gun as a collector's item. That is crazy. I do not know whether the Minister is aware of the circumstances I have described. His officers may not be able to advise him of a reply to the matter. If he cannot give me the information tonight in his reply to the second-reading debate, I suggest that he inquire into the matter. If the circumstances are as I have outlined, he ought to set down a hard-and-fast procedure within the department.

I accept that the Minister, in conjunction with his departmental officers, has the right to vary the legislation at any time. That is the Government's prerogative. If changes are made to regulations, they would proceed in the normal fashion. However, the regulations become unworkable when two officers adopt different attitudes. That is not acceptable. Whatever is decided by the Minister, I offer to present more details by identifying the person and the gun and giving a complete description of the incident. If the Minister is to control a department and the procedures within it, there must be consistency. Procedures must be laid down to enable officers to make consistent decisions.

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (7.52 p.m.), in reply: I thank all honourable members who have contributed to the debate, which has now proceeded for four and a half hours. That in itself signifies the concern expressed on both sides of the House about a problem that faces each and every one of us.

The Opposition spokesman, the member for Salisbury, put forward the views of the Opposition on the Bill. He opened on the note of the tragic incident at Rockhampton and said that some move should be made to supply bullet-proof vests for police officers. Although I accept that that in itself is a very worthy suggestion, I indicate that it would be most difficult to implement. Indeed, who knows where and at what time such a vest would be needed? The member for Salisbury said that vests should be kept at police stations. To me, a police station would be the most inappropriate place.

In the week following that tragic incident, 1 015 domestic disputes were reported to the police in the State of Queensland. As not one but several members have said, probably the most unenviable task of a police officer is to be called to a domestic argument. One never knows the outcome. When I was walking away from the funeral of Constable Michael Low in Gympie, I said to a journalist, "If you threw that pen and paper away for a while and put a policeman's cap on, you might have some appreciation of what officers in the Queensland Police Force have to endure at various times." When I returned to Brisbane I found that it was reported that I had said "the bloody incident". What I said was that it was premeditated, cold-blooded murder. There was a phone call in which a complaint was made of a domestic argument in the house. It was orchestrated by a man who was sick of mind, we would all admit. Constable Low was called and was walking up the footpath when he was shot—and the shot came from the window, not through the door as was originally reported in the press. I repeat that in the week following that incident 1 015 domestic disputes were reported in the State of Queensland. In the city of Brisbane alone in that same week there were 225 reports. Who would know at what time a vest would be required? If there was to be a vest available, in my opinion it ought to be in the motor vehicle, not in the police station.

The honourable member for Salisbury mentioned also improved training of police officers to make them better able to handle domestic disputes. That is in train. Police officers already undergo that sort of training and it is upgraded continually. Police officers will tell anybody who cares to listen that the most unenviable task is to be called to a domestic dispute.

I appreciate the comments of the honourable member for Salisbury in relation to the return of police appeals to their rightful place—the courts of the land. Those appeals went to the Minister during the street marches of 1976 or 1977 because certain people believed that the way to beat the system was to clog the courts. Action was therefore taken to remove the appeals from the courts and make them to the Minister for Transport. That Act did not relate to police. However, I have taken steps to return appeals to their rightful place, that is, the Magistrates Court. A legal point is being argued and, no matter how sincere a person may be in giving his judgment, the right place for the law to be dealt with is in the courts of the land.

I could not agree more with the point that instruction should be given at the point of purchase to those who buy firearms.

I believe this four hours and 20 minutes of debate has been one of the most worth while I have heard in this place. Most members obviously had concern for the community at heart. Later I will mention those who I believe used this Chamber as a forum for a cheap political gimmick—something that saddens me, because this is a very serious debate. In saying that, I do not refer to the Opposition spokesman (Mr Goss), and I thank him for his responsible contribution.

I wish everyone to be made aware that police officers, whether in country or metropolitan areas, undergo firearms training regularly. It might not make them the best shots in the world, but their training is being upgraded continually.

The member for Toowoomba North mentioned bullet-proof vests and police training. There is no need for me to repeat what I have said already about training.

The Bill takes steps to ensure that replica firearms are no longer as easily available as they now are. The honourable member for Toowoomba North mentioned Molotov cocktails. Somebody said that the gardens in Toowoomba are full of Molotov cocktails, but I assure the House that that is not the case. Molotov cocktails, which can be filled with some sort of flammable liquid, are very dangerous in the hands of the wrong people and, indeed, the criminal element will stop at nothing when using them. I thank the honourable member for Toowoomba North for his contribution.

The member for Ipswich began his speech with the statement that, "Following a poll, 84 per cent of the people supported tougher gun laws." When the honourable member for Windsor spoke, that percentage rose suddenly to 89 per cent—the difference in percentage is quite insignificant—in favour of the registration of firearms. I emphasise that the member for Ipswich said that 84 per cent of the people favoured tougher gun laws, or the tightening

of gun laws, and the member for Windsor said that 89 per cent of the people requested the licensing of firearms. The honourable member for Mackay then outlined the Labor Party's policy, which meant that there was a conflict of opinion among the three Opposition speakers.

I take it from what the member for Mackay said, following the comments made by the honourable member for Salisbury, that the Labor Party's policy favours registering the shooter. The honourable member for Sherwood spoke in the same vein.

Mr Casey: He is not in our party.

Mr GLASSON: I did not say that he was. All the brains do not come from the one party. The member for Sherwood said the same thing.

Members on this side of the House spoke about pistol clubs and gun clubs. The Government is not licensing firearms. The member for Burdekin said that it is not the rifle but the man behind it that causes the problem. Later I will refer to what the honourable member said. His statement was taken out of context.

It was said that the increase in the number of firearms is of great concern. The increase in the number of firearms has very little relevance to the problem before us. It is not the number of firearms that is of concern; it is the people in possession of those firearms.

Before the member for Mt Isa leaves the Chamber, I point out to him that the problems to which he and other honourable members referred are covered. He will not have any problems.

The storage of guns was referred to by several speakers. The method of storage should not be irresponsible. Quite obviously, the ordinary person living in the country does not face the same need as the city dweller relative to storage. In the light of the breaking and entering taking place, the owners of firearms should, for their own protection, ensure that they are so stored that they are not on display for someone to use when he is breaking and entering.

The member for Burdekin said that 95 per cent of people had firearms. The inference behind his statement was that if every house had a firearm we would not have the situation referred to by the honourable member for Nudgee, who said that he would not believe that a person could use a .303 to shoot a sparrow. In other words, the inference was that if a gun was in the house children could be educated in how to use it responsibly.

I am sad to say that the member for Windsor used this occasion to make a political speech. It was the first occasion on which the matter of the gun lobby was raised. I make it very clear that this legislation was introduced in 1980-81. It has taken since then to get here. No gun lobby has had anything to do with the amendments before the House tonight. The legislation was framed in late 1980 and early 1981.

Many members have referred to the gun lobby and have said that the amendments have been brought before the Chamber because of the pressure applied by the National Party gun lobby. That is completely incorrect. In no way is that the case.

The member for Sherwood made a very responsible contribution. Again he asked, "Wouldn't it be logical to look at the person applying to see whether he is responsible?" I do not think that that would inhibit anybody. A person wishing to purchase a gun would go to a police station and say, "I wish to purchase a gun for such-and-such a reason." That is all he would have to do.

When the Opposition spokesman, the member for Salisbury (Mr Goss), was speaking about licensing, I interjected, "Do you mean the first gun?" If I have owned a gun and have been responsible for 20 years, surely I do not have to get a licence before I buy a second gun.

Mr Goss: No.

Mr GLASSON: I just wanted to clear that point.

The member for Sherwood referred to domestic brawls, and I have commented on that matter.

The member for Nudgee, being a former Opposition spokesman on police matters, made a very worthwhile contribution. He referred to the incident on the freeway and asked how the person got the rifle. That matter is before the court, so I do not think that I should comment on it. However, it does raise an interesting point.

The honourable member referred to a particular clause and asked, "Why don't you amend it?" I shall refer to that later.

Reference was made to prohibited persons. I interjected when the member for Mackay was speaking on that point. Indeed, the assassin in Rockhampton was a prohibited person. What is the good of prohibiting a person from owning a firearm when he can write to New South Wales and order a gun through the post? There is nothing to stop him from getting a gun. In other words, if the problem is to be solved, uniform gun legislation is needed throughout the Commonwealth. We can do our best in isolation to solve the problem in Queensland, but once a person steps over the border into New South Wales—

Mr Casey: You are a concerned man on this matter. You are the sort of person who would be prepared to try to get standard legislation if you thought it would solve the problem. Somebody has to make a start.

Mr GLASSON: No-one in isolation will solve the problem that confronts us. The strictest gun legislation in the world will not stop a crook or a criminal from getting a gun in his hand. Anyone who is realistic knows that we will not stop that person from getting a gun.

Reference was made to the murder of Mr and Mrs Jenkins outside Mackay last week-end. We might be able to lower the margin of risk, but we are not really going to stop the hardened criminal, and I think that everybody would agree with that. I thank the member for Nudgee for his contribution.

The member for Mt Isa raised two matters. Again he referred to the gun lobby. He referred to the exemption clause and spoke about the handcuff situation. An exemption is being provided for people who have a legitimate reason for using handcuffs. I refer to members of the Commonwealth and State police forces and to anybody else who has a legitimate reason for using handcuffs. Perhaps a security officer might have a legitimate reason for using handcuffs. Under proposed new section 67A, collectors will be allowed to possess handcuffs. They were the two matters raised by the member for Mt Isa.

The member for Wynnum spoke about the trail bike riders behind the rifle ranges and said that they were playing Russian roulette. He was not far wrong. It is unbelievable that parents allow their children to be in such a dangerous area. The children are quite oblivious to where they are and what they are doing. I agree with him that an accident is waiting to happen and that concerns me.

The members for Brisbane Central and Burdekin spoke about the gun lobby and replicas. I can assure them that they have no worries. The Burleigh Heads Armoury has asked for an investigation into the breaches that occurred about two weeks ago, and I am waiting for that information.

I made reference to the statements made by the member for Mackay, and I repeat that it was not a gun lobby from the National Party that is responsible for the amendments.

If the member for Bundaberg will provide details of the problems encountered by the person to whom he referred, my department will certainly look into the situation.

I thank all honourable members for their contributions.

Motion (Mr Glasson) agreed to.

Committee

The Chairman of Committees (Mr Row, Hinchinbrook) in the chair; Hon. W. H. Glasson (Gregory—Minister for Lands, Forestry and Police) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—Amendment of s. 37; Dealers to be licensed—

Mr CAMPBELL (8.12 p.m.): I have a question for the Minister concerning the licensing of dealers. Does he propose in future to tighten up the licensing of dealers as regards the purchasing and selling of guns, or is it to be left very slap-happy and open? The point that I made at the second-reading stage was that defective second-hand guns can be sold to very inexperienced people and there is no law to stop that occurring. Guns can be bought from mail-order firms. Is the Government going to tighten up the licensing of dealers to stop this happening?

Mr GLASSON: I would like to put on record that this Bill initiates the Government's move to bring respectability to the gun laws of Queensland. The licensing of dealers will be considered when further amendments are drafted.

Clause 8, as read, agreed to.

Clauses 9 and 10, as read, agreed to.

Clause 11—Repeal of and new s. 50; Practice at ranges by financial organisation personnel—

Mr VAUGHAN (8.14 p.m.): During my speech at the second-reading stage, I raised a point about clause 11. The Minister referred to that comment in his reply but I will elaborate on it so that he understands my position. Clause 11, as the Minister said in his second-reading speech, amends section 50 of the principal Act. Section 50 was designed to allow members or employees of financial organisations to practise shooting on the ranges of pistol clubs, with the approval of the pistol club concerned. Clause 11 amends section 50 by extending it to allow any other licensee to practise shooting on the ranges. That will also be by arrangement with the pistol clubs, and such an amendment will allow licence-holders to learn to shoot safely.

The point that I raised at the second-reading stage was that, having regard to the provisions that are now being inserted by clause 11, which substitutes a new section 50, I believe that section 52 of the Act should be amended.

Section 52 deals with the attendance register at a pistol club, and under that section a person who attends a pistol club to shoot on the range must register his attendance there. Section 52 (2) provides—

“On each day on which a person who is the holder of a pistol club shooter’s licence or a pistol club shooter’s provisional licence attends at an approved pistol club for the purpose of official club shooting, he shall, before engaging in shooting, enter the prescribed particulars in the appropriate place ...”

The point that I was making was that, in view of the amendments in clause 11, section 52 also should be amended to provide that persons other than pistol club licence-holders should be required to register their attendance at the pistol club. At present, members of pistol clubs go to their clubs or to a pistol club to shoot on the range. Under clause 11, pistol club licence-holders will be permitted to shoot at any pistol club. I am saying that, in addition to those pistol club members having to record their attendance at that range, the Act should incorporate in section 52 a provision that requires other persons—they could be holders of concealable firearms licences, bank officers or members of financial institutions—to record their attendance at the pistol club range.

All that section 52 does is require that members of pistol clubs record their attendance at the pistol club range. Section 52 must be amended to make sure that persons other than members of pistol clubs who shoot at pistol club ranges record their attendance at those pistol club ranges.

Mr GLASSON: The principle behind the clause is to allow holders of pistols—chemists, bank officers or members of financial institutions—to go to a range to practise. It was never intended to restrict a member of a pistol club to his own particular club.

Say I am registered with the Longreach Pistol Club and come to Brisbane. I am allowed to shoot at any pistol club in Brisbane. Under the Act I was not able to do that. Obviously, if I go to shoot at Belmont, I will register my attendance there. I will have to record my attendance when participating at the Belmont range.

The second part of the clause refers to holders of pistol licences who can go and practise. I have in mind the need for police officers to have the opportunity to practise continually. That is part of their training. A chemist may have a concealable firearm to protect his premises against the theft of drugs. That problem could well arise in this day and age. Such a chemist is allowed to practise on the range but he is not allowed to participate in competition. Section 52 talks about recording one’s presence in the register.

If I visited a pistol club in Brisbane, I would have to record my attendance. The people referred to by the honourable members are the bank officers, the security persons, chemists or anybody who possesses a concealable firearm for the purpose of the protection of the business that he conducts. They are allowed to practise on a range with the approval of the particular club. Therefore, they are not participating in competition shooting. The honourable member suggested that they should register to go out and fire pistols and to practise on that range.

Mr VAUGHAN: If it is considered relevant that members of pistol clubs—and the Minister is trying to keep a record of people who fire pistols, which is the whole intention of section 52 as I understand it—should sign an attendance register at a pistol club, and if the Minister is going to broaden the section, so that not only members of pistol clubs can fire at pistol club ranges but any licence-holder, any concealable firearm licence-holder, or any member of a financial institution can shoot at a licensed pistol club, they should also be required to record their attendance. If a pistol club is established the Minister wants to know what goes on there. That is the whole purpose of the attendance register. If section 52 is not amended, the members of the pistol club would be required to record their attendance when they go out to the club and fire, but anybody else, the holder of a concealable firearms licence, a member of a financial institution or any other licence-holder, can go out to that pistol club and use the range without being required to record his attendance. That is wrong.

Mr GLASSON: The reason why any member of a pistol club must register when he participates at a different shoot, be it at his own club, a parent or neighbouring club, is that to hold a pistol shooter's licence he must attend so many competitions during the year. It is recorded that he is the holder of a revolver licence. Four or five types of pistols can be bought for different competitions. My record shows that I have shot at Mackay, Townsville, Ayr, Brisbane and Bundaberg. The number of shoots are recorded. I cannot put over a cock and bull story. A private person, a bank officer or the operator of a security business, in possession of a concealable firearm for protection of his business against a break-and-enter, could go out and shoot bottles or cow-dung in a paddock; it would make no difference. The only reason for registration at a pistol club is to record a person's attendance, to prove that he is worthy of holding that licence and to show that the concealable firearm was not purchased solely for the purpose of obtaining a pistol licence, as referred to by the member for Burdekin during his contribution. Many people will join a pistol club solely with a view to obtaining a pistol licence. They then use the pistol for everything except shooting on the range. The purpose of registration is to avoid such an occurrence.

Mr VAUGHAN: The Minister is saying that, as far as licensed pistol clubs are concerned, only members of that club or members of other clubs who attend there are required to record in the attendance book?

Mr GLASSON: And participate in the event.

Mr VAUGHAN: They are the only ones who are required to record their attendance. So that anybody else who has a concealable firearm licence or is a member of a financial institution who may shoot only once per annum can use the pistol club's facilities but is not required to record his attendance at that club. Is that what the Minister is saying?

Mr GLASSON: That is right.

Clause 11, as read, agreed to.

Clauses 12 to 14, as read, agreed to.

Clause 15—Amendment of s. 65; Serious offences—

Mr GOSS (8.25 p.m.): I raise a matter that I raised in my earlier speech and have mentioned to the Minister. Anomalies could occur in relation to the category of prohibited persons, namely, persons who have been convicted at some time in the previous five years of an offence under section 130 of the Health Act, which could be a conviction on a minor charge of possession of a prohibited plant. I seek clarification on the logic for that. Why cannot that also be the subject of an amendment to section 65? What is the difference between that category of offence and somebody who, for example, is convicted of an offence indicating a lack of control relating to alcohol?

