Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 3 APRIL 1985

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

ASSENT TO BILLS

Assent to the following Bills reported by Mr Speaker—

Public Office (Age Qualification) Bill;

Electricity (Continuity of Supply) Act Amendment Bill;

Industrial (Commercial Practices) Act Amendment Bill.

Mr R. J. Gibbs interjected.

Mr SPEAKER: Order! I warn the honourable member for Wolston.

MINISTERIAL STATEMENTS

Electricity Industry Dispute, Harassment of SEQEB Employees

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (11.3 a.m.), by leave: I wish to make a ministerial statement to the House to bring all honourable members up to date with the guerrilla warfare tactics that are now being adopted by the Australian Labor Party, the Trades and Labor Council, the Electrical Trades Union, the Australian Council of Trade Unions and even elected members of Parliament against SEQEB operations.

The fact is that elected members of this House, and of the Senate, are now openly defying the law and joining the thugs and bully-boys who are attempting to prevent SEQEB workers from carrying out their lawful and legitimate duties.

Two members of this House, the member for Wolston (Mr Robert Gibbs) and the Member for Kurilpa (Ms Anne Warner), have been arrested for breaking the law. Following their election, both of these members swore faithful and true allegiance to Her Majesty Queen Elizabeth and her heirs and successors, according to the law. Yet, they appeared very ready to break that law when it suited them.

They were joined by their other socialist left leader, Senator Georges, who has even been discredited by his own party as a member of the ratbag element of the Labor Party and has become a great embarrassment to his party.

Let me make it very clear to all members of this House that this Government will not tolerate such behaviour from members of Parliament, members of the Senate or any union members, their wives, their families or their friends, who try to prevent people going about their lawful business.

The member for Wolston claimed, after being arrested last Thursday, that he will break the law again. If he does, he will be arrested under section 5 of the Electricity (Continuity of Supply) Act, which I can assure him provides much stronger penalties than those in the Traffic Act, under which he was apprehended on Thursday.

Following the disgraceful action by the member for Wolston, there was a further attempt at harassment of SEQEB workers last Friday at Wickham Terrace. On that occasion, the police officers in attendance showed great patience and restraint when an unruly mob prevented SEQEB workers from getting on with the repair of an electricity supply cable.

I can assure those people, and any others who may be encouraged to picket and harass SEQEB workers, that the police will not show such restraint in the future. Those people are breaking the law, and the Government will bring the full force of the law against them.

It is most significant that the leader of the bully-boy picket-lines, the member for Wolston, recently asked me in a question in this House to name the people who had ignored the Electrical Trades Union strike order and returned to work for SEQEB. Is it any wonder, Mr Speaker, that I refused to give him this information, bearing in mind his subsequent actions and statements? Undoubtedly he would have quickly distributed those names to his bully and thug comrades in the ETU so that they could threaten the workers and their families.

Then, yesterday, another disgraceful exhibition of lawlessness occurred when Ms Warner, Senator Georges and eight others were arrested at the Stafford SEQEB depot for harassment.

The latest information is that, this morning, at the Rocklea SEQEB depot five more people were arrested, including the left-winger Georges again and Alan Doodney, the ETU organiser, who has already been in trouble with the law.

At the Raceview SEQEB depot the police arrested 11 people who were breaking the law, including another union organiser and a shop steward.

When people charged with such offences are released on bail, the magistrate is making it a condition that they do not go near a SEQEB depot, which should curb some of their enthusiasm.

Again I warn those people who are picketing depots and harassing workers that this Government will not tolerate such action, and I suggest they also pass that message on to any others who may wish to try it.

Let the Labor members in this House just have a look at what happened to their party's fortunes at last week-end's local authority elections to see what the people of Queensland think of Labor generally in this State. In Brisbane, the party was swept from office in one of the biggest landslides ever seen in local government politics. On the Gold Coast, before polling day the local Trades and Labor Council published a list of those people it supported in the local election. That was really a kiss of death to them, including the mayor and deputy mayor, both of whom were deposed. The same story appeared time and time again as the results began to flow in from provincial centres. No wonder the Premier said Labor would be devasted in an early poll!

So let me give fair warning to the members of the Opposition, the Labor Party and the unions generally: Do not test this Government's patience and resilience too far or you may well rue the day that you continue to defy the laws of this State.

Incorrect Information in Answer to Question; Use of Illegal Drugs

Hon. B. D. AUSTIN (Wavell—Minister for Health) (11.8 a.m.), by leave: I refer to the answer given by the Honourable the Premier and Treasurer to question No. 14 on Tuesday, 26 March 1985, asked by the member for Wynnum (Mr Eric Shaw) regarding the use of illegal drugs.

In the answer to (1), reference was made to the number of admissions to Queensland hospitals in 1981 with a principal diagnosis specifying drug involvement being 4 288, and that was divided as follows—

3 619	due to tobacco,
2	due to alcohol,
73	due to opiates,
26	due to cannabis and other hallucinogens,
313	due to other drugs, and
255	due to unspecified drugs.

Unfortunately, a typographical error was made in which numbers were transposed with respect to the involvement of tobacco and alcohol. The corrected division should read as follows—

2	due to tobacco,
3 619	due to alcohol,
73	due to opiates,
26	due to cannabis and other hallucinogens,
313	due to other drugs, and
255	due to unspecified drugs.

The information on which the answer was based was supplied to the Honourable the Premier and Treasurer by my department.

PAPERS

The following papers were laid on the table—

Statutes under—

Griffith University Act 1971-1984

James Cook University of North Queensland Act 1970-1984.

PERSONAL EXPLANATIONS

Mr UNDERWOOD (Ipswich West) (11.10 a.m.), by leave: My personal explanation concerns the ministerial statement made yesterday by the Minister for Lands, Forestry and Police, which was reported in the press today. I will table a copy of the transcript of the evidence given in camera by Geoffrey Brooke, the then chief industrial officer of SEQEB, the man who advised the Premier and Treasurer to sack the SEQEB workers.

The transcript that I will table shows quite clearly from Brooke's evidence, despite the fact that he wished to save his job at the time, that the police were, he stated, suggesting and recommending that SEQEB hire industrial spies.

Mr SPEAKER: Order! I remind the honourable member that, in his personal explanation, he has to prove that he has been misrepresented, and that in some way he is affected personally.

Mr UNDERWOOD: Thank you, Mr Speaker. Yesterday, it was suggested, and today it was reported in the press, that what I said in the House was not true. I intend to table evidence that backs up my statement and shows that what I said was true.

Mr Brooke stated that the police were involved in suggesting and recommending that SEQEB hire industrial spies and that the Police Department recommended Pinkertons. The Suburban Cleaning Company was a front set up by SEQEB and Pinkertons to launder money, as payment for spying on employees ranging from management through to the newest recruit.

Mr SPEAKER: Order! I cannot accept this as a personal explanation. The honourable member will have to confine his statements to a personal explanation, or he will not be allowed to continue.

Mr UNDERWOOD: Mr Speaker, I have only two more points to make concerning some of the statements that I have made in the House that have been said to be untrue. The second-last point concerns a statement that I made in the House and was said to be untrue, namely, that the Smith report is a real document. It does exist. Cabinet has the original. Lastly, I ask: On what other occasions have spies been recommended to Queensland Government agencies by the Queensland police, in particular, by the Special Branch?

Whereupon the honourable member laid on the table the document referred to.

Mr R. J. GIBBS (Wolston) (11.12 a.m.), by leave: Mr Speaker——

A Government Member: You are apologising to the House?

Mr R. J. GIBBS: No, there will be no apologies from me.

Mr SPEAKER: Order! The honourable member will make his personal explanation.

Mr R. J. GIBBS: My personal explanation concerns what happened when a few minutes ago the Minister for Mines and Energy accused me of associating with bullies, thugs and standover merchants. I make it very clear that I certainly do not move in the company of such people. The facts completely contradict the point of view expressed by the Minister on behalf of the Government. In saying what he did, the Minister threatened me with further action and abused his privilege and position as a Minister of the Crown. At the same time, he virtually pre-empted any decision that the police or the judiciary of the State may make relative to any charge that may be brought against people concerning their right to demonstrate.

As part of my explanation this morning, I point out that it is completely irrelevant to me what laws the Government brings down, because it is my intention—and it will continue to be so—while I am a member of this House to continue to defend, and stand with, those people against the oppressive, anti-working-class legislation that the Government has pushed through Parliament.

Ms WARNER (Kurilpa) (11.14 a.m.), by leave: Mr Speaker, by way of personal explanation, I point out that, this morning, the Minister impugned my motives. Yesterday morning I was not associating with thugs and criminals. In fact, the only place in which I do that is, perhaps, here, rather than when I am outside with comrades.

Government Members interjected.

Ms WARNER: I appeal to you, Mr Speaker.

Mr SPEAKER: Order!

Mr KATTER: I rise to a point of order. I most certainly am not a thug and I have been impugned. I suggest to the honourable member for Kurilpa that if she moved over to this side of the Chamber, she would solve her problems.

Ms WARNER: It is the moral duty of every decent citizen to oppose and expose bad laws when they tyrannise and subjugate the basic rights of the community. As an elected member of this Parliament, I will continue to do that.

PETITION

The Clerk announced the receipt of the following petition—

Land Transactions, Redland Shire

From Mr Randell (70 signatories) praying that the Parliament of Queensland will take action to inquire into allegations on certain land transactions in Redland shire.

Petition received.

QUESTIONS UPON NOTICE

Questions submitted on notice were answered as follows—

1. Totalisator Administration Board

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

With reference to certain matters affecting the Totalisator Administration Board—

(1) Did an Order in Council on 17 February 1962 under the old Racing and Betting Act, originally passed in 1954, establish a totalisator administration board of eight

members to be appointed by Governor in Council by notification in the Government Gazette?

(2) Was the term of office up to five years with no age restrictions?

(3) Was a new Racing and Betting Act submitted to Parliament in 1980?

(4) Did an Order in Council of 30 April 1981 appoint new members with Sir Edward Lyons as chairman to take office on 30 June 1981, without specifying the terms of the appointments?

(5) Was a proclamation issued on 18 June 1981 setting 1 July 1981 as the date upon which the new Racing and Betting Act was to come into force?

(6) Did this Act specify three-year terms for TAB members and provision for retirement at 70 with one-year extension?

(7) Why was this Act proclaimed to come into force one day after the new board was appointed?

(8) Did he support the long delay in proclaiming the 1980 Racing and Betting Act and what was the reason for the delay?

(9) Could this mean that the TAB was appointed under the old Act for five years (until 30 June 1986), not three-year terms, and that the age limit of 70 would not apply, or did the term of the TAB end on 30 June 1984 as listed in 2.16 of the register of statutory authorities issued by the Premier's Department in December 1984 and, if the latter, how was this change of tenure effected?

(10) What are the details of the dates of Orders in Council, etc., that extended the TAB term of office, with special reference to the term of the chairman?

(11) Does section 181 (1) (b) of the Racing and Betting Act provide for the vacation of office of a member of the TAB if the member attains the age of 70 years, with the proviso in section 181 (2) (a) that the Governor in Council may continue the membership of a member who has attained the age of 70 years for a period not exceeding 12 months?

(12) When will Sir Edward Lyons's term as chairman of the TAB expire?

(13) As he is required by section 176 of the Act to nominate to the Governor in Council the person to be appointed chairman and, as he has stated he will not amend the Act or nominate Sir Edward Lyons, how does he intend to implement the terms of the Act as far as the TAB chairman is concerned?

(14) With reference to his answer on 26 March in relation to TAB investments with Rothwells Ltd, merchant bank: (a) on what dates did the TAB approve the TAB funds be invested with Rothwells Ltd., and (b) will he table the relevant minutes?

Answer—

(1) An Order in Council made on the date referred to provided that a Totalisator Administration Board consisting of nine members be constituted.

(2) Yes.

(3) Yes.

(4) Yes.

(5) Yes.

(6) Provisions relating to the term of office of members of the TAB are set out in section 179 of the Racing and Betting Act and provisions relating to the vacation of office by a member are contained in section 181 of that Act.

(7) As the honourable member has pointed out, the appointment of a new board under the 1954 Act was made in April 1981. At that time it was not certain when the new Act would be proclaimed in force.

(8) After the passing of the 1980 Act, it was considered desirable to make certain amendments thereto, in line with the Government's current policies, before bringing it into force.

(9) Provisions relating to the continuation in office of members of the TAB appointed under the 1954 Act until the coming into force of the new Act are contained in section 177 of the Racing and Betting Act. In effect, appointments under the old Act were operative only until such time as appointments were made under the new Act.

(10) An Executive Council minute of 14 May 1984 appointed Sir Edward Houghton Lyons as a member and chairman of the TAB for a period of one year on and from 1 August 1984. By the same Executive Council minute, all other members were reappointed for a period of three years on and from the same date.

(11) Yes.

(12) See (10).

(13) The question of the appointment of a chairman of the TAB for the period commencing 1 August 1985 will receive consideration by the Government at the appropriate time.

(14) I am advised that a number of investments are involved, and I undertake to obtain copies of relevant extracts from the appropriate TAB minutes and table them in the House on the next sitting day.

2. Widening of Bruce Highway to Sunshine Coast

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

With reference to road safety generally and in the interests of the residents, businesses and the avoidance of delays in Nambour—

(1) How is work proceeding on the four-lane widening of the Bruce Highway to the Sunshine Coast?

(2) What contracts have been let on the new route from Beerburrum Creek to the Caloundra turn-off and is the construction of this project on schedule?

(3) When will contracts be let for the construction of four lanes from the Caloundra turn-off to the Maroochydore turn-off and of the Nambour bypass to achieve the completion of these projects in time for the bicentenary celebrations?

Answer—

(1 & 2) Work on the four-lane deviation of the Beerburrum Creek-Caloundra turn-off section of the Bruce Highway is on target and will be completed by December 1985. Thirteen contracts to the total value of $18m have been let and nine of these contracts have been completed. In addition, five day-labour schemes have been completed.