Mr GLASSON: The concern expressed by the member for Salisbury has been taken into consideration. I can understand his sentiment. However, it is a penalty for the use of drugs. The member is saying that after five years he should not be liable to that penalty?

Mr GOSS: No. The present state of the law, as I understand it, is that, if a person who has been convicted of possession of a prohibited plant is found in possession of a firearm within the following five years, he is automatically guilty of what is called a serious

offence and liable to a gaol sentence under section 65, which is what we are talking about now. I am concerned that it applies to somebody who is convicted of a minor drug offence in his youth, some years earlier, who acquires a firearm for legitimate purposes. He may then be charged with a serious offence, for no reason other than that he had a minor drug conviction some years earlier. Can the Government look at that automatic gaol sentence? If it cannot, I indicate that I cannot understand the distinction between a drug offence and a drunkenness offence. Why is it there?

Mr GLASSON: If somebody is convicted of a drug offence, the minimum he could expect is not to be given the use of a firearm in under five years. In the opinion of the Government, my officers and me, a person convicted of a drug offence is not a fit and proper person to have a concealable firearm.

Mr GOSS: Even accepting what the Minister has just said, I ask: Why is it necessary for such a person to be automatically liable to a gaol sentence? Why will the Government not give the magistrate the discretion to simply fine a person when the offence is minor?

Mr GLASSON: Such a person does appear before a magistrate. He is liable to a term of imprisonment of up to 12 months. He could be imprisoned for one day or for 365 days. He goes before a magistrate.

Mr Goss: It is still gaol; that is the point.

Mr GLASSON: But it is for a magistrate to decide. It is not automatic.

Mr GOSS: If it is a minor transgression, why not give a magistrate the power to impose a fine of \$100 rather than impose a gaol sentence? The attitude of the courts is not to send somebody to gaol for a day. That is how it has been interpreted in the courts. Perhaps I could leave it at that. We will not take it any further tonight. Perhaps the Minister could consider my comments, consider the matter and give the courts the discretion, particularly in minor matters, to perhaps impose a fine.

Mr Glasson: A monetary penalty rather than a gaol penalty?

Mr GOSS: Yes.

Mr CAMPBELL: That is very important. A person could be convicted of having one smoke of cannabis. If within the following five years he is found in possession of a firearm, he goes to gaol. On the other hand, a person convicted of dangerous driving causing death while under the influence of alcohol is merely fined. There must be consistency. There is no consistency when a person convicted of a minor offence is sent to gaol.

Clause 15, as read, agreed to.

Clauses 16 to 20, as read, agreed to.

Clause 21—Amendment of s. 85; Name and address—

Mr GOSS (8.30 p.m.): I ask the Minister to comment on a matter that I raised during my speech at the second-reading stage, that is, whether section 85, which compels a citizen to produce some evidence of his name and address, would be best left as it is. Under this legislation, a citizen might produce his driver's licence or other identification and it could be rejected by a police officer who could insist on some other evidence. It should be sufficient for a person to produce some evidence rather than be tied down to specific documentary evidence nominated by a police officer.

Mr GLASSON: A person is only required to give some evidence of proof of identity.

Mr Goss: That is what it was in the past, but the Bill changes that. I am interested to know why. I ask the Minister to look at the original section 85.

Mr GLASSON: The matter was raised when discussions were held with the Bar Association of Queensland. All a person is required to do is to give proof of identification. I often wonder why an innocent person would object to declaring his identity. All a person has to do is provide some form of identification.

Mr Goss: That was previously the law, wasn't it?

Mr GLASSON: Yes.

Mr Goss: Why is it now being changed? Why should it be made more difficult for citizens. Why is not the original section 85 sufficient?

Mr GLASSON: As I said, the matter was discussed with the Bar Association of Queensland. It thought that the provision was fair and reasonable and did not inhibit anybody's privacy or freedom. All a person has to do is prove his identity.

Mr Goss: Are you saying that the Bar Association of Queensland wanted the section amended?

Mr GLASSON: That specific matter was discussed with the Bar Association of Queensland.

Clause 21, as read, agreed to.

Clauses 22 to 25, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

SECOND-HAND DEALERS AND COLLECTORS BILL

Second Reading—Resumption of Debate

Debate resumed from 6 March (see p. 1878) on Mr Glasson's motion—

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

Mr GOSS (Salisbury) (8.34 p.m.): This is redrawn and re-presented legislation and I extend my compliments to the Minister on his preparedness to act in a fairly drastic and substantial way to the criticism levelled at the previous legislation. Most of that criticism came from the Opposition. Not all of it has been answered or met by the Minister, but amendments have been made on significant and important points. That is good.

The Opposition is confident and feels comfortable in claiming a significant victory on the introduction of the legislation in its present form. Although the Opposition is pleased with its success in the way that the legislation has been redrafted to incorporate many of its suggestions, it is not necessarily conceded that the Minister has gone far enough. In certain areas the Opposition would have wished the Government and the Minister to go further.

Although on the last time these matters came up I was prepared to give the Minister credit for the changes, it is disappointing that they occurred only after the Opposition focused public attention on the Bill and after the Bar Association and the Law Society backed up many of the criticisms. Only at that point did the changes occur. Prior to that, the legislation passed through the drafting stage and the National Party police committee and was considered and approved by Cabinet. It is quite unsatisfactory that the legislation could get so far before being amended so drastically.

It should also be said that some other Ministers would have dug in at such criticism and played it tough, no doubt with applause from the back-bench and certain other elements in the Government. Without doubt, that would have been to the great detriment of the community. For that reason I compliment the Minister on being prepared to admit that he was wrong or that the legislation was wrong and ill-conceived. I compliment him also because he was prepared to go to Cabinet to tell other Ministers what he had in mind.

An interesting innovation was the Minister's statement that in future he will be subjecting such legislation to the scrutiny of the Bar Association and the Solicitor-General. That move is commendable. Because of my involvement in the legal profession, I know that the Law Society and the Bar Association have been very anxious to get this feed-back and consultation. People in the professions are very pleased with this positive step.

The Minister said that the Bar Association and the Solicitor-General would have the right of scrutiny. I urge him to consider extending that right to the Law Society, of which I am a member, because solicitors have a different perspective and a different contribution to make. The Law Society has a very effective criminal law subcommittee. I had the honour to be a member of it for some years. I am no longer a member, but I think the Minister would get an objective, worthwhile comment from that body.

I suggest that the Minister take the Queensland Council for Civil Liberties into consideration. I know that there is not much chance of that happening, but I mention it. It is fair to say that that organisation, through its president, Mr O'Gorman, was at the forefront of those commenting on this legislation. Many of the matters Mr O'Gorman raised were similar to those raised by other people and many of the changes suggested have been incorporated to some degree.

When the new measure was announced by the Minister the Bar Association, the Law Society, the Queensland Council for Civil Liberties and, I am sure, many second-hand dealers, collectors, pawn-brokers, hawkers and other people in the community heaved a sigh of relief. We should reflect for a moment on the reason why so many professional organisations and members of the community were so relieved to hear about the innovation. It was because, left to its own devices, its own initiative, its own wits and its own administration the Government would introduce crushing, oppressive, unfair, administratively excessive and confused legislation. The Minister is to be given credit for announcing the innovation but, to a certain extent, he was admitting the inability or incompetence of certain sections and elements within the Government to do the job.

I do not for one minute advocate that that consultative procedure should be taken away; but it involves, to some extent, an admission of those matters that I have claimed. It involves the admission of somebody saying, "Look, we don't trust ourselves to do it altogether." Now there is to be a minder, a watch-dog over the National Party. That will be the Solicitor-General's Office and the Bar Association. That is a good thing.

However, I express some concern as to how well that will work. It will work only if it is a genuine consultative procedure and if the Government is prepared to listen to and accept the recommendations and criticisms of bodies such as the Bar Association. I say that I am concerned about that matter because, as I understand the situation, some years ago the Law Reform Commission produced certain recommendations and a draft Bill entitled the Second-hand Dealers and Collectors Bill of 1978 or 1979. In fairness, it was before the Minister took over his present portfolio.

It is interesting to look at the provisions in that draft Bill, of which I have a photostat copy, in one particular respect, and that is the competing claims of free enterprise, on which this Government is a strong advocate, and police control over private enterprise. The Government worships at the altar of free enterprise and claims to be one of its strongest advocates; but in the case of people wanting to go into business as second-hand dealers or collectors, or, for that matter, as hawkers or pawn-brokers, the Government was prepared to introduce what I regard as excessive police control. It did not adopt the free enterprise approach that it claims to espouse to enable people to go into business. It did not adopt a much more preferable philosophical attitude and say, "All right, you can go into business. You simply have to give your local court house or police notice of what you want to do and they can then object."

Clause 20 of the draft Bill that the Government's own Law Reform Commission introduced refers to a Magistrates Court order being final. Of course, that is the situation here. That draft Bill provided that somebody simply had to give notice. Then, under clause 15, the member of the police force in charge of the police district in which the applicant resided could have objected to the granting or renewal of a licence on the ground that he had reason to believe that the applicant was not a fit and proper person. It contained a number of specific provisions about what the clerk of the court could do and the way in which the hearing would be conducted. That is the preferable attitude. That is the attitude that says, "People who want to go into business in this State are presumed innocent until they are adjudged to be guilty of something." Instead of that, it is the other way round. They have to clear themselves with the local police first and then appeal against the police decision.

Once again, the Minister has gone a long way towards overcoming the deficiencies in the previous legislation, particularly by limiting the use and the circulation of the material that the police obtain, and by providing an appeal system. That is good. I am sure that we would like to see the reverse situation, that is, that a person is entitled to go into business, subject to the right of the police to object.

I think that that is the sort of principle that was to be introduced in the hide, skin and wool-dealers legislation, but that legislation is not to be debated now. As I recall it, that is the sort of approach that was to be adopted in that legislation. I

want to know why that sort of an approach cannot be adopted in this legislation and, for that matter, in the complementary legislation relating to hawkers and pawn-brokers. If we are talking about free enterprise and the legitimate aspirations of people to go into business, why should that be subject to the sort of police control that it is, even though that control is reduced under this legislation?

The Opposition is very pleased with the changes that have been made to the Bill. Many of the changes advocated by the Opposition are now exhibited in the new legislation. The first Bill gave the police excessive powers and there has been a considerable amelioration of those powers. That is good. I am talking particularly about the powers of the police to take and keep records of all sorts, including fingerprints, toe prints, footprints, palm prints, voice-prints, and so on.

After a person has finished entirely with the court system—after his case has finished and he has been fined, for example, \$50 or \$100—under the Queensland system of justice, he is entitled to walk out of the court a free man. Under this legislation, that principle is abandoned in favour of giving the police the power to seek from a magistrate an order to put someone back into police custody, for no reason other than that the police want to get fingerprints, photographs, toe prints, and so on. Previously, the period of detention was unlimited. I compliment the Minister on the vast improvement in the new legislation that has reduced the period of detention to one hour; but, in principle, the provision is objectionable. The Opposition does not accept it.

The previous legislation aimed at introducing the principle of absolute police discretion over whether or not a person could go into business. The police did not have to give reasons for refusing a permit, and the Bill provided for an illusory appeal to the Minister. That has been improved. The appeal provisions in the Bill currently before the House are quite good and the Opposition has no criticism of them.

An excessive police power of search of and entry into the premises of second-hand dealers and others existed in the previous legislation. Again, that power has been reduced, to relate only to the situation in which the individual police officer suspects that an offence is being committed or is about to be committed. That is a reasonable amendment and is much better than the extreme provisions that existed before.

Another part of the legislation that causes concern to the Opposition is the deemed liability of potentially innocent persons for the criminal or wrongful acts of other persons, such as the automatic liability of an employer for the acts of an employee. That has been changed also. The legislation is still fairly tough in relation to the onus being reversed. People must now show that they exercised due diligence and that events occurred on the premises without their authority. Unfortunately, that tough provision seems to be part of the general policy of this Government in matters of criminal law and justice. The Government has abandoned the principle that a person is innocent until proven guilty. It has turned that principle round and a person is now considered guilty and is liable for an offence and its penalties unless he can prove certain things. It is very continental to do things that way, but it is not the approach of the British system of justice by which Queensland abides.

The first legislation was objectionable because it put people out of business pending appeal. Once again, that provision has been corrected, and that is good.

I will be seeking comments from the Minister about some other matters contained in the legislation. I would like to consider first the general principle of police powers.

The provisions relating to police powers in the Bill have been improved considerably, but I am concerned about the principles of the Government's approach. For example, a general clause exists that says that police can refuse a licence or impose conditions because the policeman considers that the person is not fit and proper. No criteria, guide-lines or principles are laid down by which the police officer can determine that. What is the basis for the decision?

What I advocate is that the legislation should not only give the policeman the power to refuse a licence or to impose conditions if he thinks that the applicant is not a fit and proper person; it should also provide that by reason of (a), (b), (c), (d) or (e), or whatever other criteria may be laid down, the police officer shall make his determination. In other words, the police officer should be directed towards those matters that the legislature regards as sufficient to disqualify the person from being a fit and proper person.

Basically, the present approach is that the police officer has carte blanche and the citizen has to appeal. It is not good enough to say to a citizen, "Oh, well, you have your right of appeal." Why should the citizen be subject to that in the first place? Why should he be denied the right to go into business purely at the discretion of the police officer and when no guide-lines are laid down for the exercise of discretion by the police officer? That is another aspect of police powers in respect of which Opposition members would like to see a different approach.

As to the ability of the police to circulate this information—I am pleased to see that the Minister has been prepared to accept an Opposition amendment that was moved when one of these three Bills was being debated previously. The amendment referred to limiting that ability to other police officers. The amendment is a commendable one and its inclusion in the Bill is an indication of the Minister's preparedness to listen genuinely to criticisms and suggestions.

As to the philosophy that is brought to bear if somebody transgresses the law and is found guilty of an offence relating to dealing in stolen goods or the possession of stolen property—

Mr Tenni interjected.

Mr GOSS: I beg your pardon? I did not understand those grunts.

Mr Tenni: You are not in a court-room now.

Mr GOSS: Well, we are in a place in which rational debate is supposed to occur. I realise that the Minister finds that very difficult and that rational debate comes very hard to him. His monosyllabic grunts make no contribution at all. He is merely prolonging matters. I suggest that if he were to listen to all of the speakers in this debate, he would learn something.

Mr Tenni: Learn something from you? That will be the day!

Mr GOSS: I suspect somehow that the Minister is right. This lucid discussion would be lost on somebody such as he. I doubt whether he has the ability to learn anything from anyone.

To return to the Bill—the approach that is adopted in relation to the situation in which someone is convicted is a good one. It is that a person can run along in business until he breaks the law, and then he is out. That is fair enough. It is a severe penalty to put somebody out for five years; but people know the law and the risk involved. If they break the law, they suffer the penalty. That is a much better approach. In other words, a person is innocent, he can get on with his business, but if he does the wrong thing he is out. I should like to see the adoption of that approach more often.

As to the red tape and the bookwork that is involved for people in this business—I wonder whether some of the red tape is excessive, in that it becomes quite uneconomical for people to keep records of all items, even items of very small value. As I understand the Bill, people will have to keep records of items of very low value. I cannot see that that is good for business, nor do I think it is practical. This provision seems to impose unreasonable restraints on people, particularly in relation to items of very low value.

Another matter that concerns many people in the industry is the imposition on second-hand dealers of the obligation to keep goods for at least seven days. I think all honourable members accept that goods should be kept for a certain period. However, the Dealers Squad is very low on staff and its officers do not get round to see dealers as often as they would like or as often as is necessary. They rarely if ever issue printed lists of material. So why not shorten the period?

I understand that in other legislation a period of five days has been set. People in the industry have told me that they can accept that. However, when they are selling large items such as furniture, they must turn it over quickly, because they put their money up front. The items have to stay there. Large items cause not only liquidity problems but also storage problems. There seems to be no good reason for not shortening the period to five days. I cannot see that the police would derive any benefit from the additional two days.

As to the obligations on second-hand dealers to inform police about stolen goods coming into their possession—I am concerned that there could be a risk of people being treated unfairly or a risk of confusion arising so that people would be treated unfairly, not necessarily deliberately but by accident, simply by virtue of the fact that they could be held liable for

not notifying the police when they were given oral information. That could lead to confusion and misdescription, and I can see people getting into trouble innocently. Under this legislation, that could result in serious consequences.

I understand that police have the power to seize and detain goods. I do not think that there is any limitation on the the period for which the police can detain goods. That is something that should be examined.

Many people have contacted me about a particular matter on which I would like some specific clarification from the Minister. I refer to the position of people involved in garage sales, trash and treasure markets and flea markets. Many people have been misled on this problem, because they have been told that they will not be able to conduct a garage sale at their own property. I have told the persons who have got in touch with me about the matter that, as I understand the legislation and the Minister's intention, they will not be affected. I have told them that their usual right to do that remains untrammelled. Because of the misunderstanding in the community, I have done my best to set people right on that matter.

That still leaves the people who conduct flea markets or trash and treasure markets on a regular basis. Under the definition, those persons who operate flea markets or trash and treasure markets as a business will need to obtain licences. I am concerned about what must be done about their having licensed premises. Will there be specific provision for that? Undoubtedly, these are the matters to which the Minister will refer in his reply. They are of concern to the community. It would reflect well on the Minister if he could deal with those matters and dispel the fears expressed by some people.

They are the significant matters to which the House should direct its attention. The new legislation is better than the legislation that was withdrawn. I give the Minister due credit for the changes that he has been prepared to make, at the same time claiming a fair amount of credit for the Opposition for its part in bringing about those changes.

Mr COMBEN (Windsor) (8.58 p.m.): I support my colleague the member for Salisbury, the shadow Minister for Police, in stating that the Opposition certainly sees this modified Bill as a victory for the Labor Party and for the Opposition in this Chamber. As my colleague said at the commencement and conclusion of his remarks, the Bill goes a long way towards making a reasonable piece of legislation. The Opposition is still concerned about a number of aspects of the Bill. Nevertheless, the amended Bill is certainly an improvement.

Eighteen months ago, the Minister received a five-page, closely typed submission from the Second Hand Dealers Guild of Queensland. He would be aware also of the Law Reform Commission's working paper on a Bill to repeal the Second-hand Wares Act of 1921. He would be aware also of a mass meeting of second-hand dealers held at Stones Corner earlier this year that was attended by some of his advisers and by me, representing the shadow Minister for Police. Although the second-hand dealers wished to raise a number of purely political matters at that meeting, because public servants and good, hard-working police officers were sent to it instead of the Minister, some matters of greatest concern to the second-hand dealers could not be canvassed properly. If the public servants involved were to hear my remarks, they would acknowledge that they acted properly in fending off some of the questions asked by the second-hand dealers that I certainly would have liked to have had answered and which, in other circumstances, would have led to a fairly lively debate that evening.

Even with the benefit of those three substantial matters—the submission, the working paper from the Law Reform Commission and the public meeting of people affected by the legislation—the Government is still deciding to go its own way on a number of matters. The original Bill, as the member for Salisbury has said already, in line with others introduced at the same time, failed to protect a number of individual liberties and to guard against an arbitrary and capricious loss of livelihood. The litany continues. The story of changes introduced in the present Bill is now well known. As I have commented already, it really is a considerable victory for the Opposition. That is to the Minister's credit. He is to be commended for making changes and for withdrawing the original Bill.

However, even now the legislation does not address a number of matters of concern to the modern second-hand business. It is my intention, following my legal colleague's consideration of the legal aspects of the Bill, to examine in more detail the practical

aspects of it. If the Bill was being modified, as was stated in the Minister's second-reading speech, it could have been expected that it would be modified to suit the requirements of the industry and individuals within it. Unfortunately, that is not so.

At the February meeting, the second-hand dealers said that it was not practicable to comply with the provisions of the original Bill dealing with the keeping of a register. However, those provisions have not been changed. They require that any second-hand dealer must record "every transaction relating to the acquisition, sale or disposal of second-hand goods" The Second Hand Dealers Guild considered that to be totally unworkable in respect of small items when the entire contents of a house were being purchased. Quite a bit of debate occurred on that point. I thought that at times it became a little puerile and petty; but, according to the law, a second-hand dealer purchasing the contents of a house, will have to record in a register every knife and fork and every minor kitchen utensil. Obviously, that is not practicable. It will waste time. In terms of a marginal business with fairly high overheads and the need to turn goods over quickly, it is not realistic to insist on such a provision, which will mean that dealers will be caught up in the bureaucratic jungle of red tape. I hope that the Minister will give further consideration to that aspect of the guild's submission in October 1982.

A second matter of concern at that meeting was alleged garage sales. I appreciate what my colleague from Salisbury said earlier. I notice that the Minister is nodding his head, indicating that garage sales are not covered by the legislation. That was not the aspect of concern to second-hand dealers. I will read from the submission signed by Simon Hatfield, secretary of the Second Hand Dealers Guild of Queensland. What concerned the guild was—

"... the experience of dealers that they find that persons who run these garage sales are attending public auctions and selling goods bought at these auctions through garage sales and that the same garage sales are recurring with monotonous regularity. The overall feeling of my Guild is that we do not wish to limit the, or prohibit the, opportunity of people to sell their goods by this means, but at the present time it is quite clear that people are using these sales without restriction in order to buy and sell second hand goods without any restriction whatsoever. It is believed that the obtaining of a special license from a Clerk of the Court to sell, with some limitation of the number of licenses which may be granted per year, would cause a shut down of the, as it were, illegal operators and the bona fide people could still, without too much inconvenience, still have their garage sales."

Whether or not garage sales are to be covered by the legislation is a question that I will be directing to the Minister. However, it seems that that type of selling is not covered by the present Bill. That would appear to be a loophole. It certainly seems to me to present no difficulty for a legitimate organisation or a person who wants to sell off a few goods to raise a few dollars to go to a police station, if necessary, in the same way as I and other candidates or members have had to in order to obtain police permits to hold cake stalls or pot stalls on footpaths. The same sort of system could be applied to garage sales, which might help to prevent people illegally carrying on a business in a residential A area in the city or in other similar areas.

A third area of concern to the guild was that of trading hours. Again I quote from the submission made to the Minister in April 1982, which was raised also at the February meeting—

"The hours in which articles may be bought. In this area, the feeling is that this should be in normal trading hours, except where an appointment has been made to view, for example, a whole houseful of furniture, which could not be conducted during normal trading hours. This is a cause of difficulty for a great number of elderly people who, when one or other of the spouses dies and the person wishes to sell their household goods and move into smaller premises, it becomes difficult for these people to bring all the material to the second hand dealers shop—"

or to entertain a second-hand dealer within ordinary office hours—

"and it is far more expeditious for the dealer to inspect and appraise and to give a price at the home where all the material is stored. 'The Shops and Factories Act' latest amendment reported in the Courier-Mail on the 13th of April, 1981, appears to allow the buying and selling 7 days a week, 24 hours a day. This is an anomaly which the new Act should clear up."

However, this legislation does not clear up that anomaly. Perhaps the Minister could give a straightforward answer as to exactly what trading hours are considered. The legislation mentions the Factories and Shops Act, which allows trading at all times.

The last matter of concern still not properly addressed by the Bill is that relating to stolen goods. As the member for Salisbury has stated already, a register has to be kept for police inspection. However, the Second Hand Dealers Guild believes that it would be more practical for the Police Department to circulate a weekly list of stolen goods, which would allow dealers to co-operate fully with police. As I understand from informal discussions after the meeting, that was the invariable practice. The Dealers Squad did a very good job of keeping dealers informed of what to look for. Unfortunately, in recent times, perhaps because of overwork or staff ceilings, the Dealers Squad is seen less often, and certainly not on any sort of social visit to second-hand stores to find out what has come in or what might be stolen goods. That matter is of considerable concern, and it would seem appropriate that some form of warning be implemented. That may appropriately be pursued at administrative level rather than provided for in this legislation.

These are some of the practical matters that the guild, at its meeting, asked be raised. Although at that time there was no indication that the Bill now before us would deal with all these matters, the guild hoped that it might incorporate many of the amendments that it sought.

Even though I have raised these matters of concern, I also give to the Minister a bouquet from the guild. A number of matters that were of concern to it have been rectified in the present legislation. These included the appeal against a refusal to grant a licence now being to the courts, the inclusion of flea markets and trash and treasure markets—a matter that has now been clarified—and the number of days for which goods have to be retained before resale. The previous requirement of five or seven days has been removed so that goods can now be sold immediately. The previous provision could have caused quite a deal of financial hardship to the members of the guild.

I feel it was unfortunate that the original legislation introduced into the House was defective in a number of respects from a legal point of view and contrary to the normally accepted principles of British law concerning the onus of proof and appeals not being from Caesar unto Caesar. Although I am thankful that the changes have been made, I hope that in future the example given by the Minister in this matter will be followed by other Ministers.

In an earlier debate on a similar matter, the Minister said that Cabinet had decided that all appeals had to go to Ministers and not to courts. I hope we will not hear similar statements in this Parliament. The proper attitude to appeals will become evident in 1986 when we swap sides.

Mr INNES (Sherwood) (9.11 p.m.): I again commend the Minister for adopting this approach involving the right of appeal. I am somewhat bemused by the claims of victory that the honourable member for Windsor made for himself and the Opposition.

Mr Comben: Not the Opposition—Mr Goss.

Mr INNES: Perhaps the honourable member has aged quickly in the Chamber and his memory is failing.

Mr Borbridge: He makes the most curious speeches.

Mr INNES: They are somewhat self-indulgent, if not self-congratulatory. It is a shame that the member for Archerfield is not here to keep the honourable member's feet on the ground.

In reality, the right of appeal, in its essential part, is in precisely the words that I proposed in the first debate on the Pawnbrokers Act. It was a direct take from the real estate agents, motor vehicle dealers and auctioneers legislation.

Mr Goss interjected.

Mr INNES: The member for Salisbury may recall that one case was an appeal to the District Court and the other to the Magistrates Court. It was a matter of the convenience of the court. The appeal under the motor vehicle dealers legislation lies with the District

Court. We saw no reason why it should not be with the same court. It was not a matter of great concern. We showed some flexibility having regard to the more itinerant nature of the hawkers.

The essential question that I thought the honourable member referred to was the fact of the right of appeal and the right of appeal involving judicial process. The precise words that I proposed have now been accepted by way of rehearing. It was somewhat unusual, relative to the amendment that was moved by me, supported by the Liberals, and subsequently rejected, that the Minister should have the guts to say, "Well, I will take it on board and take it to Cabinet." That is what he did. I am sure that members of the Labor Party will be just as glad as I am to know that he is a man of his word and that he did what he said he would do.

It was astonishing to hear the claims made by the honourable member for Windsor. The principle is right. The matter of the courts is a marginal argument. The rehearing approach is the correct one. I congratulate the Minister on what he has done. The other matters are matters of comment. I will leave them to members of the ALP who will probably speak at length.

Mr Comben interjected.

Mr INNES: When one's proposals are firstly rejected and subsequently accepted it is reasonable to thank the Minister. When other members claim victory for themselves it is right to put the record straight. I do not like injustice and I do not like lies. I thank the Minister and congratulate him.

Mr CAMPBELL (Bundaberg) (9.14 p.m.): The Second-hand Dealers and Collectors Bill is of concern to a responsible section in the community. That concern is about the unclear position of community bodies and service clubs. The Minister said that the legislation does not apply to the collecting, buying and selling of second-hand goods on behalf of charities registered under the Collections Act. Organisations and service clubs can become involved with flea markets, trash and treasure markets and clothing and bottle drives, which may or may not be covered by the legislation.

I am talking about Rotary clubs, Lions clubs, Apex clubs, Jaycee clubs and school committees, which might handle second-hand goods on a regular basis. This could even apply to bottle drives. Many Rotary clubs collect bottles for resale. Bottles are not excluded from the definition of second-hand goods. The organisations that carry out furniture or clothing drives on a regular basis are not registered under the charities legislation. Will they have to be licensed? Many service clubs are uncertain about whether they will need a licence under this legislation.

Furniture or clothing drives are held throughout several different local authority areas. If a service club is conducting a regular furniture or clothing drive throughout three or four different local authority areas, will it have to get the approval of each local authority? If so, will that cost more money? As I say, these organisations are not covered by the charities legislation.

Mr Glasson: They'll do me for charities. What do the service clubs work for?

Mr CAMPBELL: They work for the community. The Minister is saying that all Jaycee clubs, Lions clubs and Rotary clubs are registered under the charities legislation. As a collector, I do not believe that they are. If the Minister says that they are, I will sit down immediately. This matter has to be cleared up. Organisations that collect for the community, unlike St Vincent De Paul and the Salvation Army, are not registered under the same legislation. If the Minister is certain that they are, that is fair enough.

Many of these organisations run flea markets and trash and treasure markets on a regular basis. If the people selling goods in those stalls do not have a licence, there is no come-back on those organisations. A similar situation applies to schools.

Mr Glasson: P. and c. associations are one off; there is no problem. You do not expect them to go out and buy and come back and sell. They merely collect and sell. They are not dealers.

Mr CAMPBELL: That is right. I am not certain of their position under this legislation if they are doing it on a regular basis. I would not like an organisation being heavied because

it should have had a licence. As I say, many of these organisations that are carrying out these drives or conducting trash and treasure markets may not be fully covered under this legislation.

Mr RANDELL (Mirani) (9.19 p.m.): I congratulate the Minister for introducing this Bill. It is 63 years since the Second-hand Wares Act was enacted. In his second-reading speech, the Minister said—

“ it is intended that persons who sell second-hand goods at trash and treasure markets or flea markets will be required to hold second-hand dealers licences. These persons are those who make a practice or business of selling at such places at the week-ends. Some of these trash and treasure market sellers make a practice of collecting or buying second-hand goods from garage sales and then reselling them through these trash and treasure or flea market places.”

I am concerned for people who sell things to pick up a little pin-money at flea markets. Pensioners and people in that category cook, knit, and grow vegetables, and sell their products at flea markets. Is it the Government's intention to require them to have a licence?

The legislation refers to the reselling of second-hand goods. What about somebody who buys fruit or vegetables, such as strawberries, pumpkins or tomatoes, and goes to a flea market and resells them? I would like to know whether they are classed as second-hand goods. In his reply, I would like the Minister to point that out, because there is a real concern among people in the community who, to make up their stall, buy some pumpkins and resell them along with the goods that they have brought along. Are they classed as second-hand goods? I would not think so. I ask the Minister to clarify those points for me.

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (9.21 p.m.), in reply: I thank the honourable members who made contributions to this debate. I will deal firstly with the points raised by the member for Salisbury. The issuing of licences has not been changed since 1921 because there has been no reason for change. There should be some check on the persons to whom a licence to operate in the second-hand dealers market is being issued. It is as simple as that.

The member for Salisbury spoke about the powers of the police. They are the ones who have to decide, and there are no set guide-lines. A specific reason is needed as to why a person is considered not fit or proper to hold a second-hand dealer's licence.

The member spoke about the detention of a person for the taking of fingerprints and other things. A person must be convicted by the court before he can be ordered by the court to be detained for a maximum of one hour to enable fingerprints to be taken. A person must be convicted. The impression that the member for Salisbury gave was that if a person is found not guilty he can be detained instead of walking out the door a free man. An innocent man cannot be ordered to undergo a period of detention. If the person is convicted, he can be ordered by the court to be detained for an hour to allow the required prints to be taken.

The member for Salisbury spoke about the liability of employers for the acts of their employees. That provision was changed specifically at the request of the member for Salisbury, who believed that it imposed an unreasonable burden or onus on the employer. What will happen is that a second-hand dealer's licence will be endorsed for the actions of his employees. It is only a deterrent provision. The second-hand dealer must be aware of the deterrent effect of the endorsements on his licence. He must realise that his employees are not responsible for the duties that they carry out on his behalf. At the time of renewal, the endorsements on the licence are taken into consideration by the police to ascertain whether or not the dealer is fit to continue. The decision of the police officer to refuse the licence is open to appeal to the Magistrates Court. The reason for the refusal is given to the dealer and he can appeal if he feels that he has not been justly treated by the police officer.

The members for Salisbury and Windsor expressed concern about the bookwork involved with the small-value items. The regulations could provide that items below a certain value need not be recorded. Therefore, every pen and pencil need not be recorded. I can understand the concern of those honourable members.

The period of seven days has now been lifted, and I thought the member for Salisbury was aware of that. That followed as a result of the meeting at Woolloongabba, which was organised by the second-hand dealers.

I take strong exception to the implication of the member for Windsor that I sent the officers from my department to that meeting because I would not go. I thank the officers for going. I was on the operating table, and that is why I could not get there. Had I been able to be there, I would have been there in person. I take strong exception to his implications. It is a pity that the member for Windsor has left the Chamber. I would like to know whether he could have got there if he had been in my position.

Mr Casey: He wasn't to know that.

Mr GLASSON: He did say that.

Mr Casey: He will accept your explanation. He wasn't to know that you were in hospital.

Mr GLASSON: The apology was tendered by my officers and they explained why I could not be there.

The honourable member for Salisbury referred to licensing people in various spots. A person would have a licence for his principal shop, where his business was, and that licence would allow him to operate throughout the metropolitan area.

Mr Goss: He could operate, for example, at a flea market?

Mr GLASSON: On the one licence.

Mr Goss: Would that be endorsed on the licence?

Mr GLASSON: The licence would have to be specifically endorsed.

Mr Goss: The person would have the various sites endorsed on his licence?

Mr GLASSON: Most flea markets are in given areas, anyway, and they would be specifically endorsed on the licence.

The honourable member for Windsor referred to the sale of small items. They will be covered in the regulations.