(3) North of the Caloundra turn-off, the first contract for the four-lane development will be let late in 1985, with the remaining three contracts to be let in 1986 and 1987. The first contract for the Nambour bypass will be let in mid-1986, with the remaining two contracts to be let during 1987. This timing will be achieved only if the expected levels of road grants funds and Australian Bicentennial Road Development funds are maintained.

3. Nambour Base Hospital

Mr SIMPSON asked the Minister for Health—

(1) What progress has been made on construction of the new Nambour Base Hospital on the Sunshine Coast?

(2) How many beds will it provide and what medical services will be provided?

(3) How many staff, visiting specialists and other personnel will work at the new hospital?

(4) What provision will be made for visitor and staff parking?

Answer—

(1) The redevelopment of the Nambour Hospital is scheduled for completion in April 1986 and the progress to date is on target.

(2) The redevelopment will result in an additional 137 beds at the Nambour Hospital. To support the additional beds, the following departments will be enhanced: X-ray, pathology, pharmacy, out-patients and casualty. A geriatric assessment and rehabilitation unit and day-care services will also be provided.

(3) Staff provision for the new areas is presently under consideration in my department, and a decision on staff numbers will be made at a later date and will be related to the progressive occupancy of the building.

(4) Provision has been made in the project for parking facilities for visitors and hospital staff.

4. Occupational Safety in Electricity Industry

Mr MILLINER asked the Minister for Mines and Energy—

With reference to occupational safety within the electricity industry in Queensland between the years 1964 and 1984—

(1) How many linesmen have died through, or as a result of, electrical contact, burns, flashes, etc.?

(2) How many other persons within the industry (line crews, linesmen's assistants, faultmen and foremen) have died as a result of electrical contact, burns, flashes, etc.?

(3) How many deaths have there been while men were working alone in (1) and (2) above?

(4) How many deaths within the industry have occurred from other causes?

(5) How many rescuers have been killed attempting a pole-top rescue or attempting to break electrical contact with a person in distress?

(6) What training standards are now in force in SEQEB for trainee linesmen in (a) length of training, (b) hours of dead-line work and (c) off-job study hours?

(7) Do the same standards of training and safety exist in all electricity boards (including SEQEB) throughout Queensland?

Answer—

(1) 1964-73—9
1974-84—4.
(Note: Organised training of linesmen commenced in 1969.)

(2) 1964-73—6
1974-84—2.

(3) Records before 1974 do not exist. Since then no such instances have occurred.

(4) 1964-73—7
1974-84—2.

(5) Nil.

(6) (a) 18 months as labourer or tradesman's assistant followed by approved course of theoretical and practical training; (b) 300 hours; and (c) Completion of a technical correspondence course comprising 45 papers and final examination after a minimum period of 12 months. Paperwork is under supervision, but carried out at own rate subject to completion of practical requirements.

(7) Yes.

5. North Queensland Fertilizers Pty Ltd

Mr MILLINER asked the Minister for Primary Industries—

With reference to reports circulating in sugar cane-growing areas that there were large amounts of unpaid-for fertiliser in the sheds of directors of the various companies or organisations prior to the announcement of the trouble in North Queensland Fertilizers Pty Ltd—

(1) So that cane-growers can make a judgment for themselves, will he provide the House with details of accounts and amounts outstanding prior to 15 March for (a) 30 days, (b) 60 days and (c) 90 days or more, by directors of North Queensland Fertilizers Pty Ltd, Agroprom, and the Queensland Cane Growers Council?

(2) Was a Werner Fuhrman, who was involved in the grain trade and connected with the failure of a Darling Downs rural co-operative, an adviser to the New South Wales Yellow Maize Board (which failed), an adviser to the New South Wales Sorghum Board (which failed) and involved with Agroprom immediately prior to the sale to the Queensland Cane Growers Council?

Answer—

(1) Negotiations between Australian Fertilizers Co-operative Association Ltd, on behalf of cane-growers, and Agroprom, concerning the take-over of North Queensland Fertilizers Pty Ltd are proceeding. I can assure the honourable member, however, that I have no personal knowledge of the issues over which he chooses to cast a cloud of innuendo. I consider that it would be improper and contrary to the interests of Queensland cane-growers if the information sought by the honourable member for Everton were bandied about at this time.

(2) Mr Fuhrman is a principal in Agroprom Holdings Ltd and other companies.

6. Aged Persons Accommodation Units, Aboriginal and Island Communities

Mr SCOTT asked the Minister for Northern Development and Aboriginal and Island Affairs—

(1) At which Aboriginal or Islander communities in far-north Queensland are aged persons accommodation units located?

(2) On what date was the most recently built of these units commissioned?

(3) Does the department have plans for additional aged persons units and when are these likely to be built?

Answer—

(1 to 3) Aged persons nursing homes are the responsibility of the Health Department. However, my department has supported the provision of suitable accommodation for aged and/or infirm people who seek it, an example being the Star of the Sea Home at Thursday Island, which is operated by the Catholic Church. At other centres, small cottages for one or two persons are available, through consultation with the community council, in an endeavour to meet the needs and aspirations of the elderly or partially infirm. A number of houses of this type have been provided by the Lutheran Church at Hope Vale.

Recently, some councils have discussed with the department the prospect of providing larger type homes which can operate as a community-based project. The councils are endeavouring to establish local committees to manage the installation, without success to date. Yarrabah and Palm Island have available some facilities of the foregoing nature.

My department is quite happy to listen to any requests from any of the councils in Queensland for these types of facilities.

7. Housing Commission Accommodation, Torres Strait Islands

Mr SCOTT asked the Minister for Works and Housing—

(1) How many State Government-owned accommodation units are located on Thursday Island, specifically the number of houses and the total number of flats, duplex-type units or similar accommodation units, but not the bulk accommodation units?

(2) Is he aware that the Government's program of purchasing land and existing domestic accommodation on Thursday Island has forced up prices of land and housing, making it extremely difficult for young married people in particular to obtain houses or land on that island?

(3) Is the Government prepared to take action to redress this situation in any way and, in particular, by providing Queensland Housing Commission houses on Thursday Island or on the adjacent islands, such as Horn Island or Prince of Wales Island?

Answer—

(1) 18 three-bedroom residences.

1 four-bedroom residence.

1 building comprising two flats of one bedroom each.

8 twin-dwelling units each with four bedrooms.

(2) It is departmental practice to construct rather than purchase Government employee accommodation on Thursday Island. However, as suitable vacant land is extremely hard to acquire, it was necessary to purchase, during the 1984-85 financial year, an existing residence with sufficient land for the construction of an additional residence. This property was purchased at the asking price of $185,000, subsequent to a Valuer-General's valuation of $189,000 being obtained.

In addition to this purchase, it was necessary to purchase additional land for the construction of four twin-dwelling units for teacher accommodation.

The only other existing accommodation purchased on Thursday Island was in 1982. Out of a total of 28 residential units on the island, only two existing residences have been purchased.

There will continue to be a need for Government housing on the island and, as there are no Crown land sites available, it will be necessary to purchase further land to allow for construction of housing. It is not considered that any action taken by this department can be seen to be forcing up the purchase price of existing dwellings.

(3) There are no applicants listed for Housing Commission rental accommodation on Thursday, Horn and Prince of Wales Islands. Construction programs are based on recorded demand, and the needs of the islands cannot be considered until there is evidence of need for Housing Commission rental accommodation. The commission's interest subsidy home-ownership finance scheme is available to island residents.

This Government has spent many millions of dollars renewing welfare rental housing on Thursday Island, and the Torres Strait islands area generally, with modern well-equipped two and three-bedroom houses, at an average cost of approximately $70,000 per unit.

Because of water supply limitations, additional housing on Thursday Island is restricted. However, I understand the Lands Department is developing sites on Horn Island and, if the Torres Shire Council can provide the necessary infrastructure, additional housing will be possible.

8. Allocation of Additional Police to Gold Coast

Mr BORBIDGE asked the Minister for Lands, Forestry and Police—

With reference to representations and submissions made by Gold Coast members of Parliament to him seeking additional police for the Gold Coast—

Will any additional police be allocated to the Gold Coast in the near future?

Answer—

Approval has been given for an increase for the Gold Coast Police District of an additional 24 uniformed police officers and four plain clothes police officers of various ranks. It is expected that the additional officers will take up duty on the Gold Coast within approximately three months.

QUESTIONS WITHOUT NOTICE

Commonwealth Grants Commission Report

Mr WARBURTON: In directing a question to the Deputy Premier and Minister Assisting the Treasurer, I refer to the Commonwealth Grants Commission report which, as I outlined to the House yesterday, shows gross underspending by the Queensland Government on education, health and welfare in comparison with other States. In view of the Queensland Government's efforts to create the impression that it is working to assist industry and to promote industrial development, will the Deputy Premier explain why, as is indicated in the most recent Grants Commission report, a copy of which he should have received, Queensland spends only $2.46 per capita, which is the lowest of all the States, and only 31 per cent of the national average, on the promotion of industrial development, while per capita expenditure in other States is: Victoria, $14.65; South Australia, $10.58; and Western Australia, $8.06; and a national average of $8.02? That is more than three times Queensland's contribution to industrial development and employment.

Mr GUNN: It has been explained time and time again that this State is not receiving its dues from the Commonwealth. As to education—one needs only to make a comparison of the grants to universities and colleges of advanced education in the Labor States with those received by Queensland. That is where the honourable member will find the answer. About 6 000 persons were rejected from the University of Queensland, yet funds were made available to all the Labor States.

As to health—the story has been told and retold. Queensland receives $29 per capita out of Medicare compared with $52 received by the other States. Queensland is being short-changed. That is all there is to it. I have not had an opportunity to read fully the report of the Commonwealth Grants Commission. I do not think that the Leader of the Opposition would have a working paper so that he could find out how it arrived at that situation.

Mr Warburton: That's why you can't do your homework.

Mr GUNN: It only arrived today. The Leader of the Opposition received a copy before Treasury. The Queensland Treasury was told that the working paper would arrive today. If the Leader of the Opposition received a paper prior to that, he is being favoured well ahead of the Queensland Government.

In short, Queensland is just not receiving its dues from the Commonwealth Government.

Police Warnings to Journalists at Picket Lines, SEQEB Depots

Mr WARBURTON: I direct a question to the Deputy Premier and Minister Assisting the Treasurer. All things aside, including the comments made this morning by the Minister for Mines and Energy (Mr I. J. Gibbs), I refer to reports that police at picket lines outside SEQEB depots have warned newspaper, radio and television journalists that they could be arrested for filming picket lines or, in fact, for conducting interviews. I would like the Minister to relate his answer only to journalists, if he does not mind.

A Government Member interjected.

Mr WARBURTON: I am asking the question.

Mr SPEAKER: Order!

Mr WARBURTON: I am asking the question, and I think that it is a fair question.

The Queensland president of the Australian Journalists Association (Mr Blanch) is quoted in today's press as saying, "A police officer yesterday told an ABC journalist that a complaint from SEQEB, stating that the presence of journalists was regarded as harassment of workers, would be sufficient cause to arrest a journalist." That is a very important quotation.

I now ask: Can the Deputy Premier advise on the position under the Queensland Government's extremist industrial legislation regarding journalists carrying out their duties? Do I take it that the National Party Government no longer believes in the freedom of the press? Is it the case that the State Government no longer supports the right of journalists to report the news without fear or favour?

Mr GUNN: First of all, the Leader of the Opposition keeps associating himself with law-breakers. Time and time again the Premier and Treasurer has said that. ALP members must be solid ivory from the neck up to keep doing that. They were belted and belted and belted in the local government elections. They will never learn.

The report that I received from the Minister for Lands, Forestry and Police indicates that the inspector in charge at the SEQEB Stafford depot cautioned some media personnel during the incident that, if they did not move back and desist from hindering the police in the execution of their duty, they could be liable to arrest. That is fair comment. In my opinion, if the television cameras were not there, there would not be so much play-acting by the picketers and, on most occasions, they would retire gracefully.

Ms Warner interjected.

Mr GUNN: The honourable member for Kurilpa is one of the worst offenders. Somebody should tell her that she is making a big fool of herself. She will not re-enter Parliament after the next election. Her goose is cooked. She is gone, and it is her own fault. She brought it on herself.

Members of the Australian Journalists Association are extended the privilege of covering stories from positions in close proximity to police lines. That is fair enough. However, the journalists are going further than that. They are going right onto the picket lines and making a damned nuisance of themselves. The rights of journalists are no more and no less than those of any other citizen. I emphasise that. Their rights are no more and no less that those of any other citizen in a situation of civil disorder, and they are required by law to obey lawful and reasonable police directions. That is the situation. That is fair and reasonable. If journalists adhere to the law, they have nothing to fear.

Federal Funding of Non-Government Schools

Mr NEAL: In directing a question to the Minister for Education, I refer to the fact that many parents are alarmed at reports that the Federal Minister for Education and Youth Affairs (Senator Susan Ryan) is waging a bureaucratic war against non-Government schools and hindering their finance programs. Can the Minister assure the House that everything possible will be done to protect all schools in Queensland, both Government and non-Government, so that vital educational works programs will not suffer to the detriment of the children of Queensland?

Mr POWELL: I thank the honourable member for his question. Because of the way in which the Australian Schools Commission, at the request of the Federal Minister for Education and Youth Affairs, has gone about its funding proposal and because of the criteria laid down, the Federal education system is one of the greatest bureaucracies that I have ever encountered. The Federal Government—particularly Senator Susan Ryan—has a hatred of non-Government schools. Of course, that hatred is embodied in ALP policy.

Mr Davis: Why don't you tell that to her face? Stop being a coward.

Mr POWELL: I love that interjection, because the honourable member for Brisbane Central has never been at an Australian Education Council meeting and is not likely to, because not only will he never be a Minister for Education but he will never be a Minister of the Crown.