Garage sales and unlicensed dealing are covered by council by-laws. Unlicensed dealing would be a breach of the by-laws.

The honourable member for Windsor raised the matter of buying goods and the hour. A person can buy from a vendor in a house at any hour at all, but dealing at a place of business is covered by the Factories and Shops Act and the dealer has to operate within the hours provided for in that Act.

As I have said, the necessity to keep goods for seven days has been dealt with.

The honourable member for Mirani referred to fruit. I have never seen second-hand fruit. However, fruit can be taken to a second-hand market. The honourable member for Mirani raised another matter.

Mr Randell: Do you need a licence to deal at a flea market?

Mr GLASSON: If a person goes to a flea market to sell something that he or she grows, makes, knits or weaves, that person does not require a licence. However, if he deals—if he buys and sells—he must have a licence.

The honourable member for Bundaberg raised two points in relation to service organisations such as Rotary, Lions, Apex and p. and c. associations. They are all considered as charitable organisations. There was never any intention that they would be covered by these provisions. Lord help us if we took out the service organisations and the contribution that they make! There is no intention to interfere with those organisations. They are there to provide a service from their earnings, which are injected into the community. Whether they are registered or not, there is no intention to interfere with their operations.

Motion (Mr Glasson) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. W. H. Glasson (Gregory—Minister for Lands, Forestry and Police) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—Application of Act—

Mr GOSS (9.29 p.m.): I seek some clarification from the Minister on clause 7 because of the last comment made by him when replying to the speech made by the honourable member for Bundaberg. I must confess that I did not quite understand the Minister. He said that the Act does not apply to charities registered under the Collections Act.

As I understood the member for Bundaberg, he referred to other organisations that go into such business for charitable purposes but may not be registered under the Collections Act. Do organisations such as the Jaycees fall into that category? How is it that they are able to avoid the application of the Act?

Mr GLASSON: The member for Bundaberg said that service organisations were not registered under the Collections Act. Is that what he said?

Mr Campbell: But they have to be registered as a charity under the Collections Act 1966-1981. I do not believe that those organisations are registered as charities under that Act.

Mr GLASSON: I do not know whether they are registered or not. Everybody would appreciate that they are regarded as charitable organisations.

Mr Casey: What organisations?

Mr GLASSON: Service organisations, such as Lions, Rotary, Apex and parents and citizens associations. Those organisations work for charity and for the benefit of the community. I know that the honourable member is concerned. If there is any doubt whatsoever, it will be covered in the regulations. In the meantime, I will check whether they are registered. I will be very surprised if they are not registered.

Clause 7, as read, agreed to.

Clauses 8 to 46, as read, agreed to.

Clause 47—Dealer to inform police if stolen article comes into his possession—

Mr GOSS (9.32 p.m.): I referred to this matter earlier. I have also mentioned it to the Minister. It relates to the situation in which the police can give printed or oral information to a dealer and, if certain property comes into the dealer's possession, he must advise the police. If he does not advise the police, he commits an offence. I would like to know the Minister's reasons for retaining the provision for oral information. What is his advice? What has been the experience of the dealers squad or the Police Department that necessitates the imposition of that obligation not only for printed information, which I accept absolutely, but also for oral information? How is it proposed to overcome the possibility of misdescription or confusion?

Mr GLASSON: One might say that there is a logical answer. If a dealer believes for good reason or knows without doubt that goods are stolen, there is an obligation on him to notify the police. If the dealer purchases articles in good faith, the honourable member is concerned that if he does not notify the police that the articles are stolen, he could be left with the onus of proving he did not notify the police and proving that he did not know that the goods were stolen. If a second-hand dealer believes that I have sold him goods that were my own property but they were in fact stolen, and the police later find out that they were stolen, it is common sense that, regrettably, he was unaware of the matter.

Following a jewellery robbery information could be supplied quickly. The proceeds from the robbery could come into the possession of the dealer. The goods could have been cashed in and the person could leave before the dealer is told about the robbery. If a robbery takes place the dealer is notified by the police that certain goods are known to be stolen. However, a breaking and entering could take place this afternoon. The thief could whip round to the second-hand dealer straight away and tell him a good story. The police would not know until the owners of the property arrived home that a breaking and entering had taken place and that goods had been stolen and placed in the hands of a second-hand dealer. That would be in the same category. The police would not be in a position to give the dealer that information. He would not know that those goods were stolen property. The police would not have an opportunity to notify him because they may not know about the robbery themselves.

Clause 47, as read, agreed to.

Clause 48—Dealer may require information—

Mr CAMPBELL (9.35 p.m.): Subclause (3) says that the second-hand dealer "may seize and detain the goods" if he believes they are stolen and "may detain that person, using such force as is necessary for that purpose". That puts a dealer in a very difficult position. The Government is expecting him to put himself in danger in an endeavour to get the goods. What happens if he does what the Act requires, using such force as is necessary? If he becomes involved in a fight, will the Government be responsible for anything that happens to him? The Bill requires him to take those actions. If he acts in conformity with that provision, will he be covered under the Police Act if he is injured while performing his duty? If he is not, the Government is putting him in a very difficult position, expecting him to do that without being covered in some way for any damage done to him.

Mr GLASSON: The original Bill said that he had power to arrest. This Bill says that he may detain a person—he may if he so desires. There is no obligation on him. The thinking behind it is that he will say to himself, "I suspect you are bringing me stolen goods. I will get my books and delay you in my premises for as long as I can, giving me time to ring the police and advise them that I suspect that the person who is now in my premises could be dealing in stolen goods." However, there is no onus on him to detain a person by force. I repeat that the original Bill had a provision enabling him to detain a person by force. We have deleted that power, substituting it with the word "may". There is no onus on him at all.

Mr Campbell: If, using his discretion, he detains the person and a fight ensues, is he covered if he is hurt?

Mr GLASSON: No.

Mr Campbell: It is just his bad luck? He may be helping; but, unlike a policeman called on to do the same thing, he would not be covered.

Mr GLASSON: He would have the normal recourse.

Mr Campbell: It is too dangerous.

Mr GLASSON: That is up to the person. Previously, he had the power of arrest.

Clause 48, as read, agreed to.

Clauses 49 to 59, as read, agreed to.

Clause 60—Finger prints etc.—

Mr GOSS (9.39 p.m.): I comment briefly on subclause (2), which relates to the power to detain people for one hour. I think the Minister misunderstood my objection. He said that I was confusing the situation where somebody was acquitted and was free to walk out the door. I was referring to this set of circumstances, namely, where somebody is convicted. He is free to walk out the door. The case is finished. He has finished with the judicial process. He should be allowed to leave and no longer be subject to the law. That is the principle we want to see upheld. What I seek from the Minister is the reason why he wants the power to put somebody back into custody, whether it be for an hour or any other period. Why is it necessary?

Mr GLASSON: There could be reasons for wanting further checks. Robberies may have taken place interstate and the person could be suspected of being implicated in those robberies. It is an order from the magistrate that he be taken into custody for one hour to obtain his fingerprints to check on crimes that may have taken place elsewhere. That is the principle behind it.

Mr GOSS: I understand that, but it is completely objectionable and contrary to the way our system of criminal justice is supposed to work. If a member of the police force suspects something, he should gather the evidence by the normal means. He can question a person and, if he wants to take it any further, he can charge and arrest the person. Then, at the watch-house—that is, at the point of arrest—that material can be obtained. The police force cannot get the material in advance. A person is not obliged to incriminate himself in that way and should not be subjected to police custody without a charge being laid. That is the principle that should be upheld and it is the one that this provision abandons.

Mr GLASSON: This matter was discussed with the Bar Association of Queensland, which fully approved of it and did not believe that it was unreasonable.

Clause 60, as read, agreed to.

Clauses 61 to 71, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

HAWKERS BILL

Second Reading—Resumption of Debate

Debate resumed from 6 March (see p. 1883) on Mr Glasson's motion—

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

Mr GOSS (Salisbury) (9.42 p.m.): I do not propose to waste the time of this House by repeating largely most of the comments I have made in the last few hours in relation to the Second-hand Dealers and Collectors Bill. Most of the opposition and criticism that I had of that legislation applies to this Bill. Also, as with that legislation, the Minister has gone a long way in this Bill towards meeting the criticisms and suggestions of the Opposition, various professional associations and the community. As I said before, I commend him for doing that.

The Opposition is not happy with certain clauses. It feels the Minister could have gone further. As I say, I do not propose to repeat my earlier remarks in detail. I simply refer to the comments that I have already made in that regard. Because the principles have been covered and the Minister has adequately answered all the Opposition's questions in relation to these matters, I do not propose to waste the time of the House by commenting again on specific clauses. Although the Opposition might not agree with all of the answers and explanations, certainly they have been forthcoming in the usual way and I thank the Minister for that.

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (9.44 p.m.), in reply: I thank the member for Salisbury for his comments. The Bills are almost identical and I take cognisance of the comments made by him and the sentiments that he expressed in the Second-hand Dealers and Collectors Bill.

Motion (Mr Glasson) agreed to.

Committee

Clauses 1 to 47, and schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

PAWNBROKERS ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 6 March (see p. 1887) on Mr Glasson's motion—

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

Mr GOSS (Salisbury) (9.46 p.m.): Once again the issues in this legislation were covered in February when the original legislation was debated. As with the previous two Bills, I do not propose to waste the time of the House. This Bill deals almost entirely with introducing into the legislation affecting pawnbrokers the right of appeal to the Magistrates Court. It is a very good amendment. It is commendable that the Minister has been prepared to act so quickly to introduce this provision. I support it wholeheartedly.

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (9.47 p.m.), in reply: I thank the honourable member for Salisbury for his comments. The position is as he stated. The Bill adds to the amendments proposed in the original Bill. The effect will be that the appeal is taken from the hands of the Minister and given to the court.

Motion (Mr Glasson) agreed to.

Committee

Clauses 1 to 4, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

PRIVACY COMMITTEE BILL

Second Reading—Resumption of Debate

Debate resumed from 9 February (see p. 1550) on Mr Harper's motion—

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

Mr R. J. GIBBS (Wolston) (9.49 p.m.): This Bill, which was introduced by the Minister a number of weeks ago, is a facsimile of the legislation that was introduced to this Parliament last August but which was never debated because of the State election in which the former Attorney-General was defeated. The comments that I made on that Bill are apt on this one. I described that Bill as having the teeth of a gummy shark. My opinion and that of the Opposition has not changed.

In dealing with this Bill, I will be critical of some of my colleagues in the other State Parliaments. The Bill is certainly as weak as the legislation in New South Wales and Victoria. The only Government that has really looked seriously at the problems that the general public face in privacy matters is the Labor Government in South Australia.

As I said, the former Liberal Attorney-General (Mr Doumany) introduced the previous legislation into the Chamber. I remember meeting him at a particular function and telling him that he missed a golden opportunity to introduce into this Parliament legislation that could have been seen as progressive, innovative and breaking new ground in Australia. Of course, that is not unexpected in Queensland. Very rarely do Attorneys-General in this State take the opportunity to accept a social or political challenge. This legislation is almost identical in definition to the previous legislation. Again, the Attorney-General has missed a golden opportunity to introduce progressive legislation.

My colleagues in both the Commonwealth and State spheres with whom I have spoken on this issue agree, as I am sure all members of this Parliament do, that one of the great problems with privacy legislation is actually defining the word “privacy”. I carried out some research on this matter. One of the comments that most appeals to me was made in the United States of America by Justice Cooley. He described “privacy” as the right to be left alone. It comes down to the basic definition of what is private, what is in the public interest, and what damage can be done to an individual and his family or to a group of individuals within a community.

I also read some of the writings of Sir Zelman Cowen, who has always been acknowledged as an expert in constitutional law. He defines “privacy” in the following terms—

“A man's privacy is his safety valve, he has in it his permissible level of deviation, his opportunity to give vent to what he would not express or do publicly; within these private limits he may share confidences and intimacies with those he trusts and he may set boundaries to those confidences.”

One of the great problems facing the community today is that there is far too much intrusion into those intimacies of people, and I refer to private discussions or conversations with other people. I do not express that viewpoint because of the presence in the Chamber of the Minister for Transport, although I am quite pleased to see that he is here. I must

say to him that one of the most disgusting invasions of a person's privacy was his attack upon Mr Justice Murphy. I was saddened, to a degree, to see that the Minister was a party to that action.

Regardless of what the Minister for Transport may say in this Chamber and regardless of the stance that he has taken publicly, the fact is that conservative people in Australia, people in the legal profession and people who support the Minister's own political persuasions and his political party have the highest regard for Mr Justice Murphy. He is seen as a trail-blazer for major reform in family law.

Mr Lane: You are not serious, are you?

Mr R. J. GIBBS: I am deadly serious. If the Minister wants to dispute that fact I am quite happy to debate it with him at any public forum he likes to name. I assure him that there would be innumerable people in the public eye, who are highly respected in the judicial area, who would be prepared to come forward and describe the slanderous attacks on that gentleman's privacy under the privileges of this Parliament as nothing short of muck-raking and slander of the worst sort.

Problems regarding the definition of privacy have always been raised throughout Australia and the British Commonwealth. When the Australian Law Reform Commission discussed a number of definitions of privacy, it was interesting to note the results of that meeting and the definitions that were formulated. The Law Reform Commission report spoke about the condition of an individual and his privacy. The commission had this to say—

“Privacy is a concept which is almost impossible to define.”

I acknowledge that. The report goes on to say—

“Three of the major Inquiries into privacy in the anglo-saxon world in the last ten years has each settled on a different definition, containing different nuances, emphases and areas of concern. Each acknowledged its inability to reach a workable, universal definition of privacy.”

The condition of an individual when he is freed from interference with his intimate personal interests by others is a possible definition. That is an area that I have touched on before. Lindop, in the United Kingdom, described it as the individual's claim to control the circulation of data about himself. My colleagues will expand on that concept later in the debate.

The Australian Law Reform Commission said that privacy related to the claim of the individual to maintain a private zone about himself to which others may not have access without his authorisation. They are important points and I will speak about them later in the debate.

Three other studies were undertaken by the Younger Committee in Britain in 1972, the United States Privacy Protection Study Committee in 1977 and the Ontario Commission on Freedom of Information and Individual Privacy in 1980. Each of those inquiries decided against attempting a basic definition of privacy. In fact, a very interesting report came from the Ontario commission. It said—

“The various attempts to define and specify the content of this notion (of privacy) have not yet reached a general consensus. The ambiguous and elusive nature of the concept has frustrated the attempts of legislators and scholars to give clear guidance as to what we mean to protect when we wish to insulate individuals from an invasion of their privacy.”

Certain areas of the Bill raise a number of disturbing concepts, because I believe that the Attorney-General has contradicted himself on a number of occasions. I went through his introductory speech notes with some interest and he said—

“Upon the conclusion of an investigation, if the committee is satisfied that no further action is warranted in respect of the matter to which the complaint relates, it will advise the complainant accordingly.

In any other case, the committee will be required to advise the complainant that a report has been or will be forwarded to the Minister but will not advise the complainant of the contents of that report. Such a report will not be published without the prior approval of the Minister.”

This evening the House is debating a privacy Bill. The Attorney-General has introduced legislation that I am quite sure in his conservative terminology he regards as progressive. However, in the Bill he denies to an individual who makes a complaint about privacy the right to the privacy privilege that should go hand in hand with the Bill; he denies the individual of the right to have access to information that is contained in a report on that individual's complaint.

In other words, if a person goes to the committee and complains and the committee says that it is not prepared to pursue a case on behalf of that person or to lodge a prosecution on his behalf, that person has no right to ask the committee, "Why aren't you prepared to take up my case? What is in my file? What investigation has been made?" This privacy Bill means nothing. As I have said before, it is a Bill without teeth—it is like the bite of a gummy shark.

The Minister in his second-reading speech referred to updating the Invasion of Privacy Act. Most certainly such a reform is long overdue. However, the Minister completely misses the point that, although he is bringing forward a Bill concerning privacy, he is prepared to allow a nebulous piece of legislation—an information of privacy Bill—to be brought forward in this Parliament. That legislation, too, will lack teeth.

The Invasion of Privacy Act, which the Minister claims this Bill will improve, relates basically to credit-reporting agencies and private inquiry agents. This Bill does absolutely nothing to stop the holding or collating of wrong information by credit agency bureaux or computers; nor does it stop the feeding of the wrong information on a person's privacy, particularly on financial matters, into the community.

One of the greatest challenges that the Minister could have taken up in considering a privacy legislative program is the incorporation of some of the features of the Invasion of Privacy Act into a Bill such as this. In other words, he could have brought all matters affecting privacy under the one umbrella.

The Invasion of Privacy Act refers to the prohibition on the use of listening devices. It is with some interest that one reads the latest report on privacy from the Australian Law Reform Commission. Its report is contained in two very thick volumes and it is acknowledged by experts as being the most far-reaching report on and research into privacy held anywhere in the world. The report is an excellent one.