At an Australian Education Council meeting I, for one, have told Senator Ryan that to her face, and I have also stated it at AEC meetings and have received support from at least three other Ministers, one of whom is a Labor Minister. It is quite clear that the noisy member for Brisbane Central, who talks all the time and never listens, does not really understand what is going on. Because he did it in school as well is probably why he is as he is.

As I was saying before I was rudely interrupted, Senator Ryan has made a determined bid to destroy the non-Government school system in Australia. If any evidence of that is needed, I refer honourable members to an article on page 28 of the 9 April 1985 edition of "The Bulletin" As today is only 3 April, they have really got their message through quickly. The article is titled, "Alarm grows at Ryan's funding policies".

One of the statements in that article is—

> "Why did some 7000 people crowd the Sydney Town Hall and another 3000 attend a Melbourne meeting, six months after she became minister to denounce her and her works?"

Because the Federal Government finds the non-Government school sector totally opposed to its philosophical view, it is trying to destroy those schools by bureaucracy, placing obstacles in their way so that they are not able to receive funds quickly. The bureaucratic red tape is such that the Queensland Government has had to assist the non-Government school sector with bridging finance. Because of the bureaucratic bungling of the Federal Minister for Education, her commission and her department, the non-Government schools have had to obtain bridging finance at high interest rates.

Yesterday in the House, the honourable member for Sherwood (Mr Innes) called, as I have called previously, for the Federal department to be dismantled. It could be done quite easily. The millions of dollars saved could be put where they would do most good, where the children would benefit. Education should be returned to the States, where it belongs.

Mr Vaughan: When we secede, there will be no worries.

Mr POWELL: The honourable member for Nudgee is completely correct; it should be a State responsibility. There is no way in the world that the present duplication should continue.

Because of the Federal bureaucratic bungling, the Queensland Government is doing everything possible to expedite the payment of assistance to non-Government schools, which we treat equally, right accross the board. We do not distinguish between Catholic and non-Catholic schools, as the Federal Government is doing.

Opposition Members interjected.

Mr POWELL: I suggest that members opposite read the article to which I have referred, and read it carefully. It exposes Senator Ryan and what she is up to. The Queensland Catholic Education Office is very worried about Senator Ryan's policies. The Queensland Government is doing everything it possibly can to expedite the payment of funds. It gives a per capita grant without the strings that the Federal Government wishes to attach to such grants.

Phasing-in of 1982 Grants Commission Recommendations

Mr NEAL: I ask the Deputy Premier and Minister Assisting the Treasurer: Can he advise the House of the phasing-in arrangements of Commonwealth Grants Commission recommendations in 1982, and whether Queensland was disadvantaged by that decision?

Mr GUNN: This is a very important question. Because of the phasing-in arrangements of the 1982 Commonwealth Grants Commission's recommendations, Queensland was short-weighted in its tax-sharing grants by the following amounts—

1982-83	$129 m
1983-84	$138 m
1984-85 (est)	$51.1 m
Total	$318 m

Had it not been for guarantee arrangements agreed to for those States that would otherwise have been required to take less than a real increase in their grants, the 1984-85 payment to Queensland would have been the amount recommended by the Grants Commission, that is, no short-fall in that year. Therefore, because of the phasing-in arrangement and the guarantee arrangements that went with it, Queensland was disadvantaged by the above amounts. I emphasise that the total is $318m.

An interesting point arose on the radio this morning. The former Senator Wriedt, who is now Leader of the Opposition in Tasmania, said that he was shocked by the treatment of Tasmania and that he was prepared to fight for his State in Canberra. Honourable members have not heard one word of condemnation from Queensland's Leader of the Opposition. Is he prepared to go down to Canberra and fight for Queensland?

Mr Warburton: I offered to go with you.

Mr GUNN: Let him stand up in the Chamber and speak for 10 minutes about it in the Matters of Public Interest debate. I hope that he does that. Queensland has been short-changed by $318m, in addition to the $50m for Medicare. I hope that he stands up for Queensland. It will be a big test for him.

Payment of Underaward Wages to Aboriginal Workers

Mr McLEAN: In directing a question to the Minister for Employment and Industrial Affairs, I refer to a question that I asked the Minister for Justice and Attorney-General recently about restrictions on award wage payments. In his reply, the Minister for Justice and Attorney-General said that no restrictions existed on the grounds of race, creed or colour. I now ask: Is the Minister aware that underaward wages are being paid to Aboriginal workers in Queensland, for example, Aboriginal nurses and Aboriginal police officers on reserves? If so, what has the Minister done to change such an unacceptable situation? If nothing has been done, what does the Minister intend to do about it?

Mr LESTER: The honourable member for Bulimba has never yet put any of those views to me. If he wishes to do so, I will be quite happy to listen to him.

Cape Tribulation-Bloomfield Road

Mr JENNINGS: In directing a question to the Minister for Environment, Valuation and Administrative Services, I refer to recent media reports about an important road that has been constructed from Cape Tribulation, and the recent election of councillors for the Douglas shire. Will the Minister advise the House whether any candidates for election campaigned on their attitudes and antics in connection with the Cape Tribulation to Bloomfield road? If so, what was the result?

Mr TENNI: I thank the honourable member for Southport for asking such an important question. Most enlightened honourable members should know that the chairman of the Douglas Shire Council, Councillor Tony Mijo, who is a member of the Australian Labor Party, was re-elected to the council unopposed. Councillor Mijo was very strong in his support for the Cape Tribulation road.

The six councillors, who were very strong supporters of the development of the road, were opposed by four or five people, all but two of whom were Green Party candidates. None of those candidates made it; they are still sitting out on the perch.

One of the Green Party candidates door-knocked the whole of the Douglas shire and polled reasonably well. However he, too, is still sitting out on the perch. The other two candidates will get their deposits back, but only just.

The decision to build the road from Cape Tribulation to Bloomfield was approved and accepted by the people of far-north Queensland.

Mr De Lacy: What is the condition of the road now?

Mr TENNI: The road is extremely good. I am pleased that the honourable member for Cairns has spoken, because no doubt exists in my mind that at the next State election, when the road through the Cape Tribulation National Park is highlighted as an election issue, it will be pointed out that the honourable member was one who supported the minority group. Support for minority groups is also evident in Brisbane.

The honourable member for Cairns was one of a group that supported banning construction of the road. Another person who did not want the road to be constructed was Senator Macklin. Senator Macklin deserted a number of his constituents in Queensland by deliberately opposing construction of the road and now demanding its closure. I point out that the Senator actually represents many people at the Bloomfield end of the road, including people at Cooktown who make heavy use of the road and have asked for upgrading of the road's top section to reduce by approximately 100 kms the distance that they have to travel.

For the information of all honourable members, I must say also that, with the exception of a three-week period for construction, the road has reduced the each-way journey on a return trip by 171 kms, and that will assist people who need to get their children to doctors and hospitals and obtain supplies of medicine, food and fuel.

I am very pleased that, at the local government elections for the Douglas shire last Saturday, each and every member of that council was re-elected. That demonstrates the faith and the courage of the people who live in the area, and I am pleased that the honourable members for Cairns and Cook and the Federal member for Leichhardt must acknowledge the results of the election, because they have jelly legs and support minority groups.

Appointments to Electricity Authorities Industrial Causes Tribunal

Mr GOSS: In directing a question to the Minister for Justice and Attorney-General, I refer to the report on the current affairs program "Today Tonight" last week and to a report in "The Bulletin" to the effect that the Chief Justice, Sir Walter Campbell, has advised the Government that members of the Supreme Court bench would not be willing to be a party to industrial tribunals with political leanings. I ask: Has the Government yet been so advised? If no such advice has yet been received, is the Minister prepared to discuss that matter with the Chief Justice and to support the judges if they wish to refuse an appointment to the Electricity Authorities Industrial Causes Tribunal in the event that they consider such a refusal necessary to maintain the political independence and integrity of the judiciary?

Mr HARPER: Conversations that I have with members of the judiciary, including the Chief Justice, are a matter for me and, when I see fit, appropriate advice by me to the Government. If any such discussions have taken place on a confidential basis during the course of frequent discussions that I am privileged to have with the Chief Justice, I have no intention of informing the Opposition of them. Any suggestions or anything resulting from our conversations is naturally of interest to me and recorded by me. In the light of those discussions, appropriate advice is given by me to the Government.

As a matter of fact, the Chief Justice has certainly not, as the honourable member put it, indicated to the Government that no judge would serve on such a tribunal.

Illegal Vasectomies

Mr GOSS: In directing a further question to the Minister for Justice and Attorney-General, I refer to the fact that in the past a number of his predecessors have stated that a voluntary vasectomy for contraceptive purposes rendered both the doctor and the patient liable for criminal prosecution under section 282 of the Criminal Code, the provision relating to unnecessary surgical operations. I refer also to the position in Western Australia and Tasmania, which have similar criminal code provisions, where the relevant State legal officers have stated that neither a doctor nor his patient would be liable to prosecution as a consequence of such an operation. I therefore ask: In the interests of removing the threat of prosecution from Queensland doctors, and because of the disproportionate burden of contraception that presently falls to women, will the Minister indicate whether the current policy of the Queensland Government would permit voluntary vasectomy operations?

Mr HARPER: Any decision of that nature would be taken by the Government as such and not by the Minister for Justice and Attorney-General. If the Government makes a decision of that nature, the honourable member will be advised of it, as will the people of Queensland.

Proposed International Miners Organisation

Mr FITZGERALD: In asking a question of the Minister for Mines and Energy, I refer to an article that appeared in "The Australian" of 1 April and is headed "Australian miners back Scargill's alliance" The article states—

> "The Australian Miners Federation will support a move by the rebel British miners' union leader, Mr Arthur Scargill, to form a new international mineworkers' organisation."

I now ask: Is the Minister aware that representatives of the mining industry have expressed concern at reports that the Australian Miners Federation is to support the move by Mr Arthur Scargill to form an international mine-workers organisation, and in view of the self-confessed support of communism by Mr Scargill—he has recently been to Russia to talk to miners there——

Mr Price: So has Mrs Thatcher.

Mr FITZGERALD: I imagine that Mr Scargill would have plenty of friends in this place, too.

Mr SPEAKER: Order! The honourable member will ask his question.

Mr FITZGERALD: In view also of Mr Scargill's recent resounding failure as a union leader of a strike that has financially crippled thousands of his coal-miner members in Britain, can the Minister forecast what effect such an international organisation would be likely to have on the Queensland coal-mining industry?

Mr I. J. GIBBS: I am aware of such a movement in the system. I was in Britain when Arthur Scargill was first elected to his position. We had some business dealings with the National Coal Board. At that time, the board was aware of what was likely to happen. The National Coal Board's predictions came to pass. Arthur Scargill called a strike without holding a ballot in the various mining unions throughout Britain. It is well documented that he pushed the miners to go on strike. It has been said in this House that Dinny Madden is one of the people who misled the members of the ETU into the problems that they face today. An analogy can be drawn between those two people.

Arthur Scargill will go down in British history as a communist who misled many unionists without holding a ballot, when the redundancy payments involved with closing certain mines were very attractive. When Scargill adopted a communistic role in Britain, he dudded all his members. He will go down in history as one of the worst destroyers

of the coal-mining industry in Britain, as a man who did immeasurable harm to the coal-mining industry and Britain itself.

The National Coal Board held out very well. It handled a very awkward position excellently. Scargill was funded by communist sources to the tune of well over £ stg. 1,000,000, and more money was to come from the same source. The flying of miners to Russia for a holiday was a marvellous publicity stunt.

Arthur Scargill is the worst failure in the world. The second worst failure is the ETU in Queensland. Any coal-mining group in Australia that is so unwise that it goes to bed in any shape or form with Scargill should have second thoughts, because Scargill is no good to the coal-mining industry in Russia, Britain or Australia.

At one stage the Australian coal-miners decided not to be involved in the export of coal to Britain. Britain's order was filled very quickly by other countries, including the United States of America. The Australian coal-miners only put themselves out of a job and lost Australia an export opportunity. They also harmed other facets of the coal-mining industry. The coal-miners very quickly jumped off the bandwagon.

Any union leader who even considers going to bed, or having anything else to do, with Mr Scargill, should think again. Mr Scargill has been the worst enemy of the coal-mining industry throughout the world. I hope that Australian coal-miners have enough sense to look after their own business and keep away from a man such as Scargill, who is a known communist.

Ultrasonic Scanning Test of Railway Wagons

Mr UNDERWOOD: I ask the Minister for Transport: With reference to the recent panic action by Queensland Railways following the epidemic of coal-train derailments in central Queensland, which were directly related to the department's cut-backs in its preventive maintenance program, has the problem now spread to the coal wagons being used to haul coal from the West Moreton coal-fields through the most densely populated urban areas of Queensland, to the Fisherman Islands export coal-loader? When the first train of 34 wagons was put through the ultrasonic scanner test at the Normanby yards last Saturday, were 24 wagons found to be defective and were seven immediately taken out of service because of major wheel defects? What action is being taken to incorporate ultrasonic testing as a regular part of a preventive maintenance program for all railway wagons?

Mr LANE: As the first part of the honourable member's question is fallacious, there is no point in my giving a comprehensive answer to the second part. I therefore do not propose to do so.

For the information of other members—just on the off chance that a railwayman in the system feels that he owes more loyalty to the Australian Labor Party, and supplies information to it, than he does to his commissioner—I will ask the commissioner for details of the alleged incident. I will make that information available to any honourable member who wishes to ask a question of me in a polite, courteous and well-based way, and I do not refer to the honourable member for wherever he comes from.

Ethanol Research

Mr SMITH: In directing a question to the Minister for Industry, Small Business and Technology, I refer to his comments during yesterday's debate on the University of Queensland (Confirmation of Powers) Bill, in which he gave his unqualified support to the decision by the Queensland Government to grant Queensland Science and Technology Limited $2m of public funds to develop an experimental ethanol project at the Tully sugar-mill. That listed company is headed by Alan Miles Metcalfe, who is a member of the National Party's State management committee and is a defeated Senate candidate.