It would seem to me that when the Government framed this Bill it should have taken some notice of the contents of the Australian Law Reform Commission's report. However, it failed to do so. Once again, the Queensland Government went off at a tangent, and failed to take notice of an excellent report that has been formulated by learned people in Australia—people who, I might add, are of the Minister's political persuasion.

The Invasion of Privacy Act, in referring to the prohibition of bugging devices, gives no definition of what bugging devices are. The relevant part of that Act leaves much to be desired.

I will bring honourable members up to date on some of the practices that exist in the use of bugging devices. An investigation was carried out by the Australian Law Reform Commission. As to examples of privacy invasive technology, it states—

"Examples of the new, privacy invasive technology include extremely long, thin pliers which enable letters to be rolled up and removed from envelopes via the corners; special sprays which turn envelopes temporarily translucent, special solvents to 'ungum' envelope flaps, and electronic scanning equipment which can detect the carbon used in most kinds of ink. Listening and optical devices are also becoming more sophisticated, as well as cheaper and more accessible. These devices include:

- parabolic microphones with ranges extending to more than 250 metres;
- miniature tape recorders which can be concealed inside, for example, cigarette packets;
- binoculars having built-in cartridge cameras;
- listening devices laminated into business cards;
- brief-case cameras, activated by pressing a button on the brief-case;

- residual light image intensifiers with ranges of up to 10 kilometres for long-distance observation at night;
- day-and-night cameras connected to monitors and operated by remote control;
- long-range photographic flash devices enabling photographs to be taken at night without detection and from a range of 100 metres or more;
- microphones concealed in watches, buttonholes, pens and ties;
- sub-miniature transmitters, smaller than sugar cubes, which can record conversations from a distance of 10 metres and transmit them at high quality up to 150 metres;
- listening devices which through the use of laser beams can monitor and record conversations from positions outside the room in which they are occurring;
- electronic stethoscopes which, by picking up mechanical vibrations and amplifying them up to 10 000-fold, enable conversations to be monitored through windows, doors and walls;
- optical devices which permit continuous monitoring in complete darkness; and
- listening devices placed in telephones, which enable surveillance of conversations within a room even when the telephone is not in use."

They are certainly not my words. They come from an excellent report.

The Minister made a casual observation in his speech that he will review the Invasion of Privacy Act. However, he gave no commitment as to what that review would involve. He made no progressive statement that the matter should be brought under the one umbrella and placed in an Act pertaining to privacy and invasion of privacy of individuals alone.

The bugging devices to which I have referred the Parliament exist and are readily available for sale at present in shops in Brisbane, interstate and by mail service contract. On behalf of the Labor Party, I state forthrightly that the public sale of bugging devices in any shape or form should be completely outlawed. The people who supply bugging devices for public sale should be banned from so doing. Some bugging devices can be attached to telephones or walls or hidden in motor vehicles and in bedrooms. It appals me to think that people's privacy can be invaded to that degree.

The Opposition believes that the possession of tapes and transcripts of conversations of individuals should be illegal. I qualify that statement by acknowledging that, at certain times, for understandable security reasons, there is a need for such recording to take place. I am not blind to the need to do so for national security. I have already made my stance and that of the Labor Party quite clear.

One of the most appalling things to happen in my time in the Labor movement was the shocking and most disgusting invasion of privacy of the former national secretary of the Labor Party, David Combe. It did not give me any enjoyment or pride in my own party that it was a party to it. There are not too many occasions on which I agree with anything done by the member for Southport (Mr Jennings), but it was to his credit that, in the early days of that incident, he publicly voiced his disapproval.

I ask honourable members to try to be a little broadminded in the case of David Combe. I ask them to forget that he was a member of the Labor Party and a former Federal secretary of it. The point is that such an invasion could happen to any person in the community. It is disgusting that a person's most intimate conversations and his relationship with his wife can be bugged in his bedroom. I find that extremely distasteful. That is why I say that it should be illegal for such devices to be available for private sale, for people to supply them and for people to manufacture them.

The issue of privacy always raises, particularly among conservative elements in the community, questions of whether people in the community are concerned about their privacy. A discussion on the banning of bugging devices, the rights of private investigation agents, the data bank information held on people and the rights and non-rights of security intelligence services raises the feeling in conservatives that Australians do not understand or fully comprehend what privacy means.

The Commonwealth Law Bulletin, volume 7, No. 4, in October 1981, published the following very interesting results of a survey—

“According to the results of a public opinion poll conducted by the Australian Law Reform Commission most Australians fear threats to their personal privacy and think the law should give them greater protection in this area.

The main findings of the poll were that—

“(i) 59 per cent of people expressed concern with threats to their personal privacy. Of these 21 per cent said they were ‘very concerned’ and 38 per cent ‘quite concerned’. Only 7 per cent were ‘not at all concerned’;

(ii) almost two-thirds of those polled believed there should be laws to protect personal privacy.”

I return to the point that I made at the commencement of the debate: the Bill does very little to protect the personal privacy of individuals in the community. The article continues—

“(iii) almost one-third of those polled said they believed they had been victims of an improper invasion of privacy.”

My understanding is that they were concerned about their ratings with credit bureaus, that they were concerned about the invasion of privacy by companies. I will name one company. It is a favourite of mine. I have always referred to the people in it as blood-suckers. They are a blight on the community, particularly in my electorate. I refer to the firm of Waltons, which, through its credit system, absolutely bleeds people dry, particularly those in housing commission areas. When people find that they are unable to keep up their ongoing payments to Waltons, that information is put into a data bank as a personal black mark against them.

At the moment I am looking across the Chamber and I see that the Minister for Tourism, National Parks, Sport and The Arts is giving me a signal to wind up. I can understand why. He is a member of the paranoid National Party Government in Queensland, which is not concerned about people's privacy. In fact, it loves the invasion of people's privacy and loves the special information on individuals in the community that credit bureaus supply to it. What is even more disgusting is that it allows the Special Branch of the Queensland Police Force to carry out its activities virtually unbridled so that the Government can be provided with information on people's political, trade union and personal activities. I can understand why the Minister wants me to wind up. He finds this debate a severe embarrassment to himself personally and to his Government.

The Australian Law Reform Commission found that 92 per cent of people said that they did not believe the authorities should have the right to tap their telephones. Of those surveyed, 72 per cent said they did not believe their telephones had ever been tapped, 23 per cent were not certain and only 5 per cent believed that their telephones had been tapped. In addition, 52 per cent said that they thought employers tend to want to know too many personal details about employees. Any person who is now on the job market and goes for job interviews could not help being offended by some of the questions asked. For example, I have always been personally offended by being asked, when going for a job interview, what my religion is. Why is it necessary for a prospective employer to ascertain a person's credit background or whether he holds a credit card? That is crazy and something that the Government should investigate in far more intimate detail.

Of the people surveyed, 76 per cent of people agreed that too many people can get access to personal information. The Chairman of the Law Reform Commission said that the poll, which was funded by an advertising company, covered 500 people of different age groups in different parts of Australia and added, “The result is the best available indication of public attitudes to privacy.” So honourable members should not sit here tonight and kid themselves that the community does not have a genuine concern about the individual's right to privacy.

I have already mentioned bugging and listening devices, but that subject is neither the beginning nor the end of the invasion of privacy. For example, physical security can be affected. People can be concerned for their physical welfare in the community. They can be concerned that they can be threatened by individuals with very little recourse to the law. Not too many members of this House have not received complaints of individual physical violence. A member of Parliament can do very little. He cannot make a complaint to the

police. In fact he can, but the police are usually too busy. Sometimes the Peace and Good Behaviour Act is of use, as it has a very broad coverage in this area. However, physical security involves some of the problems confronting women and the bashings that take place upon them both inside and outside marriage. Women are very susceptible to physical abuse.

I read with disdain and disgust a statement by the Minister for Justice and Attorney-General in which he mentioned rape in marriage and physical abuse of women. For women in that situation, concerned about their physical security and the gross invasion of their individual privacy as women, the best the Minister could do was to talk about some way in which the Government could get around the problem through the Peace and Good Behaviour Act. That makes a joke of the privacy of women in Queensland.

I could talk about the central indexes kept on people and the data kept in hospitals about patients' records and their genetic problems at birth. They are certainly not protected by any area of privacy. I could talk about the drug and alcohol registers that are freely available. It is not hard to find out about people in the community who have drug problems. It is not very hard to find out about people who have alcohol-related problems. It is offensive to many people, and a gross invasion of their privacy, that certain sections of job application forms ask the applicant, "Are you a smoker?", "Are you a drinker?" and, "How many drinks would you estimate that you have a day?" Few members have not heard about such questions being asked in job interviews and on the forms filled out by people applying for a job.

Because of the obvious risk of an accident at work or involvement with machinery in some way, I do not suggest for a moment that it would always be wise to employ a person with a major alcohol problem in an industrial situation. However, the attitude adopted in many instances is very discriminatory. Better ways can be found to handle those problems without invading people's privacy.

I have already referred to the data bank records that are kept. People are uncertain about the security of those records. It is very easy for people with a knowledge of computers, with a plug-in system to computers, or with contacts in the computer world, to get specific details on individuals. There is no guarantee of privacy.

I could talk about the education system, of pupils' school reports and their cards, or of counselling reports on students in the school system. No privacy is maintained in those areas. I have already said that personal files are held on employees.

The insurance industry is blatantly open to abuse through policies and reports that are prepared relevant to payments. From time to time people in my electorate involved in long, drawn-out compensation cases arising from motor vehicle accidents have come to me and told me about the reports prepared relating to their medical records, their employment background and what they do for a living. All those reports are open to abuse.

I have already mentioned the areas of finance, credit transactions, wages and income records, home loans, real estate transactions and, above all, taxation returns. I am well aware of the taxation laws in Australia that make it legally binding, under certain conditions of very great privilege, to make public individual's taxation records. On that matter, I certainly do not support some of my colleagues who advocate that personal and individual taxation records should be made available for public scrutiny or, indeed, Government scrutiny.

If people want to dodge the taxation system, it is incumbent upon the Government and the Attorney-General to consider seriously the proposal for the establishment of a national crimes commission that has been put forward by the Federal Labor Party. That is one area in which people become blinded, unless a deliberate attempt is made to protect people who are intimately involved with the National Party or who make rather generous donations to it from time to time.

I could talk about the records that are kept on people by social workers. I could talk about this matter all night. I am sure that if my colleague the member for South Brisbane were here tonight he could speak for an hour, without any speech notes, about the shocking invasion of the privacy of people who apply to adopt children in this State, and even about the invasion of the child's privacy. I am the first to admit that some investigations have to be carried out in relation to people who wish to adopt children; but some of the reports that are maintained by the State department are available to other people if they have the right contacts. There is absolutely no guarantee of privacy in that area.

One area that might not be of great concern to many members in this House is the borrowing patterns of people at public libraries. If a private investigation agency or the police want to find out the sort of material that people prefer to read, they can go to a public library.

Mr FitzGerald: Video libraries, too.

Mr R. J. GIBBS: I agree with the honourable member. People have the right to watch what they want to watch in the privacy of their own homes. Not so long ago the Queensland Police Force conducted a concerted campaign, under the direction of the then Minister, to raid video libraries and to confiscate what they considered to be improper viewing material for adults. Yet a person can drive to the north coast or the south coast, book into one particular chain of motels, fit a little key into a television set and watch any kind of pornographic material. If people have kids they can shunt them off to a lounge-room. People have a right to watch those sorts of programs if they wish, and an invasion of their privacy should not occur. The double standards that apply to that area of privacy are deplorable.

When Mr Doumany was the Attorney-General of Queensland, I raised other matters concerning invasion of privacy. For example, when driving along the highway on a Saturday morning to go to the local for a couple of beers or to a shopping centre, it is appalling to be accosted at traffic-lights by people jumping out with buckets. Quite apart from the invasion of privacy—and it is an invasion of privacy—it is an attempt to create what might be called acute embarrassment. People are embarrassed into making financial donations to a particular charitable organisation. The people with buckets also cause danger to other members of the community at the traffic-lights.

The unlimited amount of junk mail that appears in people's letter-boxes is also an invasion of privacy. I am sick and tired of going home and finding advertising material from Waltons or leaflets from Price-Rite or Four Square Stores and innumerable other companies that hire children at a very cheap rate to go round and constantly keep plugging letter-boxes with junk mail. I am sure that other people in the community become as annoyed as I do about that.

Telephone soliciting and selling also is an invasion of privacy. The seizure of records from doctors' surgeries is an invasion of privacy. The powers of arrest that exist under Queensland law, and about which my colleague the member for Salisbury has commented so adequately on many occasions, are gross invasions of privacy.

Although no complaints have been made, it has been drawn to my attention by other people that body-cavity searches are being carried out and that is a shocking invasion of privacy. Males and females arriving at international airports, including Brisbane, may be searched if it is suspected that they are carrying drugs. Females are degraded by the presence of male personnel when those body-cavity searches take place.

Some substantiated discussions took place about a particular hospital in Brisbane. I think it is timely that I mention it, particularly in the light of a recent case in which a Brisbane doctor was involved. Women patients in hospitals in Brisbane feel that their privacy is invaded by medical students who are carrying out unauthorised investigations under anaesthetic treatment. That is a deplorable situation, even if it is supposedly in the interests of medical science. It should not happen.

The Australian Law Reform Commission is a very progressive body. I do not know whether the Attorney-General has familiarised himself with its reports. I am not being critical of him if he has not, because he has a very demanding job. As I said at the beginning of my speech, the Government has missed a golden opportunity to take the bit between its teeth and make major and innovative changes to privacy laws. I do not know whether the Minister for Justice and Attorney-General has been party to discussions with the Federal Attorney-General. My understanding is that there have been discussions, or there are to be discussions, between the Commonwealth and the States about uniform privacy legislation. I hope that the Queensland Government will be a willing party to those discussions.

The Australian Law Reform Commission has made many relevant comments about privacy. It has said—

“These interests are under threat particularly from the following features of contemporary society:

extension of powers granted to administrative officials, allowing an ever-increasing range of persons in addition to police to enter the 'personal place' or 'personal space', to interfere with private communications, to engage in secret surveillance or to gain access to a personal file;

new business practices which seek out the potential customer in his 'personal place' or 'personal space', rather than simply waiting for people to decide to become customers and to approach the business of their choice;"

In my electorate, I have a situation involving a kitchen company, in which, as a result of an invasion of privacy, persons now find themselves bound up in a contract that they cannot afford to honour.

The report goes on to say—

"rapid development of technological means for penetrating 'place' and 'space', making it simply impossible to keep things private by locking the door, pulling the shades, erecting a fence, sealing an envelope, whispering, or communicating by telephone;

development of computers to handle personal information, thereby allowing record keepers involved in traditional relationships with clients, customers, patients, research subjects and others to increase the volume of information held about their record-subjects, and encouraging them to allow that information to flow in directions never envisaged by the existing legal and ethical framework governing those relationships; and

extensive and expanding use of computers in public and private administration."

As I said before, and have gone to great pains to point out, those words are not mine; they are the words of the members of the Australian Law Reform Commission. A couple of weeks ago I was saddened by the nebulous comments of a person on the Queensland bench for whom I had some respect—Mr Justice Connolly—about the chairman of the Australian Law Reform Commission.

When referring to the Australian Law Reform Commission, it is important to remember that it is recognised not only in Australia as a particularly impartial body politically but also throughout the world as one of the most successful law reform commissions and one of the most successful investigative bodies that have been established. I repeat that the people who contribute to those investigations and to the recommendations are not only members of the Australian Labor Party; they are people from the Liberal Party, the National Party, the business community and the legal profession. They cover all sections of the community in Australia.

Earlier I made the point that I hoped that the Attorney-General would extend a co-operative attitude not simply to the Federal Attorney-General and Federal Government but also to people generally. Organisations such as the United Nations, UNESCO, the International Telecommunications Union, the OECD, and all bodies to which Australia belongs and which are developing international law relative to information technology and privacy, are sharing a general concern. As I understand it, in about three months' time a symposium will be held in Stockholm on all the international complications of a person's individual privacy. I do not know to what extent, if any, the Queensland Government will be participating. However, the holding of that symposium shows that people of all political persuasions are concerned.

I conclude by saying that I stick by my earlier accusation that the Bill means nothing; it really contributes nothing in the matter of individual privacy. I am privileged to have a rough copy of the Bill that it is hoped will pass through the Federal Parliament in the near future. It proves my point.

When it is compared with the Queensland legislation, it makes an absolute mockery of this meaningless document. For example, in the proposed Commonwealth legislation reference is made to complaints by individuals. Although a similar provision exists in the Queensland legislation, there is really no concern for people's complaints. The Federal legislation covers matters such as evidence given by individuals and the protection of the identity of people who may wish to submit recommendations or evidence in relation to a privacy investigation. It covers a matter that I mentioned a moment ago, namely, body-cavity searches. It covers secret surveillance, listening devices, optical surveillance, financial and property records. Those matters will be encompassed in the legislation when it is introduced

into the Federal Parliament. It is an insult to thinking people's intelligence that we are debating a Bill on privacy in Queensland that means nothing. It is sunset legislation that will wind up in five years' time. A ridiculous situation has occurred in that the legislation provides for the existence of subcommittees of two people. It is stated that on those subcommittees one person shall constitute a quorum. That is a joke! In other words, if one happens to be on the subcommittee of the Privacy Committee, one can have a meeting with oneself and make any recommendation that one likes. One person will be regarded as a quorum. Today somebody said that drafting problems were experienced with this legislation. I do not doubt that that is so because of understaffing. The provisions in relation to subcommittees are an insult to one's intelligence. I notice that the Minister is grinning. Perhaps he will move a minor amendment to the Bill. I will be interested to hear his comments.

The Bill is unpalatable. Even though it progresses an inch out of a mile, the Opposition is, regrettably, bound to support it.

Mr INNES (Sherwood) (10.43 p.m.): The Bill is a very modest reform; it might even be called shy and retiring. It has in its provisions a capacity for a seed of reform to grow, depending on how the powers of the committee are developed and how robust the Minister will be in doing something about the committee. Everyone knows and accepts that there are grave problems in the area of privacy, but the Bill does nothing to indicate that reform on any of those problems will be addressed.

I call on the Minister to do more than set up a committee. It should be enabled to take on board specific areas of investigation. The matter of technology and the cross-linking of modern computer files, and the existence of a profile on each member of the community, is so well-documented and well-commented upon that it is trite to say that it is obviously an area of investigation upon which the committee should embark. Other members have referred to that.

The member for Wolston referred to the Federal proposals that do address a number of specific areas. I am not the greatest fan of Mr Justice Kirby. Frankly, I have a great deal of respect for Mr Justice Connolly. I believe that there is a great deal of merit in what he said recently.

Mr McPhie: What about Mr Justice Murphy?

Mr INNES: I will come to Mr Justice Murphy, perhaps in a way that the member for Toowoomba North will not entirely predict.

Two of the areas I wish to speak about are communication privacy and photographic privacy. Any fair-minded person—any person with an understanding of and feeling for our society—would have to be absolutely appalled by what has been thrown up by the so-called "Age" tapes issue. Queensland has legislation that does something about electronic eavesdropping.

Mr R. J. Gibbs: Very little.

Mr INNES: It does something. I intend calling for much more.

If we think about private offences, we think about rape and murder as violent assaults on the body of individuals. However, at times we must look at the whole structure of society. Violence can be done to society. The greatest violence to society is to break down human trust and human communication. What is disclosed by the "Age" tapes issue, in my view, borders upon that massive assault—that savage assault; that body blow—to society. If we cannot speak to each other and speak to the people we choose to speak to with freedom—if we cannot pick up a telephone and speak with a total sense of confidentiality—something fundamental and fundamentally important to our society has been destroyed. In the issue of the "Age" tapes, in terms of priorities, frankly I am less concerned with the peccadilloes of judges or solicitors or anybody else who might be involved than I am with the fact that the tapes were taken, that the tapes themselves were reported, and that they were reported in a fashion that has apparently suggested the identity of individuals.

Mr Vaughan: But what about what is being done about the "Age" tapes?

Mr INNES: We only control the law-making capacity of Queensland. What I am calling for is that the first issue to be addressed by the Privacy Committee be the issue of telephonic eavesdropping.

I do not often agree with Bob Hawke, but I agreed with him when he said that we say things on telephones and to people with whom we choose to communicate that we would never dream of saying in public. We think things that we would never dream of saying in public. A person lets his hair down, metaphorically, when he is speaking to selected people. A person ought to be able to sound off in his own home, he ought to be able to sound off to a mate and he ought to be able to sound off in the party room—though I suppose that was a bad example, because if we ever do anything about the confidentiality of party rooms we are all in strife.

The reality, however, is that what some police officers have done in New South Wales amounts, in my view, to a violent assault on society at large. They should be found. Whatever led them to do that should be disclosed. That should be stopped, as should the reporting and the publication of anything obtained in those circumstances.

I have no doubt that the press will say, "Ah, but the freedom of the press!" The freedom of the press is based upon freedom of speech. If communications which were only free between private individuals are disclosed in public, in fact the very principle the press claims it stands on is destroyed. Freedom of speech is the freedom to say what one wants to, to whom one wants to say it. If one wants to say it to the public at large, so be it; but if one chooses to say it to a parent, a mate or someone in the party, that must be treated as confidential—unless one is stupid enough to run the risk of saying it loudly enough for everybody to hear. One chooses how one says something and to whom one says it.

Mr FitzGerald: What about defamation? How do you get around that?

Mr INNES: If what a person says is disclosed to another person, the person who is harmed by it has the civil right to take action for defamation. Defamation involves the publication of matter defamatory to any other person. If a person dictates something to his typist, he can defame. However, the person harmed will not get very big damages unless the defamation is broadcast to a large group of people.

Mr Cahill: The intent would be there, though, wouldn't it?

Mr INNES: Intent does not matter. Intent is not a part of defamation. Hypothetical situations can be created. As some novelists have found to their dismay, when they have invented a totally fictitious character and written something bad about him, successful actions for defamation have been maintained because half a dozen or 100 people have concluded that the novelists have written about somebody who existed.

I do not want to wander into the byways of defamation law. The principle is that any eavesdropping on and taping of private conversations is absolutely cancerous to free society and freedom of speech.

Mr Vaughan: Those tapes were not authenticated, either.

Mr INNES: No, that is so.

I do not often speak of mandatory sentences, but I feel so strongly on this issue that I believe that the penalties for this type of thing must be massive. The only exceptions that should be countenanced should be in cases, supervised by a Supreme Court judge, of grave national security or, possibly—I am not totally convinced of this—the investigation of international crimes of a very grave nature, such as hard drug-running. However, the exceptions should be only minute infringements on the general principle.

The penalties should be massive and the order of things should provide for an automatic, massive penalty on anybody at all who electronically eavesdrops on a private conversation—on a telephone conversation, in particular—because even to allow an exemption for people with known criminal connections provides a foot in the door. People could listen to innocent conversations or conversations with totally innocent people, which could then be used and disclosed by police officers to newspapers for money or even used for blackmail. If the practice is made absolutely illegal, if it cannot be used, then the dangers of corruption, of peddling for money, of blackmail and all those things are taken away.

Only the gravest crimes justify this sort of invasion of privacy. The commission of ordinary crime does not justify it, because absolutely fundamental to our society is that persons can have private conversations.

Mr McPhie interjected.

Mr INNES: The member for Toowoomba North says: "Innocent people, yes; known criminals, no." I would have thought that that whole exercise would mean that criminals speak to people both innocent and guilty, but as long as a criminal is involved, the innocent get tainted by the guilty and their conversations listened to. No, the practice should be absolutely eradicated. That is the only way to stop the misuse and abuse of eavesdropping devices.

The second area that I address, only because others have not canvassed it in any detail, is the matter of photography or filming. I am sure those of us who, several months ago, saw television cameras homing in on the private grief and tragedy of parents and relatives looking at a drowned person on a beach on the Gold Coast must have been appalled, as I have been appalled in the past, at the fact that that was done for public purposes.

People have a right to privacy of appearance and a right to photographs of them not being used by others. It is very unfortunate that some members of the media, whose interest is often based on sensation rather than on any real, legitimate purpose, home in on the private grief of people. The people on the beach could not hide their grief. It is appalling, insensitive and wrong to encroach on their tears and agony. In a more extreme case, it is absolutely wrong for people to use a telephoto lens to home in on the privacy of people in their homes or when they are elsewhere on their private properties.

In this country we do not want what is practised by the scum of Italy under the guise of freedom of the press. They sneak round beaches and through hedges to take photographs of prominent people enjoying their private lives. Protection against that practice should be available. No freedom of the press can dominate the right of individuals to privacy.

Urgent attention is needed in those two matters. The Invasion of Privacy Act goes nowhere near far enough to protect those, and other areas, but I highlight those two areas.

Debate, on motion of Mr Wharton, adjourned.

CENTRAL QUEENSLAND COAL ASSOCIATES AGREEMENT AND QUEENSLAND COAL TRUST BILL

Suspension of Standing Orders

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

"That so much of the Standing Orders be suspended as would otherwise prevent the immediate presentation to the House, the first reading and the introductory speech for the second reading of a Bill with respect to the authorisation of an agreement to be entered into for and on behalf of the State of Queensland with others amending the agreement made and subsequently amended pursuant to the Central Queensland Coal Associates Agreement Act 1968, to amend the Central Queensland Coal Associates Agreement Act 1968 in certain particulars, to provide with respect to the acquisition or transfer of or dealing in units in Queensland Coal Trust and for related purposes; and the passing of the remaining stages of such Bill on 28 March."

Question put; and the House divided—

Ayes, 43

Ahern
Austin
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Gunn

Harper
Harvey
Henderson
Innes
Jennings
Katter
Kaus
Lane
Lee
Lester
Lickiss
Lingard
Littleproud
McKechnie
Menzel

Miller
Muntz
Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:
McPhie
Neal

Noes, 27

Campbell	Kruger	Veivers
Casey	Mackenroth	Warburton
D'Arcy	McElligott	Warner, A. M.
Davis	McLean	Wright
De Lacy	Milliner	Yewdale
Eaton	Prest	
Fouras	Price	Tellers:
Gibbs, R. J.	Shaw	
Goss	Smith	Burns
Hamill	Vaughan	Comben

Resolved in the affirmative.

First Reading

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

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (11.7 p.m.): I move—

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

This Bill is being introduced as a matter of urgency to enable The Broken Hill Proprietary Company Limited, in association with others, to complete arrangements for the acquisition of the Queensland coal-mining interests of Utah Development Company from the General Electric Company of the United States of America. In addition, BHP is restructuring the ownership of the mining properties of the Central Queensland Coal Associates, Utah Development Company’s Blackwater mine and the BHP Gregory mine and their associated facilities. The acquisition primarily requires the transfer of relevant mining tenements, surface leases, benefits and obligations conferred under the Central Queensland Coal Associates Agreement and numerous infrastructure and other agreements.

At present, the Central Queensland Coal Associates joint venture is entitled to the benefits of the franchise agreement authorised by the Central Queensland Coal Associates Agreement Act 1968. Both the Blackwater and Gregory projects are the subject of a number of infrastructure agreements authorised under the provisions of existing State legislation.

BHP will establish two unincorporated joint ventures to own and operate the mining properties in Central Queensland. Two ventures were required because Mitsubishi Development Pty Ltd, a current participant in the CQCA joint venture, did not want to participate in the Gregory project. Accordingly, one venture will own and operate the CQCA mines, plus the Blackwater mine and the Gregory mine. The BHP company will hold a significant interest in both ventures and, once the restructuring is completed, the level of Australian equity in both ventures will exceed 72 per cent. Details of the various interests are complex and, for the information of honourable members, I seek leave to have a table of the interests in both ventures incorporated in “Hansard”

(Leave granted.)

EQUITY POSITION IN THE QUEENSLAND COAL JOINT VENTURES AT ACQUISITION

	Percentage Interest				Place of Incorporation
		CQCA Joint Venture		Gregory Joint Venture	
	%	%	%	%	
The Broken Hill Proprietary Company Limited through wholly owned subsidiaries—	..	35.00		47.00	
Utah Development Company ..	31.00				Nevada, USA (a)
Umal Consolidated Limited (Previously Utah Mining Australia Limited)	4.00				New South Wales
BHP Minerals Limited	Nil		47.00		Western Australia

EQUITY POSITION IN THE QUEENSLAND COAL JOINT VENTURES AT ACQUISITION—*continued*

	Percentage Interest				Place of Incorporation
		CQCA Joint Venture		Gregory Joint Venture	
General Electric Company through wholly owned subsidiaries	%	15.50	%	15.50	
General Electric Minerals, Inc.	8.50		8.50		Nevada, USA
Bowen Basin Minerals, Inc. ..	2.00		2.00		Nevada, USA
UB Minerals, Inc. ..	5.00		5.00		Nevada, USA
Queensland Coal Trust through Custodian trustees		21.75		21.75	
QCT Investment Pty. Ltd. ..	12.00		12.00		Queensland
QCT Mining Pty. Ltd. ..	9.75		9.75		Queensland
Australian Mutual Provident Society		7.75		7.75	New South Wales
Mitsubishi Development Pty. Ltd. ..		12.00		Nil	Queensland
Bell Coal Pty. Ltd. (b) ..		5.00		5.00	Queensland
Pancontinental Mining Limited (c)		3.00		3.00	Queensland

Notes.—

(a) The Company is to be migrated to Queensland.

(b) Has announced the arranging of an option, to be exercised in the next twelve month period for an extra 5 percent of project equity from General Electric Company of the USA. This will increase equity held to 10 percent in both joint ventures.

(c) Has arranged with General Electric Company of the USA to acquire an option over an additional 2 percent of project equity to be exercised in a twelve month period. This would increase equity held to 5 percent in both joint ventures.

These options (b, c) if subsequently exercised would reduce the interest of the General Electric Company of the USA to 8.5 percent in both joint ventures, and mean a rise in Australian equity of 7 percent.

Source: The Broken Hill Proprietary Company Limited.

Mr GUNN: Honourable members will be aware, from press reports, of the protracted negotiations that have been proceeding to form the joint ventures to own and operate the mining properties. The structure of these ventures was finalised as recently as a week ago, once the success of the take-over of Umal Consolidated Limited by BHP was assured and the participation of the Queensland Coal Trust was confirmed. Financing arrangements for the acquisition, totalling \$1.1 billion, are planned to be concluded on Monday, 2 April, the scheduled closing date for the acquisition.

This Bill, together with the schedules, is required to permit the benefits and obligations of the CQCA agreement and the agreements and approvals covering the port operations at Gladstone and Hay Point for the CQCA, Blackwater and Gregory projects to be transferred to various companies participating in the joint venture arrangements. As well, it provides for the acquisition, transfer and dealing in units in the Queensland Coal Trust.

To proceed via the existing provisions of the CQCA Act, the Harbours Act and the Lands Act would have meant that the approvals for particular transfers would not have been obtained prior to the closing date of 2 April or, if obtained, could have been revoked by decision of Parliament following upon the finalisation of financing arrangements. Intending lenders advised that they would not provide the necessary funding to complete the acquisition if these arrangements applied. It is therefore proposed, by way of this Bill, to seek the specific approval of Parliament to the various amending agreements.

The formation of a trust to participate in a resource management venture is a new concept that has raised questions concerning the application of State legislation to the functioning of the Queensland Coal Trust and, in particular, to the dealings in units in the trust. The Bill establishes a procedure whereby significant changes in the ownership structure of the Queensland Coal Trust can be monitored to ensure that the trust can fulfil its obligations to the Government as defined in the various agreements to which it will become a party.

My Government gave a clear undertaking when the acquisition proposal was first raised some 12 months ago that, following satisfactory consideration of requests for the necessary transfer of interests under the various agreements, it would not hinder this acquisition, which does much to improve the level of Australian equity in the Queensland coal industry.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

**FARM WATER SUPPLIES ASSISTANCE ACT AND ANOTHER ACT AMENDMENT
BILL**

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services),
by leave, without notice: I move—

“That leave be given to bring in a Bill to amend the Farm Water Supplies Assistance Act 1958-1979 and the Water Resources Administration Act 1978-1981 each in certain particulars.”

Motion agreed to.

First Reading

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

Second Reading

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services)
(11.14 p.m.): I move—

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

The Farm Water Supplies Assistance Scheme was introduced by this Government in 1958 to enable the provision of technical and financial assistance to land-holders to develop water conservation, irrigation and drainage on individual properties.

In the 25 years of its operation, over 26 000 applications for assistance have been handled and advances exceeding \$21m have been approved.

The Queensland Water Resources Commission, which administers the scheme, has officers trained in all aspects of water management, including agricultural and civil engineers, geologists, hydrologists and technical advisers. Advice and assistance may be obtained through any one of the commission's 18 district offices throughout the State and from the head office in Brisbane.

I am sure that honourable members, particularly those representing rural areas, are well informed on the scheme. If they would like further information, the commission has available a concise and informative booklet titled “Water for the Farm”

The advisory services provided under the scheme are funded from consolidated revenue. All applications are subject to a preliminary investigation and report to enable a land-holder to decide whether to proceed with the proposal. No charge is made for this advice.

Where the scheme is undertaken, an appropriate charge is made for any further service provided.

Where financial assistance is approved, advances are made through the Agricultural Bank from a trust fund established in the Treasury titled the “Farm Water Supplies Assistance Fund.” This fund was initially financed from State loan funds, together with repayments by borrowers.

Consequent upon the restriction in loan funds available to the State in recent years, new moneys required for the fund have been principally provided from debenture borrowing by the Commissioner of Water Resources under the Smaller Bodies Borrowing Program. The Bill now before this House relates to the provision of such new moneys, as approved, for the fund.