I ask: Is the Minister aware that, between 1978 and 1982, through the National Energy Research and Development Council, the Federal Government invested $7m in

ethanol research and that that money was distributed among some of the most respected research organisations in Australia? Is the Minister also aware that the National Energy Research and Development Council refused an application from Queensland Science and Technology Limited last year?

How does he rationalise his support for this project which, according to the director of sugar research (Dr Allen), would produce fructose for which no overseas or local market exists? If the project has a multimillion-dollar potential for the sugar industry, why did Uniquest sell the development rights to the small family company Metcalfe Holdings Pty Ltd for a mere $38,000?

Mr AHERN: In view of the time remaining for questions, I ask the honourable member to place the question on notice, so that I can answer it comprehensively tomorrow.

Mr SMITH: I do so accordingly.

Local Government Elections; Future of ALP State Secretary

Mr COOPER: I ask the Deputy Premier and Minister Assisting the Treasurer: Because last week-end's local government elections proved to be an almighty kick in the backside for the ALP, does he agree that the result throws into question the future of ALP State secretary, Peter Beattie, who now has a string of losses to his record?

Mr GUNN: I advise Mr Beattie not to take a holiday. I remember that, after Jack Houston returned from judging dogs in New Zealand, he did not have a job. It would be right to say that Mr Beattie and Mr McLean have their feet on banana skins. My advice to Mr Beattie is to start clearing his desk as quickly as possible because he will not be in his job too much longer. Mr Beattie and Mr McLean should not take all the blame. I do not think that anyone could work wonders with a group such as the Opposition. The ALP was wiped clean in the local government elections. Mr Beattie and Mr McLean are losers. If I had a horse that lost as many races as those gentlemen have lost, I would know what to do to it, and I think that the Labor Party will do that to them.

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

MATTERS OF PUBLIC INTEREST

Education Spending

Mr SMITH (Townsville West) (12 noon): The carping cry of the Ministers of this Government to every question, objection or counter-proposal from ALP spokesmen is that we are knocking the system—that is, the grand design for Queensland by the Johannes Bjelke-Petersen National Party Government of what it wants to carry out, unfettered by having to consider the views and aspirations of the community at large as articulated by Opposition spokesmen. The Government will not accept statistics, facts or information produced by outside professional consultancies, or even committees that include representatives nominated by the Government, if the findings, figures or the information are at variance with the wishes of the Government.

"Education 2000" is a Government initiative to which I will refer at an appropriate time, after fully considering the views of the representatives of education and community interests. I contrast my attitude to that of the Minister for Education, who has come up with a proposal developed in the framework of a closed shop and presented in "Edspeak" jargon in an attempt to both confuse and impress the public. That document gives the community no options. Decisions have been made and, in fact, the Minister has directed his staff to go out into the community and, with him leading the exercise, hard sell the proposals. I further understand that, as well as the two glossy covered booklets produced so far, a third, but less glamourous, internal publication is circulating amongst senior

education officers setting out the details of the timing and the method of implementation of those proposals.

Having voiced those concerns, I want to refute categorically any suggestion that I or any member of this side of the House reject the concept of change when change is needed or will lead to some worthwhile improvement. I will go further and put on the record that some of the proposals contained in "Education 2000" are welcomed and, in fact, are overdue. In recent times they have been called for by members on this side of the House. Provided sufficient representative input will be permitted, others are worthy of consideration. If time permits, I will return to these matters.

Today I have a responsibility to address myself to a number of matters of immediate and serious concern. Firstly, the Government has always refuted claims made by me that education spending in Queensland lags behind comparable commitments in other States. The Government likes to speak of increased spending on education and the $1 billion Budget commitment, but it dislikes intensely comparisons with the rest of Australia. Yesterday, the 1985 Commonweath Grants Commission report on tax-sharing relativities became available. What a revelation it is! On education spending, Queensland is condemned by the evidence of its own record. I seek leave to have one page of that report showing table B-30 incorporated in "Hansard"

Leave granted.

PAGE 160—COMMONWEALTH GRANTS COMMISSION.—Report on Tax Sharing Relativities 1985 Volume II—Appendixes and Consultants' Report.

Table B-30—SOCIAL SERVICES EXPENDITURE (NET) (a), PER CAPITA, 1983-84

Item	Six States	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Northern Territory
	$	$	$	$	$	$	$	$
Education								
Pre-school education	11.21	5.17	12.39	15.90	15.65	17.36	13.00	50.27
Primary education—								
Government	171.40	153.17	178.21	156.30	186.32	208.97	198.50	466.83
Non-government	32.27	31.63	39.13	30.54	26.65	25.51	24.77	31.80
Secondary education—								
Government	166.51	159.86	191.91	126.70	165.90	175.85	212.69	283.06
Non-government	34.11	31.73	44.48	33.25	27.36	23.66	25.51	20.63
Technical and further education	55.46	58.41	57.78	36.92	65.06	57.57	66.52	141.14
Transport of school children	13.95	14.78	13.62	13.13	15.68	9.12	20.81	19.80
Total	484.91	454.76	537.53	422.74	502.82	518.05	563.81	1013.54
Culture and recreation								
Libraries—								
Public	3.56	2.00	4.03	2.19	3.94	6.10	17.15	21.29
Reference	2.31	2.14	2.04	2.54	2.85	3.24	0.97	6.65
Museums	2.05	2.56	1.10	1.33	3.31	3.05	1.70	24.78
Art galleries	1.50	0.91	1.96	1.23	2.78	1.71	1.41	
Cultural activities—other	5.05	4.62	2.64	4.63	6.03	13.70	5.29	12.18
Recreation	4.62	3.68	3.10	3.90	10.45	7.26	8.10	50.95
National parks and wildlife	4.11	3.70	2.47	4.71	6.23	6.46	6.92	56.78
Total	23.19	19.61	17.33	20.53	35.58	41.51	41.54	172.62
Health services								
General medical services	301.75	286.06	300.50	276.00	372.39	338.04	319.26	648.59
Maternal and infant health	2.30	1.40	3.13	3.01	3.90	0.23	2.81	11.40
School medical services	1.38	1.99	0.65	0.60	1.51	1.59	2.18	15.50
School dental services	3.76	1.86	2.76	5.30	7.04	6.69	8.24	7.97
Public health—other	7.11	6.29	6.59	4.80	11.65	10.72	9.57	16.15
Total	316.29	297.60	313.84	289.72	396.50	3576.27	342.06	699.62

Mr SMITH: In brief, that shows that Queensland's per capita spending on education was $422.74, whereas the six-State average was $484.91. Queensland's expenditure was only 87 per cent of the State average. When these figures are broken down to individual areas of education spending, they reveal that Queensland's only achievement was that it reached the average in the area of pre-school education. In the critical area of secondary spending, Queensland spent only 75 per cent of the six-State average, with an outlay of $126.70, compared with the Australian average of $166.51 and the expenditure of $191.91 and $212.69 in Victoria and Tasmania respectively.

Only yesterday in this Chamber the Minister for Education criticised the Federal Government for its level of expenditure on Queensland tertiary institutions. Had he known in advance what I am about to reveal, his criticism may have been more guarded. In the critical post-compulsory area of technical and further education, Queensland spent a mere $36.92 per capita compared with the Australian average of $55.46. That means that technical and further education colleges received from the Queensland Government only 65 per cent of the average level of expenditure in the other States. It is no wonder that the Co-ordinator-General (Sir Sydney Schubert) is critical. It is no wonder that Mr Day made his statement about the low educational base in Queensland available for future technical expansion. It is no wonder that the Minister for Industry, Small Business and Technology (Mr Ahern) has to rise above the quagmire of politics to voice his concern about his own Government. The figures on that important post-compulsory area of education show what the Government would do in respect of university funding if it achieved its objective in having the Federal Government vacate that responsibility.

I am on record as saying that the Queensland Government argues for money before commissions and committees at the Federal level. That money is assigned by the Federal Government and its responsible authority, but it does not reach the Education Department in Queensland, nor frequently is it spent in the spirit of the Federal commitment. It is either diverted to other purposes, or the budgetary allocation from this Government's own Budget is diverted and the net result is the same—a massive shortfall for education in Queensland.

Mr POWELL: I rise to a point of order. The honourable member has a total lack of understanding of the way that Federal funds come to Queensland for education. They come from the Federal Education Department to the Queensland Education Department, and go straight into schools.

Mr DEPUTY SPEAKER (Mr Row): Order! I can only accept a point of order on a personal reflection. I do not think that there has been a personal reflection.

Mr SMITH: It demonstrates quite clearly that the Minister is not able to confine his remarks to the many opportunities that he has. He cannot take it.

For the record, I will cite a priceless example. The Queensland Government boasts about being the most decentralised State in Australia. However, the report shows that expenditure on transport of children still falls below the six-State average, whereas it could reasonably have been expected to have been the highest in the country.

Mr Randell interjected.

Mr SMITH: I wonder how the back-bench National Party members, including some of those who are yelling out, will explain that to their constituents.

I am proud of what has been achieved in Queensland by the department and by committed teachers. Indeed, the level of academic achievement in Queensland stands up very well when it is compared with the level of achievement in other States. However, I am concerned about what happens to the underachiever in Queensland, who needs that special assistance but does not receive it. He is the student whom the system lets down. Universal concern has been expressed about the student who cannot cope. However, in spite of the lofty aspirations espoused in "Education 2000", the immediate problems—not the problems of the year 2000 but today's problems—are being ignored and effectively swept under the carpet.

To give an indication of the Minister's concerns—recently he cancelled the grant for students who come from low-income families. He said that the scheme was not worth administering and that there were too few people involved. From the Minister's recent answer to a question, about which he has obviously forgotten, it can be seen that more than 3 400 persons received that benefit last year.

On this day one year ago—3 April 1984—I asked the Minister a question about the ratio of resource teachers and remedial teachers to students. I received an answer.

Mr Powell: You received an accurate answer.

Mr SMITH: If I asked that question today, I would receive the same answer. The situation has not been improved; it is still disastrous. The Government is still not providing the resource teachers to help students in Year 8, where many of those problems arise. The Minister knows that as well as I do. He knows that, unless a great deal more money is received, "Education 2000" will not make any difference to that colossally bad situation admitted one year ago, which was a disgrace. It is still a disgrace. Unless the Queensland Government can come up with some sort of commitment to do something about resource teachers and about helping children in the present system, the Minister will stand condemned by the educationists of this State.

Peace Movement

Mr LINGARD (Fassifern) (12.10 p.m.): In my role as deputy chairman of International Youth Year in Queensland, I warn honourable members, the people of Queensland and the media about the control that the Communist Party is exercising over the peace movement in this State. The activities of last week-end show that that movement is gaining support in this nation. Direct proof exists that the communists have gained control of that movement in Queensland, and that the communists have gained access to the schools through the peace movement.

Last week, in a question directed to the Minister for Education (Mr Powell), I spoke about the influence of Mr Dennis Bailey. Mr Bailey is the chairperson of the Queensland Teachers Union campaign. The QTU members have set up a movement at Balmoral High School.

I warn the public that Mr Bailey is a member of the Communist Party. What a disgrace! The QTU has always stated that it does not support the ALP. However, it appoints a communist to lead its peace movement. The Opposition has known about it for a long time. Mr Bailey is the same Mr Bailey who, almost six years ago, stood as a Socialist Party of Australia candidate in the electorate of Brisbane Central.

He has worked at the Queensland University library and at Mount Isa. He was sacked from his teaching job in Mount Isa. However, the QTU sees fit to continue to employ a person who is a communist and has a direct input into education programs in this State.

I believe that I have a responsible role to play in warning the people of Queensland about the peace movement. The present movement is now dominated by socialists and communists. It promotes a policy of antinuclear war, pacifism and anti-uranium development. The peace movement's policies might initially appeal to the idealistic thoughts of young people. However, I remind young people and all Queenslanders that there are three methods of promoting peace for one's country and ensuring that the residents of Australia are free from attack in the future.

The first method is the idealistic, pacifist thoughts of the peace movement. That type of attitude was held by men such as Chamberlain, who was the English Prime Minister before the last world war. It was criticised by Winston Churchill, and Churchill was proved to be correct. History has shown that the concept of pacifism has no future in a realistic world of continual turmoil, upheaval and social unrest. The communists and socialists promote it so that a country becomes weak and the force of communism can unleash its power. The communists involved in the peace movement certainly do not ensure that Russia lays down its arms.

The second method of ensuring peace is the development of defence forces and warfare so that they act as a deterrent to any attack. Australia, as an island, lends itself to that strategy. However, we must look with fear at the Federal Government's attitude

towards disbanding the school cadets, cutting defence expenditure and bowing to the pressures of its own factions over the MX missile program.

The third strategy is the development of treaties, such as the ANZUS Treaty, which ensure Australia's allegiance and support from powers such as America. It is almost 40 years since the Coral Sea Battle, and, unfortunately, young people forget that it was only through the final assistance of America that Australia was saved in World War II. The Federal Government and left-wing influences are leading us down the path of destruction as they actively promote pacifist and idealistic ways.

Mr Randell interjected.

Mr LINGARD: That is true. Members of the Opposition are not prepared to admit that the socialists and communists are hiding behind the peace movement to gain unwitting support from our young people.

The Hawke Government is in a dilemma over the star wars program or, as it is often referred to, the stragetic defence initiative—SDI. That program has two elements. The first is the study of the technology of nuclear advancement. Clearly, Australia must partipate in it. The President of the United States of America, Ronald Reagan, supports the positive attitude. I remind the House that, following Carter's weak, idealistic methods, since Reagan has come to power the communists have made no significant advances in any country.

Australia has refused an invitation to participate in the SDI program. Hawke has bent to the factional pressure, but clearly he wants to hang onto the American alliance.