Loan Council approval of semi-Government borrowing for the Burdekin River Irrigation Area in 1982-83, and for the Water Resources Commission works program in general in the present year, has precluded the commissioner from borrowing under the Smaller Bodies Borrowing Program. This arises owing to Loan Council arrangements under which a statutory body, in this case the Commissioner of Water Resources, cannot borrow under both the semi-Government borrowing program and the Smaller Bodies Borrowing Program in the one year. The State therefore lost a borrowing ability under the Smaller Bodies Borrowing Program. To maximise the borrowings available to the State, it is desirable to restore that ability.

The funds previously borrowed by the commissioner under the Smaller Bodies Borrowing Program were principally utilised in respect of advances under the Farm Water Supplies Assistance Scheme. To restore the position, the constitution of a separate body to undertake borrowing for that purpose is necessary. This will guarantee a source of significant new money to the fund in future years.

My previous remarks have outlined the background to the Bill and I will now refer to the amendments covered therein. The central feature of the Bill is to constitute the Minister to be a corporation sole under the name and style "Farm Water Supplies Assistance Authority". As the authority is constituted for a purpose of government, it will represent the Crown and have the privileges, rights, etc., of the Crown. The authority is not granted any non-standard legal capacities.

The function of the authority is to borrow money for the purposes of the Act in relation to advances to land-holders. Administratively, the intention is that the authority would only be authorised to borrow under the Smaller Bodies Borrowing Program. For the current year the maximum amount that may be borrowed under that program is \$1.8 m.

The authority will be a body within the meaning of the Statutory Bodies Financial Arrangements Act 1982. Honourable members will recall that that Act updated and standardised all matters in respect of the making of financial arrangements by statutory bodies. The authority will have appropriate borrowing powers as provided by that Act and must comply with the requirements of that Act. Borrowing powers presently provided in sections 17B, 17C, 17D and 17E of the Farm Water Supplies Assistance Act will therefore become redundant and are to be repealed. All the amendments I have referred to are contained in clause 7 of the Bill.

The authority will be a department within the meaning of the Financial Administration and Audit Act and will be subject to audit by the Auditor-General. The amendments set out in clauses 4, 5 and 6 of the Bill cover changes consequent upon the constitution of the authority and arising from the authority becoming responsible for matters previously vested in the Commissioner of Water Resources.

As the authority will undertake borrowing in lieu of the commissioner, section 17 of the Act is amended to provide that moneys borrowed by the authority shall be paid into the fund, and moneys payable by the authority in respect of those borrowings shall be paid out of the fund.

Section 17A is amended to provide that all previous borrowings by the commissioner will vest in the authority. It also prescribes that all securities in respect of such borrowings shall be deemed to refer to the authority and that the authority shall have had the powers of the Act in respect of those past financial arrangements.

Section 18 is amended by repealing the regulation-making powers in respect of financial arrangements. Comparable powers under the Statutory Bodies Financial Arrangements Act will apply to the authority.

The Bill also amends section 21 of the Water Resources Administration Act 1978-1981, which provides that the Commissioner of Water Resources shall prepare and furnish to the Minister an annual report of his department. The commissioner in his report includes information on the administration of the Farm Water Supplies Assistance Act. To provide information on all aspects of the scheme in the one paper it is considered appropriate that information on the operation of the authority be included in the relevant section of the commissioner's annual report. The amendment provides for such information to be so included.

Honourable members will appreciate that the intent of the Bill is to secure a source of funding for the purposes of the Farm Water Supplies Assistance Act. I commend the Bill to the House.

Debate, on motion of Mr Eaton, adjourned.

LAW REFORM COMMISSION ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Law Reform Commission Act 1968-1976 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.22 p.m.): I move—

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

The object of this Bill is, firstly, to provide for the publication and circulation of the Law Reform Commission’s working papers and, secondly, to remove any doubt that Law Reform Commission staff are subject to the Public Service Act.

The Bill provides that, for the purpose of assisting the commission in formulating its programs or recommendations, the commission may publish its working and discussion papers and such other papers as it thinks fit and may circulate those papers to such persons as it chooses in its discretion. The practice of the commission has been to distribute its papers on a confidential basis to interested parties, but at present there is no specific legislative provision dealing with the publication and circulation of this material. The Bill gives the commission authority to publish and circulate its various papers.

The Bill further provides that officers appointed to the commission by the Governor in Council shall be appointed and hold office subject to the provisions of the Public Service Act. Although appointments have always been made on the basis that officers of the commission are subject to the Public Service Act, the Law Reform Commission Act does not make this clear. The Bill removes any doubt that commission staff, as distinct from members of the commission, are subject to the Public Service Act.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

LAND SALES BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

“That leave be given to bring in a Bill to regulate certain sales of land and to amend the Auctioneers and Agents Act 1971-1981 in certain particulars.”

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.25 p.m.): I move—

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

As the title of the Bill suggests, the purpose of this legislation is to place in an appropriate Act the law dealing with the sale of proposed subdivisions of land and proposed lots being either building units or group titles.

The existing law in this area is contained mainly in sections 67 and 67A of the Auctioneers and Agents Act 1971-1981 and it is from the current review of that Act, presently being undertaken by me and my justice committee in conjunction with my departmental officers, that the present Bill emanates.

It was considered that the law on this important subject should be contained in separate legislation. The present section 67 prohibits the sale of land that is subdivided into more than five allotments until the plan of subdivision has been registered by the Registrar of Titles.

A number of problems have arisen in this regard. Firstly, advice suggests that the words “land that is subdivided” in section 67 subsection (1) does not include “land that is proposed to subdivide” and that therefore, in that case, section 67 has no application.

Secondly, as the section applies only where land is subdivided into more than five allotments, developers are submitting multiple plans, each containing not more than five allotments but all relating to the same subdivision, to the Registrar of Titles for registration. This avoids the operation of the section.

Additionally, where anyone sells land that is subdivided into five allotments or fewer, the Act does not make provision for deposits received in respect of those sales to be held in trust accounts. Purchasers are insufficiently protected in such instances.

Not surprisingly, there is considerable demand by purchasers to be permitted to enter into contracts at the earliest possible time. To avoid the operation of the section, potential purchasers are prepared to submit to developers so-called offers to purchase or letters of intent on the understanding that, when the developer is permitted to sell allotments, these purchasers will enter into firm contracts. To show their good faith, purchasers are prepared to tender sums of money which, in any other circumstances, would be called a deposit.

Yet another concern is that there seems to be no justification for the vast difference which exists in respect of the time when flat land can be sold, on the one hand, and the time when building units can be sold, on the other. Under section 67A building units can be sold off the plan and any money received must be retained in a trust account until the building units plan has been registered.

Finally, one must take into account the argument by developers in relation to costs. Plans of subdivision take approximately 10 to 14 weeks, dependent on whether requisitions are issued, to be registered by the Registrar of Titles. During this period, the developer is continuing to meet his finance repayments in respect of completed blocks. These repayments represent dead money, as the developer has done everything necessary for the purpose of the subdivision. The cost to the company in payments to its financiers for this period is said to be in the order of \$750 per residential allotment. Inevitably this cost could, would and should be passed on to the purchaser.

At the time when the local authority seals the final plan of subdivision, the blocks are readily identifiable and all council requirements have been fulfilled.

A basic proposal which was received in respect of section 67 from both developers and from the Queensland Law Society was to permit the selling of land which has been or is to be subdivided at the stage when the local authority has sealed the final plan of subdivision.

I stress that, at this stage, the developer has either completed the work necessary for the purpose of the subdivision to the satisfaction of the local authority or the local authority has bonded the developer. In that case, if the developer fails to complete the work to the local authority's satisfaction, the local authority will have the work completed. The current Bill has incorporated this proposal, whilst taking great care to ensure that the amendment does not put the purchaser at risk.

For this purpose, clause 11, in respect of purchase of land, and clause 23, in respect of the purchase of a lot, require that all money payable by way of deposit or otherwise, shall be paid directly to either—

(a) a solicitor whose name is on the roll of solicitors of the Supreme Court of Queensland and who practises in this State;

(b) a real estate agent licensed under the Auctioneers and Agents Act 1971–1981;
or

(c) the Public Trustee constituted under the Public Trustee Act 1978–1981.

Clause 12 requires that moneys received in respect of the sale of unregistered land be retained in a trust account until—

(1) The purchaser becomes entitled to a refund of the money;

(2) Where the money has been paid in respect of the sale and purchase of relevant freehold land, a certificate of title relating to that land only has been issued by the Registrar of Titles; and

(3) Where money has been paid in respect of the sale and purchase of relevant leasehold land, the vendor is competent in law to assure to the purchaser title to the estate of the leasehold.

Although the second requirement may result in approximately two weeks elapsing between the time when the plan of subdivision is registered and the time when the separate certificates of title are issued, it safeguards against the possibility that, if the developer is permitted to withdraw the money from the trust account as soon as the plan of subdivision has been registered, a developer's financiers as mortgagees may step in and prevent the issue of the separate certificates of title.

Clause 24 incorporates similar provisions in relation to the sale of lots. Such provisions will ensure that a situation such as that which existed when the Alfred Grant group of companies collapsed or when Edenlee Pty Ltd was prosecuted does not recur.

It is felt that in most circumstances if the plan has been sealed by the local authority and the developer starts marketing the blocks, it would be in his interests to lodge the plans and obtain registration as quickly as possible as he cannot withdraw the money from the trust account until the certificate of title has been issued.

It is possible that the developer may unduly procrastinate in lodging the plans for registration. If this occurs, clause 15 provides that if the certificate of title has not been issued within six months of the date of the contract of sale or if the purchaser has become liable to pay more than 10 per cent of the purchase price, the purchaser is empowered, at his option, to avoid the contract.

In such circumstances, clause 17 enables a purchaser to obtain a complete refund of his purchase money together with interest calculated at a rate to be prescribed from time to time.

Representations were received from the Queensland Law Society, as well as from honourable members of this House, in respect of group title plans. At the moment, by virtue of section 8 (6) of the Building Units and Group Titles Act, section 67 is deemed to apply to a "sale of any part of a parcel contained in a group titles plan". Therefore, a lot on a group titles plan cannot be sold until the plan has been registered. This will not take place until after the plan has been sealed by the local authority. If the lot on a group titles plan contains a building, the local authority will not seal the plan until the building is almost completed. A similar situation pertains in respect of a building units plan, that is, the local authority will not seal the plan until the building is almost completed. However, building units can be sold off the plan at any stage.

Current business considerations require that before the developer can obtain finance to build a block of home units on a building units plan, he must be able to satisfy his financier that a certain number of the lots have been presold. However, a person who wishes to sell lots off a group titles plan cannot sell at this stage and therefore also has trouble obtaining finance. This has resulted in a situation in which building units plans are being used in preference to group titles plans and, on occasions, artificially forced to achieve what would be more appropriately achieved by a group titles plan.

As I have indicated to honourable members, section 67A permits lots on a building units plan to be sold at any stage. It is not unheard of that such sales take place where all that is in existence is an artist's sketch of the proposed development. That situation is open to great abuse and uncertainty. However, as I have indicated previously, if the developer is not permitted to presell he will not obtain his finance.

The earliest stage at which something in the nature of a firm commitment to proceed with the development is made is when the building approval has been granted by the local authority. At least, at that stage plans will be in existence so that a purchaser can ascertain with some certainty just what he is contracting to buy.

Therefore, clause 20 states that a person shall not sell or purchase a lot unless, in relation to the sale of a proposed lot on a building units plan—

- (1) The approval of the appropriate local authority has been obtained to the erection of the building containing the lot; and

- (2) Where under a relevant town planning scheme the consent of the appropriate local authority is required to the use of the land for the erection of the building containing the lot, the consent has been obtained.

The same restriction applies where the sale and purchase includes a building or other structure to be erected on the lot. Then—

- (1) The approval of the appropriate local authority has to be obtained for the erection of the building or structure and of the plans and specifications for it;

- (2) Where the consent of a local authority is required for the use of the land, the consent has been obtained.

In the case of a proposed lot that will be shown on a group titles plan and the sale and purchase does not include a building or other structure to be erected on the lot, the plan has been approved by the appropriate local authority under its common seal.

Pending the issue of separate certificates of title in relation to each lot, money should be retained in trust accounts operated in accordance with the provisions previously mentioned in regard to the sale of that land.

Once again, the situation exists in which a developer can tie up for an indefinite period the purchaser's deposit and his liability to complete the contract.

Clause 27 provides that the purchaser should be given the option of avoiding a contract after 18 months have elapsed from the date of the agreement to sell or the purchaser has become liable to pay more than 10 per cent of the purchase price, provided no plan has been registered.

As with the sale of flat land, clause 29 provides that where the purchaser so avoids a contract he should be entitled to the return of all moneys paid by him pursuant to the contract, together with interest calculated at a rate to be prescribed from time to time.

As a result of this legislation, section 98 of the Auctioneers and Agents Act 1971-1981 will be amended to allow for the changes introduced by the legislation.

In introducing the legislation, I take the opportunity to thank the industry as well as the Queensland Law Society and the Bar Association for the co-operation afforded by them to me, to members of the justice committee and to departmental staff.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

“That the House do now adjourn.”

Air Pollution from Gladstone Power Station

Mr PREST (Port Curtis) (11.40 p.m.): I have received many complaints about the pollution coming from the Gladstone Power Station since it was commissioned seven years ago. Ministers responsible for air pollution control have repeatedly told the people in my electorate, by way of answers to questions, correspondence and ministerial statements that air pollution is not, and has never been, a problem and that the Gladstone Power Station is working within the limits required by the Air Pollution Council of Queensland. I was somewhat taken aback when I saw an article in “The Gladstone Observer” dated 13 March 1984. A statement by Mr Chris Wood, an executive officer with the Air Pollution Council stationed in Gladstone, reads—

“Gladstone power station had one of the worst records for pollution control of Queensland power stations and needed to review its operations, Air Pollution Control officer, Mr Chris Wood, said yesterday.

The QEGB had trouble complying with pollution control standards and the station's pollution control equipment was not only plagued with break-downs but often seemed to take long periods of time to repair.”

Mr Wood also pointed to problems with the station's sulphur trioxide conditioning system. Malfunctions in system units 1 to 4 meant that even if the precipitators in the stack had been working, no sulphur trioxide would have been available to them.

Mr Durrington, who is a superintendent at the station, agreed that the system malfunctioned from time to time, but added that this was normal for a gas plant operating at high temperatures. He said that the sulphur trioxide had nothing to do with the high emission experienced on one particular weekend. Mr Wood said that the failure of both types of pollution control equipment was indicative of the power station's poor performance record. There were few occasions on which the equipment operated consistently. Mr Wood said—

““It seems virtually every week something goes wrong. I think there were only six days straight in January when they didn't have any trouble. Their ability to recover from problems is not particularly good. The time it takes seems to be excessive.

In other major industrial plants, problems are solved more rapidly, but here it sometimes takes weeks.' ”

It amazes me that the Air Pollution Council makes such strong statements admitting that there is a major air pollution problem with the QEGB power station at Gladstone. I would like the Minister for Mines and Energy to tell me what he is going to do about the problem. I also ask the Minister for the Environment, Valuation and Administrative Affairs (Mr Tenni) what action his department will take to see that the Gladstone Power Station keeps within the limits prescribed by the Air Pollution Council of Queensland.

For too long the people of the district have put up with this problem. However, they have been told repeatedly that the Gladstone Power Station is one of the cleanest in the State and works as required by the engineers. I am quite certain that Mr Wood, whose statements appeared in “The Gladstone Observer”, has had enough and is now telling the truth. He made his previous statements under instruction from the council. Mr Wood is fed up with the pollution coming from the station and he can see that no positive action is being taken to improve the situation. People in the Yarwun/Targinnie area have complained bitterly for years about the health problems that the pollution has caused. The environment is being polluted. Anyone can see the smog hanging over the hills and the harbour. That smog is all coming from the Gladstone Power Station because of the ineffective pollution control equipment. As Mr Wood said, the equipment often operates for six consecutive days, but that was for the whole month of January.

Mr Wood stated that in other industries such equipment is repaired quickly. I am quite certain that the equipment at the Gladstone Power Station is inefficient and that too much maintenance work is required on it. The maintenance workers cannot keep up with the demand.

This problem occurs repeatedly, yet from answers to questions it is clear that it is being treated in a very light-hearted fashion by the Cabinet Ministers.

(Time expired.)

“The Age” Tapes

Mr JENNINGS (Southport) (11.45 p.m.): This morning, the member for Salisbury asked the Minister for Transport a question concerning the Minister's action of naming in this Parliament Mr Justice Murphy as being the judge who was referred to in “The Age” tapes. The Minister answered that his information emanated from both “The National Times” and “The Age”

The member for Salisbury and other members of the Opposition attempted by way of interjection to discredit the Minister's rightful and proper exposure of Mr Justice Murphy's name.

Unlike the Minister's sources, my information in regard to this most serious matter emanated from reliable and reputable sources within the New South Wales Police Force who were actually involved in the collection of information on organised crime in New South Wales.

Many people were involved in the collection of information by the use of tape recordings of telephone conversations and other methods, as the police officers who were involved knew that they had practically no hope of realising their desire to expose illegal activity because they also knew that they were dealing with corruption at a high level. When one is dealing with corruption at a high level in Australia, one is dealing with ruthless stand-over men who would not and do not hesitate to pay for the obliteration of anyone who may cross their path.