I refer to an article by Maximilian Walsh in "The Sydney Morning Herald" last Monday. After explaining the SDI program and the 1972 antiballistic missile program—ABM—he said—

> "... our politicians ... (should) address themselves to defining their position to this critical issue in public.
>
> Instead we have so far had no more than posturing and finger pointing."

Last year the Queensland Government initiated and promoted the highly successful concept of the Year of the Family, which was a personal success for the Minister for Welfare Services, Youth and Ethnic Affairs (Mr Muntz) despite attempts at ridicule by the ALP.

Opposition Members interjected.

Mr LINGARD: That ridicule continues to flow in the Chamber. The ALP continues to ridicule the Year of the Family. When it saw public pressure supporting the initiative, however, it suddenly became very quiet. The Queensland public rallied behind the call for families to take the time to be together.

This year the ALP is caught in its own web. Despite the fact that International Youth Year has been initiated by the controversial United Nations and supported by the Federal Government, the Queensland Department of Welfare has promoted it forcefully. The three themes of IYY are peace, participation and development.

Opposition Members interjected.

Mr LINGARD: Members of the ALP ask, "Where?" On Monday night I attended a function at Arana Hills. Everyone was present except the Labor member for the area. Labor members do not support the program now that they realise that the State Government has taken the initiative.

In Queensland, seven special committees have been formed for the co-ordination of young people.

Mr Price: Do you live in your electorate?

Mr LINGARD: I am the deputy chairman of IYY. I went there as the representative of the IYY.

The seven special committees are for accommodation, education, employment, health, income security, law and recreation. Almost 50 local committees have been set up throughout Queensland. They are supported by the main co-ordinating committee under the chairmanship of Mr Alan Sherlock.

As a former member of the Queensland Teachers Union, I am personally disgusted that that union would allow its political bias to be so prominently displayed as to allow a member of the Communist Party to be the chairperson of its peace movement. Even the QTU journal showed its open support when it quoted part of that person's controversial speech to retired teachers recently, in which he said that the Queensland education system openly promoted war. Later in his speech he gave his reason for stating that opinion: some video games in amusement parlours are based on war games.

Queensland's young people must realise that there are three strategies for ensuring peace in this country. The first is the pacifist or negative peace method of completely abolishing all warfare. The second is to develop warfare and defence services in a country to act as either a deterrent or a form of defence if it were needed. The third is maintenance of alliances with powerful countries, such as the United States of America.

The Star Wars program has two aspects. The first is the study and development of technological services, and the second is the application of those developments. In the Year of Youth, members of Parliament must ensure that young people are apprised of the complete facts so that they are able to form their own realistic opinions. The public must be made aware of the way in which communists—people whom Opposition members know—weaken defences by participation in idealistic and historically proven damaging concepts, such as the pacifist movement.

Electricity Industry

Mr VAUGHAN (Nudgee) (12.20 p.m.): Queensland is certainly in a very difficult position, because, as the previous speaker has pointed out, there are communists in the peace movement and a fascist National Party Government is in office.

Since Thursday, 7 February this year, the people of Queensland have seen the Premier and Treasurer of this State (Sir Johannes Bjelke-Petersen), aided and abetted by the Minister for Mines and Energy (Mr Ivan Gibbs) and the Minister for Employment and Industrial Affairs (Mr Vince Lester), and supported by the other 15 Cabinet Ministers and National Party back-benchers, launch on the workers and trade unions in this State the most vicious, premeditated and unwarranted attack that has ever been seen in any democratic country.

As I said during the restricted debates on the numerous Bills that the Government has introduced in an endeavour to crush Queensland workers and unions, the actions and attitudes of the Premier and Treasurer and his National Party colleagues—supported, I might add, by the six Liberal members of the Parliament and the two so-called Independents—are akin to those promoted by Hitler and the Nazi Party in Germany immediately prior to World War II.

As I have also pointed out during those debates, I firmly believe that the Premier and Treasurer, who we all know has a deep hatred for trade unions and workers generally, used the situation that existed in the South East Queensland Electricity Board on 7 February as a catalyst for a brutal attack on the trade unions and workers in this State, and in particular workers employed by SEQEB.

Despite the fact that the SEQEB dispute was before the State Industrial Commission and was being handled by Commissioner Lionel Ledlie—who, I might add, at the request of the Government and the industry, was given responsibility for industrial disputes in the electricity supply industry by direction of the President of the Industrial Court, Mr Justice Matthews, in April 1984—the Premier and Treasurer cut the ground from beneath

the State Industrial Commission by having the Governor, Sir James Ramsay, proclaim a state of emergency under the State Transport Act 1938-1981 on 7 February 1985.

As the Premier and Treasurer well knew, the state of emergency took away the jurisdiction of the Industrial Commission to handle and resolve the SEQEB dispute and gave the Government the power to do virtually as it pleased.

Subsequently, the Government, through Orders in Council, gave the general manager of SEQEB power to dismiss forthwith any person who did not return to work by Monday 11 February and, during the period of the state of emergency, to enter into contracts with persons to do work normally performed by the SEQEB workers in dispute.

I also believe the Premier and Treasurer and the National Party Government of the State deliberately set out to create industrial disputation in SEQEB, for their own political purposes. I believe that the events leading up to the introduction of the harshest industrial laws to be found in any free, democratic country were master-minded by the Premier and Treasurer and his political advisers.

The contents of the recently released 1983-84 South East Queensland Electricity Board annual report and subsequent events since 1 July 1984 support my beliefs. The report clearly shows that, during 1983-84, the incidence of industrial disputation was at an all-time low. On page 18 of the report, under a heading "People at work", a section dealing with industrial relations reads—

> "The Australian Conciliation and Arbitration Commission's national wage case decision on 23 September, 1983, included a return to a centralised wage fixation system. As a result, industrial disputes directly relating to wage demands reduced significantly, with Queensland recording a considerable drop for the 12-month period to April, 1984.
>
> SEQEB's operations reflected this downturn. In 1983-84, man-hours lost due to industrial disputes totalled 5162, a 66.9% reduction from the 15602 figure of the previous year. Compared with levels of 64556 in 1980-81 and 106729 in 1979-80, the improvement was dramatic.
>
> With the attention now removed from direct bargaining for wages, greater emphasis has been placed on 'on the job' conditions and award entitlements. Concerted efforts were made in SEQEB during the year, to maintain regular contact with staff at all levels and quickly detect potential grievances or disputes."

I seek leave to have the table which appears in the annual report incorporated in "Hansard"

Mr DEPUTY SPEAKER (Mr Row): Order! I have pointed out in the Chamber previously that material which is to be incorporated must be approved by the Chair.

Mr VAUGHAN: Mr Deputy Speaker, I have already seen Mr Speaker about this matter, who said that he would confer with you. I expected that you would have known about it.

Leave granted.

Man hours lost within SEQEB because of industrial disputation.

	Dispute confined to SEQEB only	Dispute had industry connotations and involved SEQEB employees	Dispute originated externally and SEQEB employees obeyed union direction to strike	Total
1977-78	9 776	21 002	853	31 631
1978-79	8 387	6 099	21 709	36 395
1979-80	35 896	70 833	0	106 729
1980-81	63 556	0	1 000	64 556
1981-82	13 089	0	35	13 124
1982-83	958	48	14 596	15 602
1983-84	5 162	0	0	5 162

Mr VAUGHAN: As the report states, a 66.9 per cent reduction in man-hours lost through industrial disputes is dramatic.

On page 6, the report states that for the first year since 1977, when SEQEB was formed, no blackouts occurred as a result of industrial disputes either in SEQEB, or elsewhere. On page 18, reference is made to the appointment of an employee relations officer, whose job was to establish good communications between management and staff at the work-face.

The report says—

> "Response from staff has been favourable and there is evidence of improved management-staff relationships. The number of unresolved grievances has also been reduced."

The report also states on page 18 that in April 1984, at the direction of the President of the Queensland State Industrial Court, Mr Commissioner Ledlie was given responsibility for disputes within the electricity supply industry.

It says that this continues the arrangement introduced by the President of the Industrial Court in April 1982, with which all parties within the industry have expressed a desire to continue.

However, in view of the actions of the Premier and the Government on 7 February this year, and the introduction of the electricity authorities industrial causes legislation establishing an electricity industry industrial tribunal apart from the State Industrial Commission, it would seem that the Government had other ideas.

The report states on page 6—

> "Reliability of electricity supply to consumers was at its highest level since the formation of SEQEB with the average total blackout time for metropolitan consumers falling from 314 minutes to 96 minutes."

It says on page 8 that—

> "As a result consumers had continuity of electricity supply for 99.98% of the year—such a reliability is high even by overseas standards."

So, as at 30 June 1984, industrial relations and reliability of supply within SEQEB were at an all-time high.

Why, then, did that situation change? Let us look at the chain of events that took place in 1984—events which, as I indicated previously, were deliberately planned and premeditated.

In February 1984, Mr Wayne Gilbert, a man with little or no experience in the State's power industry, was appointed general manager of the South East Queensland Electricity Board.

It is now apparent that he was appointed to do a particular job. In August 1984 Mr Gilbert issued a 12-page "message" to all staff indicating that over the next two years the number of people employed by SEQEB was to be reduced by 10 per cent, or approximately 430.

Mr Gilbert's "message" naturally sent a shock wave throughout SEQEB, particularly among those employees who carried out work which SEQEB has indicated it wanted to let out on contract.

SEQEB's desire to engage contractors for certain work was, of course, the subject of numerous conferences before the Industrial Commission and, as all members are aware, led to the problems on 7 February, and to confrontation between the Government and the trade unions, which cost this State an estimated $1 billion.

It is now obvious that the Premier and his political advisers knew that what Mr Gilbert planned for SEQEB would ultimately lead to industrial disputation in the State's power industry.

It is now also obvious that the Premier and his political advisers had already prepared the vicious industrial legislation that has been introduced into the Parliament over the last few weeks, and were waiting for the appropriate situation to develop to bring it forward. That is why, when the dispute between SEQEB and the ETU came to a head on 7 February, the Premier and his political advisers decided it was time to act.

Instead of letting the industrial commissioner who had particularly been given the responsibility for industrial disputes in the electricity supply industry deal with the situation, the Premier used the Governor of this State to declare a state of emergency. There was, of course, no valid reason for such a move, except that the Premier wanted to hamstring the State Industrial Commission so that it would not be able to interfere with his plans.

It is significant that, although the Premier and his Government have, in the past, advocated the conduct of strike ballots as is provided for in section 98 of the Industrial Conciliation and Arbitration Act, on this occasion they chose to avoid that provision and other provisions in the Act.

The Premier and his National Party Government have fulfilled their plans, but not without considerable cost to this State in more ways than one. This State now has industrial laws which are as restrictive as or even more restrictive than those that exist in any other developed country in the world.

The South East Queensland Electricity Board, the largest electricity distribution board in the State, has been torn apart. I saw in this morning's newspaper that a leading engineer in SEQEB, Mr Robin Russell, has now tendered his resignation. That illustrates just how drastically the electrical authority has been torn apart.

A skilled, efficient work-force, trained to the highest electrical safety standards, which gave electricity-consumers continuity of supply for 99.98 per cent of the year, has been partially replaced with an inexperienced conglomeration of industrial mercenaries. Electrical contractors under labour-only cost-plus arrangements, which I understand have not been put out to tender, are also being used at considerable cost to try to fill the gap caused by the sacking of SEQEB's trained staff.

In fact, the whole electricity industry in this State is in a state of turmoil. It certainly is not the way the recently created Queensland Electricity Commission should have begun operations.

However, people will eventually realise what the Premier has done to SEQEB, particularly when electricity charges are substantially increased in the near future.

I take this opportunity to warn electricity-consumers throughout the State that next June or July they face a further 10 per cent to 15 per cent increase in their electricity bills, not because of the SEQEB dispute, but because the Government desperately needs the revenue that electricity-consumers provide by way of the capital works levy that the Government has imposed on every electricity-consumer since 1977. That levy is a hidden Government tax. It represents approximately 22 per cent of every consumer's bill. In 1983-84, that levy netted the Government $193m.

Time expired.

Sugar Industry

Mr RANDELL (Mirani) (12.31 p.m.): I wish to make some comments about the meeting in Canberra last Monday between the Premier and Treasurer (Sir Joh Bjelke-Petersen), the Primary Industries Minister (Mr Turner), and sugar industry representatives with the Prime Minister and the Federal Minister for Primary Industry (Mr Kerin). I now know that Mr Kerin's nickname is "Sweet Talker" Kerin. After that meeting, there is no doubt why he got that name. He will certainly find that he can fool some of the people some of the time, but there is no way in the world that he can fool all of the people all of the time.

Opposition Members interjected.

Mr RANDELL: Opposition members have had their go. They will just have to sit back and cop it. It is about time that they did.

Mr Casey: The Premier and the Minister agreed, too.

Mr RANDELL: I will get to that. The honourable member will have his chance to talk. I will deal with him later on. He will have to cop what I have to say.

The hopes of 7 000 cane-growers have been dashed. Honourable members will recall the cane train, as it was called, which came to Brisbane. The men on it had their hopes, too, but honourable members know that, as the Premier said, they were sold down the drain. The hopes and hearts of 7 000 cane-growers, and those of their families and workers in the sugar industry, went with the delegation. They were hoping for some success in the way of short-term, worthwhile finance to tide the industry over its worst economic crisis. We all expected that the sugar industry would get treatment similar to that meted out to it since 1983, when Labor came to power. We expected broken promises and complete contempt for it. I will say more about that later.

The Prime Minister and "Sweet Talker" Kerin indicated to the delegation that no funds and no help would be made available. It has been suggested that a working party will be set up to develop a sugar industry plan and to consider the market outlook for sugar and the possible need for rationalisation. What a buzz-word that is! The possible need for rationalisation was mentioned together with the joint administration of such a plan. I have with me the great, joint industry working plan! After a hard fight, Queensland was given the right to nominate the chairman as one of the three Queensland Government representatives. The Commonwealth is to have a representation of three. The sugar industry is to be represented by two growers and two millers, and another representative is to come from the ASPA. The DPI is to provide the secretariat.

I understand that, as late as this morning, Mr Kerin got in touch with the Queensland Government and said that the Commonwealth had changed its mind. The Commonwealth has changed its mind three days later, and now wants a different format. Once again the industry is faced with broken promises. None of the Queensland delegation can be blamed for what happened. They accepted the plan under duress. A gun was held at the head of the delegation and it had to accept what was offered or go home. It had no alternative.

Mr Casey: You don't know what you are talking about.

Mr RANDELL: I will deal later with the honourable member for Mackay.

I understand that the Federal Government has tentatively set the composition of the committee. It is pleasing to note that the Queensland Government insisted that the chairman of the committee be a Queensland nominee. I understand that it fought very hard to get that concession, and I compliment it on doing so.

Mr CASEY: I rise to a point of order. The member for Mirani is deliberately misleading the House.

Mr DEPUTY SPEAKER (Mr Row): Order! I have not heard any personal reflection. I will not accept the honourable member's point of order.

Mr CASEY: I rise to a further point of order.

Mr DEPUTY SPEAKER: What is the honourable member's point of order?

Mr CASEY: A personal reflection has been cast, because I was one of those who discussed with Mr Hawke——

Mr DEPUTY SPEAKER: Order! I do not accept the honourable member's point of order.

Mr RANDELL: Thank you, Mr Deputy Speaker.

It is to be hoped that the Queensland Government appoints to the committee men with grass roots in the industry. I hope that a shiny pants is not appointed to the committee to represent the growers. The terms of reference provide that the committee will report back within 100 days.

If it was completely satisfied with the terms of reference, some finance could be available. However, knowing the past performance of the Federal Government, I treat the word "could" with the contempt and suspicion that it deserves. In the 1983 Federal election campaign, Labor Party members promised many things for the sugar industry and visited parts of north Queensland; but the industry has received nothing.

I hope that you, Mr Deputy Speaker, and other honourable members will forgive me for using very strong words. I believe that the sugar industry has been treated in a worse manner than the proverbial mongrel dog, and it has been given a kick in the ribs. Unfortunately, people in the sugar industry are getting very thin round the ribs.

Sections of the industry could not afford to wait 100 days. I am led to believe from newspaper reports that Mr Kruger, Mr Warburton and Mr Casey have the ear of the Hawke Government. I wonder whether they told the Prime Minister that the industry could not wait 100 days. Cane-farmers must have money to employ people to plant crops for next year and to buy fertiliser. However, the Federal Government seems to want more unemployment.

Mr Casey: Your Premier and the industry organisation agreed to this.

Mr RANDELL: The honourable member for Mackay cannot tell me that. He will have to cop what I have to say. The Labor Party has done nothing to help the sugar industry, and he is one member who has given that industry a good kick in the ribs.

Honourable Members interjected.

Mr DEPUTY SPEAKER: Order! I will not permit heated exchanges between members. The honourable member for Mulgrave and the honourable member for Mackay will cease their cross-firing.

Mr RANDELL: As the honourable member for Mourilyan would be aware, the crushing season will start within that 100 days. The crop must be harvested to keep money flowing through and people in work. I would like to know where Opposition members were when the Electrical Trades Union told the Federal Government that, if it gave the sugar industry money, it would withdraw its support from the Government.

Mr Vaughan: Who said that?

Mr RANDELL: I read it in a newspaper report. No Opposition member said anything about that; yet they get up in this place and unashamedly attack the Queensland Government.

The sugar industry has been completely ignored with contempt. It makes one question the Federal Government's motives when one considers what it has done for other industries. It will contribute $360m over five years, which is $72m per year, to the steel industry. The car industry will receive $150m over 5 years, or $30m each year. The Western Australian mining industry royalties——

An Opposition Member interjected.

Mr RANDELL: Opposition members should help Queensland and its sugar industry. The Federal Government has given the sugar industry only $15m. That shows the complete contempt and disregard that the Federal Government has for the sugar industry and those thousands of workers associated with it.

Mr Casey: You are only making trouble for your industry; that is what you are doing.

Mr RANDELL: The honourable member has to answer to the people in his electorate.

If honourable members have any doubt about the seriousness of the situation in the sugar industry, I will quote a few figures. A number of heart-rending stories appeared in last week-end's "Sunday Mail".

Mr Vaughan interjected.

Mr RANDELL: The honourable member should get out of Brisbane and have a look at what is happening in the rural areas. Rural industries are keeping him and his constituents, but they could not care less. The fate of this nation rests on the rural and mining industries, but the Federal Government is doing everything that it can to bring them down. The Federal Government has not brought the ETU to heel. As I have said, the Government is treating the sugar industry people as sick, mongrel dogs, and that is what it will continue to do.

Mr Davis: I will get some flowers and play the violin.

Mr RANDELL: I know all about the honourable member for Brisbane Central.

The honourable member for Warwick (Mr Booth) can tell honourable members about what the Federal Government is doing to the dairying industry, and I will turn to that later if I have time. In 1982-83, the average income of cane-growers was $4,193, and, in 1983-84, it was $5,622. That is well below the poverty line; yet some Opposition members speak about poverty in the city! I know of farmers in my electorate who must support their wives and children on less than $100 a week. They are really caretakers, and are attempting to keep the farms going for the well-being of the nation. All they get is contempt and they are kicked like sick, mongrel dogs.

I wonder how any member of this House or any member of a union would get on if he went for three years without an income. Those in the sugar industry have had to borrow money to pay for their cars and houses. That is what the Federal Government is causing. Those in the sugar industry are in a desperate plight. They have the lowest income in recorded history. The problems in the sugar industry are not equalled by those in any other industry. If those problems are not addressed very quickly, Queensland will not have a cane-growing industry, and the jobs of thousands of workers thoughout Queensland will be lost. Members on the other side of the House do not care about that. All they are doing is using this crisis for political purposes. The downfall of the sugar industry will lead to complete chaos along the entire east coast of Queensland. All I have heard from the other side of the House is excuses, excuses, excuses. Sometimes I think that it is a carefully contrived plan by the Federal Government to really grind rural industries into the ground.

Time expired.

Youth Employment

Mr McELLIGOTT (Townsville) (12.40 p.m.): The greatest tragedy facing this nation and this State at the present time is that one in four kids in the 15 to 19-year age bracket cannot find a job. In fact, the figure at January 1985 was getting close to one in three, with 29.3 per cent, or 32 000, unemployed.

Youth unemployment cannot be ignored by anyone. In the days when full employment was the norm, unemployment concerned only the relatively few who actually were without work. However, today, there is no family that does not live with the fear that at least one relative in that 15 to 19-year age group will not get a job.

People of my generation left school knowing that they would find employment. It was a question of deciding which form of employment was preferred. Those same people

are now faced with the prospect that some of their children will not find a job of any description.

There is no doubt that unemployment is the major cause of the social problems that face youth today. I stress that the young unemployed are the hobos of the 1980s. I do not say that in a disparaging way; but, just as in the '30s unemployed men traipsed from place to place looking for work and for shelter, so our youth are doing it today. They can be seen on the highways throughout the length and breadth of the State. Young people are hitch-hiking in an endeavour to find homes and jobs. Today's youth, however, are homeless in a world where they are easily exploited by drug-pushers and the like.

The understanding of the word "work" has always been assumed to be "paid employment providing income and status". A person's sense of importance and capability has been dependent, to a large extent, on his or her ability to get a job and the kind of job that he or she held. The whole education process has been aimed at fitting people for "work"

What are the aims and role of schooling if the potential to work is not at the end of it? I am convinced that many of the social ills facing young people—drugs, homelessness, etc.—would be resolved for many if they had the income and status afforded to them by full-time employment.

Full-time employment for young men and women aged between 15 and 19 years has been declining steadily since about 1966. The number of full-time jobs in Australia has declined by about 100 000, compared with an increase of about 245 000 in the population in that age group. In 1966, 58 per cent of those in that age group (15-19) were in full-time employment; today the proportion is only 30 per cent. Until the 1970s, the decline in employment opportunities was offset by increased retention at school; but, since then, unemployment rates in the age group have risen dramatically.

What are the causes of youth unemployment? Clearly, in Queensland, the state of the economy is having a considerable effect. A lessening in the demand for labour must have a detrimental effect on those seeking to enter the work-force for the first time. However, I do not believe that an improvement in the economy will necessarily mean an improvement in the unemployment figures for young people.

A second cause of youth unemployment is argued by some to be the relatively high cost of wages for youth. I do not subscribe to that argument, as there must always be an incentive for young people to find and retain employment. I do not believe that there would be a substantial increase in jobs for young people if their wages were reduced. I do not believe, for example, that an employer with two young employees would automatically create another job because the wages cost of those two was marginally reduced. That reduction in cost would simply serve to increase the profits of the employer.

Social changes that have occurred certainly are having an effect. Young people are much more mobile now, and employers are reluctant to spend time and money to train a young person only to lose that person's services. Technological changes, too, have substantially reduced the proportion of unskilled and semi-skilled positions in the work-force.

Finally, of course, the number of married women in the work-force has increased dramatically. I am not going to enter into an argument today about the rights or wrongs of married women working; but the fact is that in 1947 only 8 per cent of married women were in paid work, whereas today the figure is over 40 per cent. I suspect that that percentage would be even higher if all of those who wanted, or needed, paid work could actually find a job.

Of course, identifying the causes of youth unemployment does not necessarily find solutions. I am not convinced that the Queensland Government is doing enough, if, indeed, it is doing anything at all. Reduction of the levels of unemployment among young people must be the major thrust in this International Youth Year.

For some time, I have been convinced that Governments have been attacking the problem of youth unemployment from the wrong direction. I believe there must be a return to the basic position where kids leaving school have jobs available to them, and the way must be found to free up jobs to make that possible.

I am sure that many people holding positions in the work-force do not really want to be there. They are there because we will not let them retire, or they may be there out of boredom or a need for self-fulfilment. Surely ways can be found to take people out of the jobs, which could be made available to kids.

Most of the programs and services available to the young seem to accept that there will always be large numbers of young unemployed and that they must be kept off the streets. All honourable members have heard the cry about kids hanging round street corners getting into all sorts of mischief. Programs are initiated to get them off the streets.

The answer is to get them into jobs. Let us give the jobs back to the kids and fit the programs to the bored housewives, the early retirees and so on. In other words, the welfare approach to youth unemployment should be dropped and a manpower and employment approach should be adopted. If there is only a limited number of jobs to go round, priorities must be determined, and jobs for kids must be the first priority.

It is against that background that I welcome the report of the Kirby committee, which appears to recommend a change from the welfare attitude to unemployed kids to one of training schemes aimed at fitting young persons for available jobs. I am somewhat disappointed with the section of the report that recommends the establishment of an Australian youth service to replace existing community youth support schemes.

The Australian Youth Service Consultation Team stated—

> "It is our understanding that the role of an AYS, proposed in the Kirby Report, would be to co-ordinate the range of local services available to young people, to act as a point of contact for young people requiring assistance through these services and play a major role in advising Governments and other groups on the needs of young people."

I will refer to that again later.

I am particularly interested in the Victorian Government's policy initiative "the Youth Guarantee", which encompasses most of the points that I have made. Under the youth guarantee policy, the Cain Government promised to increase the supply of long-term permanent jobs available for young people; make fundamental reforms to increase the attractiveness and the relevance of full-time education to young people; bring about a major expansion of training opportunities, including the development of new forms of structures or work/study opportunities; and introduce measures to give young people greater access to the existing stock of jobs by providing mechanisms such as voluntary early retirement and permanent part-time work, whereby adults who wish to do so can withdraw from some employment.

The Victorian Government pledged that, within its new term of office, all Victorians up to and including 18 years of age will have an option of full-time work, full-time education, full-time training, or some arrangement of any or all of those things. That is a major commitment by a State that already has the lowest level of youth unemployment in Australia.

That initiative should be contrasted with the response by Queensland's Minister for Employment and Industrial Affairs (Mr Lester), who, in replying to a question about unemployment in Logan city, announced that the Government had provided $25,000 for an office and a worker and some assistance to tell kids where to try for work or how to enrol for courses. I said earlier that I would return to that matter. There is too much advising, counselling, co-ordinating and liaising; young people need jobs. I well remember the words of one young fellow at a young people's forum that I attended some time ago in Townsville. He stood up in the body of the meeting, among people who were advisers,

counsellors, and co-ordinators, and said, "Look, I am not interested in forums or seminars, surveys or reports. All I want is a job." There is a clear message there that the attitude of Governments—I am not being party political about this—must turn towards finding jobs for kids, not talking about it and coming up with programs of things for kids to do when they cannot find a job.

At the outset I said that people who have the opportunity of full-time employment have both the income and the status in life to overcome the social problems that face kids today. However, if they do not have the opportunity of full-time employment, the social problems that concern everyone so much will automatically follow. That is the basis of my speech. There is a need to create jobs.

Time expired.

Performance of Liberal Party

Hon. Sir WILLIAM KNOX (Nundah) (12.50 p.m.): In regard to the comments made by the previous speaker, I point out that the honourable member for Townsville's Federal leader promised the country 500 000 new jobs. That was a long time ago, and the ALP is a long way short of the target.

Mr Vaughan: Didn't you read the article in this morning's paper? Nearly 400 000 have been achieved.

Sir WILLIAM KNOX: And how many others have been lost? How many people are looking for work? More than one million people are looking for work in this country. The only figures that the honourable member for Nudgee quotes are the unemployment figures of the Commonwealth Employment Service. More than one million people in Australia are looking for work.

I will deal with the events of last Saturday. Last Saturday's local government elections had a very impressive result for the Liberal Party. The Labor Party will have to start looking at its base and its attitude to the people of this State, because the political situation has improved considerably for the party which I lead.