The people who came to me did so because they stated they knew of my exposure of some of the biggest and most corrupt deals that this country has ever seen.

The people involved in the taping of the conversations emanating from Mr Morgan Ryan's phone knew that there was no other way that they could catch such a devious and corrupt person. They knew that Morgan Ryan was a fix-it man, and one day, as Morgan Ryan was often on the telephone to Mr Justice Lionel Murphy, they followed him to Mr Justice Lionel Murphy's flat at Edgecliff. Of course, a number of people were involved with Morgan Ryan, as he is a big mouth, but he is also a nasty piece of work who will do anything to achieve his own end. He is associated with all sorts of people who are involved in illegal activities.

In 1980, for some months certain members of the New South Wales Police Force rented a property a short distance down the road from Morgan Ryan's property so that they could tape-record the conversations that he carried on. Probably thousands of conversations were taped, some of which concerned orders from the local grocer, butcher, etc. However, many concerned discussions with people who were involved in a number of nefarious, illegal, corrupt and plain simple un-Australian activities to make money illegally. Purely because of the method used to record, the tapes were not of good quality.

Towards the end of 1980, Morgan Ryan must have got an inkling that he was being followed and taped, because he went to other places to use the telephone.

The New South Wales Police Force members who were fair dinkum worked on Abe Saffron for 12 months, and when Allen was the Chief Commissioner, Saffron was tipped off that he was being followed. However, prior to being tipped off, Abe Saffron telephoned Morgan Ryan and told him that he was having problems with a New South Wales Cabinet Minister, whose name I will not mention at this time.

Abe Saffron told Morgan Ryan that he paid the Cabinet Minister \$50,000 to ensure that Saffron got the casino licence when the New South Wales Government pulled down the Central Park Railway Station. However, Saffron learned that the New South Wales Government was not going to pull down the Central Park Railway Station, so he got onto the Cabinet Minister to get the \$50,000 back. When the Cabinet Minister refused to return the \$50,000, Saffron got onto Morgan Ryan to put pressure on the Cabinet Minister. However, when Morgan Ryan got onto the Cabinet Minister, the Cabinet Minister said to Morgan Ryan, "You can tell Saffron to get stuffed, as the \$50,000 was only an introduction fee, anyway. If the project had gone ahead, we would have wanted a lot more than that." To that, Ryan retorted, "We don't want any violence with our deals." To that, the Minister said, "You have heard what I said. We control the deals and we control the commissions, so you can tell Saffron that he has made a lot of money from us in the past, and if he has a brain he will know that he will make a lot more in the future."

I say here and now, as I have said in the past, that I will never release the name of anyone who comes to me in confidence. I have proved that in Victoria.

The members of the New South Wales Police Force who were carrying out this surveillance became so concerned about the shocking seriousness of the information that they were obtaining, that they became frightened for their own skins and those of their families. They told me that the people concerned were ruthless, callous brutes who would intimidate and beat up or destroy anyone who stood in their way.

The members of the New South Wales Police Force told me that it was not intended to get into the political spy role, but the more they became involved in criminal activity the more they were involved in political activity.

They also explained to me the problem arising in someone's giving evidence that "The Age" tapes were authentic, because everyone is scared stiff that if he says anything he will be bumped off the next day.

I am dealing with a serious situation. It has also been brought to my attention that honest members of the Federal police, operating under a proper search warrant, seized from Craig Grainger Trimbole a safe that is believed to contain a number of tapes owned by his father, Robert Trimbole. However, the intervention of the New South Wales Supreme Court has prevented the police from examining those tapes for a period of two years, and the safe is still in possession of the New South Wales Supreme Court.

Recently the Prime Minister announced that the Costigan investigation into corruption would end in April. That is not surprising, as the New South Wales Premier specifically requested that the Prime Minister close down the inquiry as it was getting close to the really big SP operators in Australia who carry as much as \$200,000 cash in their hip pockets. If it went any further, it would point directly to the New South Wales Premier.

Mr Hawke announced that the Costigan inquiry would end in April, but alas Mr Hawke had forgotten about Mr Mick Young who then announced that the inquiry would continue for at least another two months. Mr Young realises that Mr Hawke does not have his interests at heart.

Corruption is rotten; the people involved in it are rotten. If corruption is ever accepted in this country, this country will become rotten.

(Time expired.)

Fishing Industry, Bundaberg Region

Mr CAMPBELL (Bundaberg) (11.50 p.m.): An issue of great concern to the fishing industry in the Bundaberg region is the effect of beam trawling on the Burnett River estuary. The Minister for Primary Industries and the Queensland Fish Management Authority stand condemned for their lack of concern for the conservation of our fishing resources. The fishing industry is in an uncertain and insecure position owing to the dubious and distrustful actions of the Queensland Fish Management Authority regarding the provision of beam trawler licences for the Bundaberg region.

The fishing industry organisations question the sincerity of the management authority to protect and secure the fisheries resource of the Bundaberg region. The history of the saga of beam trawling in the Burnett River is based on the deceit, the secrecy and the negligence of the Queensland Fish Management Authority and the Minister for Primary Industries towards our local fishing organisations. Prawn resources of the river estuaries in the Bundaberg region face over-exploitation and there could be possible long-term permanent deterioration of the fisheries resource, because the Queensland Fish Management Authority proposes to limit the number of beam trawlers that can operate in the region. However, the authority has endorsed more master fishermen's licences for beam trawlers.

In May 1981 a freeze was placed on the issue of licences endorsed for the use of beam trawlers in the region. That was stated by the Minister for Primary Industries in a letter to the Bundaberg Sportsfishing Club. Local beam trawler operators estimated that at that time 12 boats were operating in the region. On 31 January 1984 in this Chamber the Minister for Primary Industries advised that in October 1983 a new freeze was placed on the number of beam trawlers in the Bundaberg region. By then there were 31 trawlers operating in the region. The number increased from 12 to 31 when a freeze was supposed to have been imposed from May 1981. However, no-one knows exactly how many beam trawlers are operating in the region, although the new freeze has been operating since October last year.

On 31 January 1984 the Minister also advised the House that the marine biologist's report on the effect of beam trawling in the Burnett River was complete and that it would be made available in February. Although nearly four weeks have passed, the report has not been released. That report should be made available to the local organisations, the amateur fishermen, the beam trawler operators, commercial fishermen and other trawlermen.

I ask: Will the wall of silence erected by the Queensland Fish Management Authority continue? Will there continue to be a lack of consultation with and provision of information to the local fishing organisations? If that is the case, it may be too late. The mismanagement of the fisheries resources of the Burnett River by the Department of Primary Industries and the Queensland Fish Management Authority may mean permanent damage to and over-exploitation of that most important resource. That could lead to the demise of the fishing industry in the Bundaberg region, which provides more than \$6m in export income to Queensland and the Bundaberg region.

Unless positive steps are taken, we may not have a fishing industry in the Bundaberg region. The wall of silence and lack of consensus has continued at Seventeen Seventy. Although there has been no consultation with local fishing organisations, Eurimbulah Creek has been made a fish sanctuary. If that is the lack of consideration to be shown to our local industries, we will not have a fishing industry. The result will be a loss of jobs and a loss of export income to our district.

Exploitation of Workers by Dovestock Pty Ltd

Mr McLEAN (Bulimba) (11.55 p.m.): I deal with an issue that has been raised in the media recently by the Minister for Employment and Industrial Affairs when he referred to youth exploitation. However, he has only scratched the surface. The Opposition has attempted to bring the matter to the notice of the Government for a long period. I have

a few instances that I wish to have recorded in "Hansard" to support our argument, but those instances are only a drop in the ocean of exploitation of workers by unscrupulous employers in Queensland. We in the Opposition are concerned about the Government's attitude to the exploitation of workers.

I refer to the firm of Dovestock Pty Ltd of Connaught Street, Sandgate. In November 1983 that firm was convicted in the Magistrates Court, Sandgate, of offences involving failure to pay workers amounts due to them. It is pertinent to the argument advanced by the Minister for Employment and Industrial Affairs if I refer to this matter in detail, particularly since the Minister put his argument to the media so very ably, in a manner that has resulted in his being given credit that I believe is not due to him.

Dovestock Pty Ltd was fined a total of \$600 for a number of offences. It was ordered to pay court costs of \$98.60 and \$104 witnesses' expenses. It was ordered to pay \$3,087.62 in wages and termination allowances owing to four workers. A claim for about \$5,000 remains outstanding.

Keith Dickenson was owed a termination allowance of \$151.34 in the first charge. The company was found guilty and fined \$75. On a second charge in relation to him, the company was fined another \$75 and ordered to pay \$24.65 costs of court and \$26 in witnesses' expenses. It was ordered to pay \$515.82 in wages.

In relation to Gary Guppy, the company was found guilty, fined \$75 and ordered to pay \$169.98 in termination allowance. On another charge in relation to the same person, the company was fined another \$75 and ordered to pay \$24.65 costs of court, \$26 witnesses' expenses and \$384.35 for wages due.

The employer was again fined \$75 in relation to Mark Dickenson and ordered to pay a termination allowance of \$127.49. For the same employee, Dovestock was fined another \$75 and ordered to pay \$24.65 costs of court, \$52 witnesses' expenses and \$358.68 for wages due.

Another employee involved was Terence Brady. Dovestock was once again found guilty, fined \$75 and ordered to pay \$243.73 as termination allowance. In relation to the same employee, it was fined another \$75 and ordered to pay \$24.65 costs of court and \$1,139.23 for wages due. I repeat that the company was ordered to pay a total of \$3,087.62 for wages and termination allowances due. A further amount of \$5,000 is outstanding.

The directors of a company that was convicted of charges of exploitation of workers for failing to pay them their due wages may now commence another company. Apparently they have done so. The Minister has failed to carry through the principle that he espoused when he publicly stated that the young people of this State were lazy and not prepared to go out and get a job.

[Wednesday, 28 March 1984]

Mr FitzGerald: Put it in context.

Mr McLEAN: I have put it in context. The Minister publicly stated that young people would not go out to try to get a job and that southerners were coming over the border and taking their jobs.

A Government Member: Garbage!

Mr McLEAN: That is not garbage; that is fact. The Minister got press headlines when he claimed that the young people of the State were not prepared to get a job.

(Time expired.)

Resumption of Parkland by Brisbane City Council

Mr BAILEY (Toowong) (12.1 a.m.): One can only wonder at the cost of the student games to be held at Boondall when the Brisbane City Council is reduced to taking parkland from residential areas. A beautiful area of natural parkland at St Lucia is now at risk. The area in question is between Guilfoyle, Ironside and Baty Streets. The land has many trees and small animals and is used by the local scout group. The pre-school and kindergarten are located beside it and the children use it daily.

Mr Davis interjected.

Mr BAILEY: The honourable member for Brisbane Central probably would not appreciate a park.

The local children also ride their BMX bikes in the park.

Mr Davis interjected.

Mr BAILEY: I can understand that Opposition members would back the administration of the Brisbane City Council, because they have no appreciation of looking after nature in this city.

Mrs Chapman: I thought they were greenies. Aren't they greenies?

Mr BAILEY: That is the sort of attitude they adopt; but, at the same time, the Brisbane City Council is desecrating an area of parkland.

Mrs Chapman: They are against conservation?

Mr BAILEY: They are totally against conservation.

As the member for Pine Rivers has children of her own, she would appreciate using a natural parkland area for picnics and for the children to play in.

The area is not overdeveloped; it is not so well used that the grass is spoilt. In fact, it is a beautiful area, one in which the birds can still be heard singing—something that probably is not often heard in inner city areas.

Mr FitzGerald: You get a few galahs in there, though.

Mr BAILEY: Yes, that is so. The member for Brisbane Central would probably be very comfortable in that park.

Mr Fouras: Can't Alderman Beanland do his job?

Mr BAILEY: I like to give people a hand.

The park is an important community asset, but the council is rushing in to develop it. One can only question why it wants to do that when the Brisbane City Council bought the majority of the land in 1949 for the establishment of a park.

Mr Campbell: You do not push legislation through the House, do you?

Mr BAILEY: What on earth has that to do with it? I will return to the subject of this magnificent park.

Five or six portions that go to make up the park were purchased for the establishment of a park. Another five blocks were taken over because of non-payment of rates. Once again, one would assume that the intention was to incorporate them into the park. Certainly, that is the assumption that the people of St Lucia have made for several decades. However, because the Brisbane City Council is now looking for funds to help finance the Boondall edifice, it wants to turn the park into a number of housing blocks.

In his wisdom, Alderman St Ledger stated that St Lucia has enough parkland. Would the honourable member for Brisbane Central agree with that? He has obviously been out that far.

Mr Davis: Don't worry about Alderman Joe St Ledger. You should be worried about Alderman Beanland, because obviously he cannot do his job.

Mr BAILEY: I suppose if that is the quality of the interjections, one should not listen.

Mr Davis interjected.

Mr BAILEY: The honourable member sounds like a dripping tap and has the same amount of sense.

The community is so incensed that several hundred people have signed petitions protesting against the proposed bulldozing of the parkland and destruction of the trees, which will mean that the birds will disappear and the children will have nowhere to play.

Alderman St Ledger seems to be concerned only when noise emanates from a function down near Lang Park. He is not concerned about parkland, although I understand that he purports to be a conservationist.

Mr Prest: The Government knocked down the Belle Vue Hotel at midnight.

Mr BAILEY: I fail to understand how the honourable member can mix up the former Belle Vue Hotel with parkland. He would have enjoyed sleeping in this park. Soon he will not be able to do that, because it will not be there. He would have enjoyed sleeping in the park much more than he enjoyed sleeping at the Belle Vue.

Mr Prest: I loved the Belle Vue.

Mr BAILEY: For years, the honourable member for Port Curtis has been known to be a white ant. He would have been in good company over there.

Alderman St Ledger wants to get rid of this park. He will do so because he needs to raise a lot of money for Boondall.

Mrs Chapman: It was not to cost the rate-payers a lot of money.

Mr BAILEY: It is not costing the public any money. It will cost them all their parkland.

An Opposition Member interjected.

Mr BAILEY: We will not do that. Why should we take credit for something as non-sensical as that?

Parkland is very important. I am hoping that the sensible people of Brisbane and the sensible members of Parliament will back the people of Toowong in their fight against this extraordinary piece of urban vandalism.

(Time expired.)

Tara Police Station Staffing

Mr NEAL (Balonne) (12.6 a.m.): I am concerned about the level of staffing at the Tara Police Station. Presently, the staff consists of one sergeant, one constable and a civilian clerk. Because the town of Tara does not have a clerk of the court, the police officers have to attend to matters that would otherwise be attended to by the clerk of the court.

Mr Davis: If you were a Minister, you would be able to get those matters attended to.

Mr NEAL: The honourable member is probably right, but I am not a Minister.

Until a few years ago, Tara and district were served by three police officers and a civilian clerk. When the number of staff was reduced to its present level, the area covered was extended. I objected very strongly to that, because it meant that the police services were being spread more thinly than ever. I resisted the move on the basis that the existing situation would not continue indefinitely, that the fortunes of rural areas ebb and flow and that, as they improve, the population increases.

In line with my protestations, I sought the establishment of a one-man station in the township of Moonie. That request was rejected. At that time, I could not deny that the population of the area was declining because of many years of drought and low commodity prices. The area is now experiencing good seasons and commodity prices are much better. As a result, new employment has been generated and the population drift from the rural area has been halted.

In the area adjacent to Tara, a great deal of subdivision has taken place in the form of rural residential blocks, or hobby-farm blocks. Some of the subdivision has been reasonable, but other parts have not been very good. Many problems have been created. Because people have come from all walks of life to find a better way of life, a large increase has occurred in the local population.

A great deal of police time is taken up with problems caused by friction within the hobby-farm area. The police are called out regularly to stop fights. Indeed, the stage has been reached at which people are getting guns out and firing shots around the flats. A real problem has developed.

Drug problems in the area are increasing. That statement is substantiated by the regular detection of marihuana plantations. All honourable members should be mindful of the problems created for our young people by drugs. They are fairly readily available even in small country towns.

Stock-stealing has been on the increase. That is a matter for the Stock Squad, but the local police have a role to play. If they have the time, they can get around the countryside and show the flag.

The two police officers and the civilian clerk attend to the issuing of drivers' licences and permits for the movement of stock and machinery as well as to the registration of motor vehicles. They conduct agencies for the State Government Insurance Office and the Queensland Housing Commission. They also carry out functions for the Justice Department.

I know that the Minister has to work within the constraints of his departmental budget and deploy police officers in the areas of the State in which he believes they will be most effective. That still does not alter the fact that some years ago the police strength in Tara was reduced from three to two. The population in the area has increased, and problems have arisen partly because of that increase in the population and, as I have said, because illegal drugs are on the increase. I ask the Minister to take a serious look at this matter to see whether something can be done to provide another police officer for the area.

Motion (Mr Wharton) agreed to.

The House adjourned at 12.11 a.m. (Wednesday).