Since the 1983 State election, the electoral resurgence of the Liberal Party has been demonstrated by the result in the Moreton by-election. As well, the Liberal Party won the Stafford by-election from the Labor Party. The Labor Party went into the Stafford by-election with a high-profile candidate, yet the Liberal Party had a convincing win. In last year's Federal election, the Liberal Party won an additional four seats in the House of Representatives, more than doubling this State's representation in the House of Representatives.

What happened in last Saturday's local government elections? In Brisbane, the Liberal Party received 52 per cent of the vote and won 15 wards. The Labor Party is in ruin as a result of that defeat.

I launched the campaign for the Liberal Party in Townsville, where the Liberals won three wards. The Liberal Party had three candidates and it won three wards, with the assistance of the preferences of the National Party.

Mr Vaughan: That is unusual.

Sir WILLIAM KNOX: I am delighted that the National Party gave the Liberal Party its support and directed its preferences to the Liberal Party.

Mr Vaughan: Remember the other day?

Sir WILLIAM KNOX: What happened the other day?

Mr Vaughan: You will find out.

Mr PREST: Mr Deputy Speaker, I rise to a point of order. I draw your attention to the state of the House.

Quorum formed.

Sir WILLIAM KNOX: Before I was so rudely interrupted by the honourable member for Port Curtis, who obviously knows of the arrangements between the Whips but attempts to be smart about it, I intend to refer to the Brisbane City Council under its new Liberal leadership, which will provide responsible and caring government. It is an experienced team of aldermen, with a core of very capable administrators. The Liberals who have been newly elected to wards were excellent candidates and will prove to be capable aldermen. In years to come, with experience, those new Liberal aldermen will prove to be great assets indeed.

A fresh, new start will be made to the administration of Brisbane. For some years, the Labor administration frittered funds away and purchased a great mass of equipment that sits in depots, unused. That money has been wasted. The huge contingency fund administered by the city council will be closely monitored. A great deal of the fat in that fund needs to be looked at. I am sure that Sallyanne Atkinson and her team will have no trouble fulfilling the promise of a rate freeze.

Mr Prest: I am willing to bet that she won't have a rate freeze.

Sir WILLIAM KNOX: Betting is not permitted in the Chamber; but, if the honourable member for Port Curtis would like to meet me behind the Speaker's chair, I will accommodate him. I assure the honourable member that there will be a rate freeze, which was a prime promise of the Liberal team. It will have no difficulty in implementing that promise.

One of the tragedies of the Greater Brisbane story is that all power rests at City Hall, physically and geographically. Much more could be done about giving participation to people in the community, bringing City Hall government to the suburbs. Sallyanne Atkinson and her team will see that that is done. She will oversee a very competent administration.

What significance do the election results have on the State scene? The results in Townsville and Brisbane last Saturday, the results of the House of Representatives election at the end of last year, the results of the Stafford and Archerfield by-elections——

Mr Prest: The results of the 1983 election.

Sir WILLIAM KNOX: That was a disaster for us. The results are on the board. We understand them. The trend has been completely reversed since then. Our position is improving almost by the month.

On the basis of the results of those elections to which I have referred, the Liberal Party will have between 15 and 20 seats in this House after the next State election.

Mr Prest interjected.

Sir WILLIAM KNOX: Some Labor seats will be going, too.

Mr Prest: No, they won't.

Sir WILLIAM KNOX: Make no mistake about it.

Mr Prest: They won't be Labor seats that you'll win. You might even get Austin's and Lane's.

Sir WILLIAM KNOX: Would the member for Port Curtis like to increase his bet? I will see him later behind the Speaker's chair.

The Liberal Party will improve its representation in the Parliament enormously. I am not interested in playing footsie with the ALP and the socialists. They can do their own thing. They can seal their own doom.

Mr Prest: We'll win.

Sir WILLIAM KNOX: The ALP has absolutely no chance. For as long as it ties itself to the socialist philosphy, for as long as it allows itself to be bullied by the bully boys of the trade union movement and for as long as it is prepared to put the power of its organisation before the interests of the people of Queensland, it has absolutely no chance of becoming the Government in this State. I say to members on both sides of the House, "Move over. We are on the way." Following the next State election a very sizeable number of Liberals will sit in the Parliament.

Mr DEPUTY SPEAKER (Mr Row): Order! Under the provisions of Standing Order No. 36A, the time allotted for the debate on matters of public interest has now expired.

PAPERS

The following papers were laid on the table—

Regulations under—

Nursing Studies Act 1976-1984

Medical Act 1939-1984

Health Act 1937-1984.

Sitting suspended from 1.1 to 2.15 p.m.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 27 March (see p. 4561) on Mr Wharton's motion—

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

Mr SHAW (Wynnum) (2.15 p.m.): The Bill before the House is momentous. Although it does not cover a wide range of subjects, one subject that it does cover is very important. It would be fair to say that a complete overturning of the rating system, as it is known throughout Queensland, will occur. The Bill has opened up a whole new vista and range of possibilities for councils. It provides powers for which councils have been pushing over a long period because of anomalies in the system of valuation. In the system as it is known, people do not pay rates in accordance with their ability to pay. Rates are paid according to the value of land.

The amendment is a major change, and the question must be asked whether or not councils throughout Queensland are ready for such a change, are adequately informed about what is involved, and have done their homework with a view to implementing the provisions of the Bill. It is hoped that the councils will proceed with a great deal of caution or the new system will be fraught with disaster.

The Bill designates to councils power that will enable them to assist people who have previously been disadvantaged. It may be the case that such people have experienced development occuring near their properties, with a consequent rise in valuation and, for that reason or some other reason, they find themselves unable to pay the rates being charged.

In addition to providing councils with power to use discretion, the Bill gives councils power to penalise people. It empowers councils to define categories of land, and the rates that will be applicable to those categories. That means, for example, that a council may decide that strawberry-farmers should pay more or less than lettuce-farmers, or that newsagents should pay more than grocers, or that milk bar proprietors should pay more than chemists. However, the changes represented by the Bill go beyond anything that has previously been introduced.

The decisions that affect rates will be made by the council. Councils will be able to differentiate between different categories of land and the ability of rate-payers to pay, and councils will have the right to determine individual assessments by deciding whether people, in the opinion of the councils, are able to meet their financial commitments or not. The effect of the provisions of the Bill will be that the councils can decide whether the owner of one property is able to pay less than the owner of a neighbouring property, or vice versa.

Obviously, the idea is designed to overcome the problems that have existed for many years, and have been the subject of complaints to the Minister for Local Goverment, Main Roads and Racing on many occasions. It is a common occurrence when development takes place in a particular area for land values to rise because the land becomes highly sought after. The typical or often-cited case is that of the widow who has set up a matrimonial home and has lived in that home on that site for many, many years, and wants nothing more than to see out her days where her family was reared. When valuations soar, the rates bill often becomes so high that she can no longer afford to pay. The measures provided in the Bill for overcoming a problem such as that will be very well received, and a solution has been long sought after.

It should be pointed out that, on the other side of the ledger, are people who have friends on the council and may be able to convince the council that their problem requires consideration. Instances that immediately come to mind are the cases in which graziers suffer drought, and it may be that representations are made to a council. It is often the case that some councils are heavily over-represented by members of the grazing community in certain shires, and the graziers may be able to convince their council representatives that they are entitled to a rebate.

Mr Milliner: It will be the old "I want a subsidy" syndrome.

Mr SHAW: That is likely to happen. I suppose that it could go even further than groups of people; one person alone who happened to have friends in the council could put up a case that he should pay a great deal less.

It has to be kept in mind that, under council budgets, when one rate-payer pays less, another pays more. So it becomes very important that the rate burden be spread as equitably as possible. If people do not like the assessment that has been made—if they feel they have been dealt with unfairly—they have the right, under the terms of the Bill, to object. In the meantime, however, the rates have to be paid.

In that instance, the council would decide the number of properties that were to be placed in a certain category—for the purposes of the argument, let us say the highest-rated category—and prepare its budget on the estimated rate revenue. If the residents concerned then object under the terms of the Bill, and if the objection is upheld, the council then has to refund to those rate-payers the difference between the rates. I would not expect that that would happen on a great many occasions, but if it did, and if the council did not prepare its case carefully and found itself with a large number of objections that were upheld, the council budget would be thrown into confusion because its revenue would be far less that expected.

Another method by which people can object to what they see as an unfair assessment is, of course, through their votes. That is the ultimate in protest. People can vote against a council if it is acting improperly or if the elector feels that it is acting unfairly.

A further problem arises because many shires are the subject of a quite severe gerrymander. I touched on this matter earlier. The pattern of representation leaves quite a lot to be desired. No Government restriction is imposed on the way in which the councils implement the proposed method of representation; the only brake is what the electors can say and, of course, the manner in which they can object to valuations. It is extremely important, then, that there be a review of the boundaries of local authorities and of the local government representation of people throughout Queensland. That subject has been raised previously in this Chamber by Opposition members.

Charters Towers is a case in point. The council itself carried a resolution that it felt it was overrepresented and that there should be fewer aldermen on the council. In other instances councils have approached the Government, and in still others electors have complained because they felt there was an imbalance in the representation of people on the council.

So, when one looks at the great powers now being given to councils, it becomes very important that the councils be responsive to the people who elect them. It is an unfortunate fact of life that the rotten boroughs are alive and well here in Queensland, and it is imperative that this question be reviewed as quickly as possible.

There is another area in which I believe a review needs to be undertaken. I mentioned it only last week during the debate on the Local Government Act Amendment Bill. I cited the instance of a chairman of a council not obeying the laws relating to the voting by councillors on matters in which they have a pecuniary interest. I cited what I believed was a breach of that law.

In hindsight, it was unfortunate that I raised that matter during an election campaign. Quite understandably, many people regarded it as a step in that campaign. The fact that I selected an area in which representatives of my political party were not standing did nothing to dispel their fears. I stress that I was not trying to have a go at a particular councillor. I repeat that a number of councillors throughout Queensland are dealing in property at the same time as they are making decisions on it. Councillors, or chairmen of councils, can decide what rates they will pay. They have an opportunity to grant themselves concessions. That clearly illustrates the importance of separating speculators from elected representatives.

The Bill, for its success, depends heavily on the good faith and good intentions of the councils throughout Queensland. I believe that they will be forthcoming. That does not mean that the problems to which I have referred should not be addressed. Strict adherence to the law and careful research will be required of councils.

The Bill represents a courageous step by the Government. Although the need for the legislation has been referred to for some time, I was surprised to see it presented so quickly. Possibly the Government has been a little hasty, but it has certainly been courageous. The legislation has the capacity to assist many rate-payers but, unfortunately, it also has the capacity to allow much evil. It is designed to help people who are genuinely disadvantaged, so the councils must decide on the criteria that they intend to adopt. The Bill provides that they will have to submit the criteria to the Valuer-General. If the criteria are unsuitable, he will reject them. It is possible that the faults may not appear at that stage but will do so when the scheme is implemented and people realise that they are paying more or less than their neighbours.

If councils do not exercise special care in selecting criteria, the measure could become a tangle of fish-hooks for them. I am concerned that the councils with the least expertise and ability to draw knowledgeable people will probably be the first ones to implement the legislation. The wisest councils will be those that sit back and let others make mistakes.

The Bill takes a giant step. It remains to be seen whether it is a giant step backward or forward. In the long term, I feel sure that it will be a positive step. It is inevitable that bugs will appear in the implementation of the legislation, but it will be of advantage to the rate-payers of Queensland.

I therefore have no difficulty in saying that the Opposition does not intend to oppose it.

Mr BRADDY (Rockhampton) (2.29 p.m.): I join with the Opposition spokesman in congratulating the Minister and the Government on taking a courageous step to give powers and discretion to local government. Under this legislation, differential rating will be a matter for local authorities themselves. They will also have the discretion to provide rebates in certain circumstances if it is considered proper to do so.

Mr Hinze: You do not share the same concern as your leader in this debate, in that there could be variations in streets and jealousies could develop because somebody says, "My rates are so and so and yours are such and such."

Mr BRADDY: I do see that as a problem, and I will discuss ways in which it could be overcome.

Because local authorities will have the power to apply differential rating and grant rebates, the community will need to have a high degree of confidence in their local councils. Any break-down in that confidence would only heighten the normal human jealousies and petty rivalries that exist not only in this Chamber but in the real world. That will be a problem, and it is the responsibility of the Government, as far as it is possible for it and the Parliament to do so, to ensure that the Local Government Act and the local government system are above reproach.

In many parts of Queensland, people are not confident that their local councils are elected on fair boundaries because those boundaries are gerrymandered. That will open rebating and differential rating to abuse. It cannot be doubted that an unfair system exists, and no proper machinery exists to which the people can look to overcome that unfair system. The city of Rockhampton is a good example.

Mr R. J. Gibbs: It is a fine place.

Mr BRADDY: As the honourable member for Wolston said, it is a fine city. Its people showed pre-eminent wisdom on Saturday when they elected a Labor mayor, who won 65 per cent of the popular vote.

Mr FitzGerald: Did he do better than you?

Mr BRADDY: Yes, he did better than I did. I am more than pleased to back anyone wearing Labor colours who gets more than 59 per cent of the vote. Although I went all over Rockhampton, I could not find anyone from the National Party who was prepared to take a bet with me about the election. I sought out particularly the Doblo family, which suffered a severe pecuniary loss in the Rockhampton by-election. Last week-end, Mrs Doblo ran in the CIG colours rather than in National Party colours. Nevertheless, the people of Rockhampton rejected her.

Mr Eaton: They are not colour-blind.

Mr BRADDY: No, I think that the people of Rockhampton were aware of her interest in the National Party.

Mr FitzGerald: She is a very fine lady, though, isn't she?

Mr BRADDY: I get on extremely well with Mrs Doblo, and I am not attacking her personally. However, I was pleased that she lost.

Mr DEPUTY SPEAKER (Mr Row): Order! I would be pleased if the honourable member for Rockhampton came back to the Bill.

Mr BRADDY: I was distracted by some of the interjections.

The point that I make is that, last week-end, the Labor Party in Rockhampton won a massive victory in the local government elections. A close examination of the figures shows that that victory was, in fact, very close to a loss, because of the gerrymander in that city. I will tell the House why. The Labor Party won three wards by massive majorities. Those wards contain very large numbers of electors. The Labor Party won another ward by a reasonable margin. That gave the party four out of 10. However, in two wards the Labor Party won with only bare majorities. Because, three years ago, those wards were drawn up by the National Party, they contained small numbers of electors.

The Labor Party received nearly 60 per cent of the votes for the aldermanic candidates and, as things turned out, it was returned with six out of the 10 aldermen. However, if a mere handful of votes had been cast the other way in two of the gerrymandered wards, Labor still would have received nearly 60 per cent of the vote but would have had only four out of 10 aldermen. The Labor mayor received 65 per cent of the vote.

I will now highlight the importance of that matter as it relates to the Bill. Imagine if the Bill had been passed by the House and the Labor Party, after receiving 60 per cent of the popular vote, had returned four aldermen out of 10. Because of the boundaries that were imposed on the Rockhampton City Council by this Government, that very nearly happened. That would have been an absolute disgrace and would have been seen as a disgrace. More than that, people would have looked at the Bill and said, "What confidence can we have in a differential and rebating rating system, which a National Party Government brings in and which it allows to be administered by a city council that is elected on unfair boundaries and under an unfair system?"

Now that the Bill is before the House, it is absolutely necessary that an urgent review of the whole local government electoral system take place. A tribunal must be established and it must be seen to be fair. I am sure that the Minister is well aware of the old principle that applies in the racing industry and in local government: justice must not only be done but must be seen to be done. I do not know about the racing industry, but I can certainly suggest that in local government not only is justice not being done but, from the way the boundaries are drawn up in some dark corner of National Party house by some people who never stand for election, it is clearly seen not to be done.

Mr Hinze: Hold on, now. The Brisbane City Council boundaries were redrawn and I did not hear Alderman Harvey complaining before the election.

Mr BRADDY: I make no attack on every local authority in this State. I make no attack on the Brisbane City Council and its boundaries. However, I can certainly speak for my city—Rockhampton—and I can speak for other places in Queensland, because I know how the boundaries were drawn in Rockhampton three years ago. The local authority was given no real chance to object to, or change, those boundaries.

Mr Yewdale: They were drawn in the back room of Charlie Doblo's house.

Mr BRADDY: They were drawn up by the Doblos and the Cariges of this world. They are the National Party people in the area.

I support the giving of this discretion to local authorities. However, Queensland is getting back to the English rotten boroughs of the eighteenth century. The people are saying that they have no trust in the Government, which is imposing a system of local government that is purely for the benefit of people who support the National Party. However, in Rockhampton, Townsville, Mount Isa and other places where the people had a chance, last Saturday the National Party candidates were rejected. The people were saying clearly to the Government that they want a fair local government system and fair people in local government.

The Government must address itself to the problem. Why will not the Government set up a local government tribunal to look at both internal and external local government boundaries? I suggest the reason is that too many supporters of the National Party do not want it; they want the system to continue as it is now so that they have the say as to the drawing of the internal and external boundaries of a city or shire. In doing that, they also decide how many electors are in each division.

Mr Davis: They also object to having voting systems that are not uniform throughout the State.

Mr BRADDY: That is so. The voting system is different throughout the State, and kept so. That is another example of an unfair system. This is a very serious matter.

Mrs Chapman: What has this got to do with valuations?

Mr BRADDY: The honourable member for Pine Rivers may have just arrived in the Chamber. I thought that I had explained it very clearly. For the benefit of the honourable member for Pine Rivers and others who may not have been concentrating, I am prepared to explain it if they will listen to me. I support basically a system that allows for differential rating and for local rebates. Local authorities should have the power to run their own government. Such a system cannot operate if the people in the shires, cities and towns have no confidence in the elected local government. If councillors are elected under an unfair system, the people will not have confidence in the local government. For example, take the shire of Fitzroy.

Mr McPhie: Where is that—in Melbourne?

Mr BRADDY: The shire of Fitzroy is based on the town of Gracemere. Councillor Archer is a friend of mine but a misguided member of the National Party in bygone days. He lost his chairmanship of the Fitzroy Shire Council at the recent election. However, that is not the point that I really wish to make. The one that I make relates to the gerrymander that occurred in that shire. The township of Gracemere has over 1 100 voters. Ten councillors were elected from the shire of Fitzroy. The township of Gracemere has 1 100 voters who elected one councillor. The other nine councillors are elected by 2 200 electors who live in the rural area of the shire. If a differential rating system is introduced in the Fitzroy shire, and if suddenly the people in the town of Gracemere who elected a Labor candidate on Saturday see the graziers outside the town being given rebates on their rates, will those people have any confidence in local government in this State? They will be disgusted, and I will be disgusted. In fact, all fair-minded members in this Chamber would be disgusted.

I say to the honourable member for Pine Rivers and other members who interject without concentrating that, unless a fair system of local government is introduced, differential rating will not have the confidence of the people. Nothing will destroy the confidence of the people in local government more quickly than a system whereby someone is given benefits without having to pay the piper. There is no doubt that that is what will happen in Queensland.

The Minister and his advisers must address themselves to this problem. There will be a great recharge against the Government that it has again introduced a system that will enable people to obtain a preference. The preference will be obtained in a fashion similar to that which occurred in the eighteenth century in England.

Mr Hinze: I think you will find that the policy of the department has always been to seek the advice of the local authority on its boundaries.

Mr BRADDY: I agree with the Minister that the policy of the department has been to seek the advice of the local authority on its boundaries. That would be like asking the members of Parliament who used to be elected from the Conservative Party in England in the eighteenth century, who had 10 voters to put them in, "Do you want to change the system and the rotten boroughs in England?" It is absolute nonsense to seek the advice of the particular local authority when it is elected by a gerrymandered system that ought to be changed.

'The Queensland Government cannot escape its responsibility to establish a fair electoral system under the Local Government Act simply by going to the people who are receiving the advantage and the preference and asking, "Excuse me, fellows, do you want a change?" Will they want to change the system when it suits them to have nine councillors in the Fitzroy shire compared with one councillor in the town of Gracemere?

Of course it will not be changed. They are not stupid, even if they are members of the National Party who are receiving preference under the system.

Mr Veivers: It's an absolute crime.

Mr BRADDY: It is a crime and a disgrace. As long as the Queensland Government and the Department of Local Government insist on changing the system only if and when the local authorities demand it, the gerrymander, which is an electoral injustice, will continue.

I support the power and discretion of the local authority. I abhor and condemn the system under which that power and discretion is given to them in an unfair and unjust manner.

Mr PREST (Port Curtis) (2.45 p.m.): I was very pleased to hear the Minister say that he agreed that the fears expressed by the honourable member for Wynnum (Mr Shaw) had some foundation. On 20 March, when the Valuation of Land Act and Other Acts Amendment Bill was debated, Opposition members pointed out that the amendments being made to that Act would have a very far-reaching effect on local government and would pave the way for a principle as explained to the House by the honourable member for Rockhampton (Mr Braddy).

Undoubtedly, this is a system under which friends of friends will be looked after. In the past, the approval of the Governor in Council had to be obtained. Now that will be omitted, and the council itself, irrespective of how it is formed, will have the discretion in deciding the category of land in order to implement differential rating. A rate-payer who is unhappy with the rating that he receives must now be notified by the council of the category under which he comes. He will be able to appeal to the Valuer-General against being put into that category, and the Valuer-General will then make a determination. Once again, the rate-payer or the land-owner will have the right of appeal. Departments will be very much overworked. More appeals than ever before will be lodged, and more queries will be raised in relation to the new system that is being introduced.

Of course, it is said that the system is being introduced to prevent big increases in land valuations such as occurred when valuations were carried out every five or seven years. Valuations will now be carried out annually, and they might go up 15 per cent for five or six years. Of course, that is not 15 per cent flat. That 15 per cent is worth about 17½ per cent in the second year, 25 per cent in the third year and so on. Therefore, nothing much is saved.

There will be a backlog of people who are dissatisfied with council ratings and council valuations. Of course. much of the heat will be taken off the Valuer-General's department in the fifth or seventh year when the new valuation of a whole area is carried out.

I am concerned about the composition of the council at present. In my electorate, a councillor has just been elected who was, and still is, the owner of a caravan park. When the occupancy of that caravan park was at its peak—100 per cent occupancy—he never paid the charges that were levied upon him for the site for sewerage, water or cleansing. That money, which grew into many thousands of dollars, was owed for a long period. During that period, that man was going to be sold out and taken to court by different members of council. Time has gone by and he has now been elected to council. I do not know how he was allowed to stand or how it came about that the town clerk accepted his nomination. He always had a bad record for paying his rates. Now he is in real estate as well as being the owner of a caravan park.

At present, in my area caravan parks, hotels and motels do not have 100 per cent occupancy. They are going through a bad period, having an occupancy rate of only about 25 per cent.

Naturally, when the new valuations are issued next year, he will say, "Caravan parks are in a bad way. Their valuations cannot be increased. In fact, they will have to be given a rebate." I repeat that, whilst I was involved in the council and for many years afterwards, he had not paid any rates. They were probably written off as a bad debt, allowing him to get off scot-free. Now that he has got his leg over the saddle, he will be looking after himself and his friends. He was chairman of the Central Queensland Caravan Park Owners Association, so that group will be favoured. I do not agree with that.

As the member for Wynnum said, if rebates are to be granted to selected categories, someone else will have to pay. What about the unemployed? They will continue to carry their rate burden and, in addition, they will be called on to make up the shortfall resulting from those rebates or remissions. The residential rate will not be varied according to whether people are earning $500 a week, $300 a week or $100 a week as an unemployment allowance. In drought times, the grazier will be saying, "Because of the economy—low cattle prices and drought conditions—the value of my property is lower. I cannot afford to pay rates." He will be allowed a differential rate. Others will have to make up for that.

The Opposition is very concerned about the Bill. If the number of appeals lodged after the first notices are issued under the legislation is too high, the legislation must be brought back to the House for amendment. The legislation is a hit-and-miss affair.

Mr Shaw: It is regarded as a trial.

Mr PREST: Yes. We do not know how it will operate. I fear that it will operate to the detriment of the majority of rate-payers.

Mr McELLIGOTT (Townsville) (2.54 p.m.): I appeal to the Minister to consider a total review of the Local Government Act at the first available opportunity. I am sure that he would endorse that suggestion. Local government representatives stress that, by definition, local government changes almost daily and, as a consequence, the requirements laid down in the Act are continually changing. Many amendments have been made to the Act in the short time that I have been a member of Parliament. The Minister would serve local government well by ordering at least the commencement of a total review of the Act. I acknowledge that it would be difficult and time-consuming, but the result would be worth while.

As the Opposition spokesman on local government (Mr Shaw) has said, this is brave legislation. It comes as something of a surprise to me. On several occasions I have spoken about such a concept, although quite frankly I thought that it would not or could not be dealt with legislatively.

The problem is that, because of outside influences over which rate-payers have no control, for all sorts of reasons the impost on rate-payers varies enormously, not only within various zonings in local government areas but also among neighbours. It is probably more noticeable in a city such as Townsville than in most other communities, because Townsville has been subject to booms and slack times. When boom-times occur, a resultant increase in values has a consequential influence on rates. Unfortunately, the influence to which I have referred does not affect people uniformly across the rating area. It could be the case that a little old lady—to use a colloquial expression—who has lived in an area all of her life could suddenly find that the particular part of the city in which she lives has become attractive to developers. That is an instance in which a person could be caught up in the updraft of valuation rises and consequent increases in taxes and land taxes. I accept that the intent of the legislation is good. If it is demonstrably successful, it will be widely endorsed.

I agree with previous Opposition speakers who have suggested that problems may be experienced in implementing the legislation. The Minister for Local Government, Main Roads and Racing will be aware of the storm of controversy that erupted in the

Thuringowa shire when an attempt was made to implement a differential rural ratings scheme. Most people in that shire accepted the ideal of the proposal but, when it came to the time for implementation, the scheme was found to be fraught with difficulty. In that instance, the council intended to give recognition to different uses of land as between rural residential use and primary industry use. The council directed its officers to differentiate between the two land uses. When the initial dissection was brought forward, so many problems were evident that, in an attempt to accurately categorise the land, the councillors took it upon themselves to carry out physical inspections of properties. Categorisation reached the stage where councillors were going onto properties and actually counting fruit trees in an attempt to decide which land use description should be assigned to a property. I can assure all honourable members that very hasty judgments were made.

One of the problems associated with legislation of this type is the difficulty of ensuring that the local authority is competent to categorise the land. In that respect, I note that council will be guided by officers of the Valuer-General's Department, and I hope that very close liaison will be maintained in carrying out those tasks.

When legislation is brought forward to amend the Local Government Act, I wonder about the degree of consultation that has taken place between the Government and the workers in the field. I assume that some consultation takes place between the Government and the executives of the Local Government Association of Queensland and the Cities and Towns Association, but I wonder to what extent people who have a direct input into drafting the legislation are able to visit country areas and consult the people who will implement its provisions. It is timely to mention that now because so many changes have occurred as a result of the local government elections that were conducted last Saturday.

Having mentioned those elections, I am wondering how the Minister for Local Government, Main Roads and Racing and the Premier and Treasurer can view the results as being a defeat for the Australian Labor Party. It seems to me that the results obtained across the State reflected a voters' feeling that a new approach to local government was required. A number of long-standing mayors and councillors suffered defeat during the elections, and the results did not follow any particular political party pattern. The elections simply indicated that the people desired a new approach to local government and, with that thought in mind, I am sure that they will accept the legislation as being innovative and representing an attempt by the Government to deal with some of the problems that have existed in the area of local government administration for quite some time.

As the Opposition spokesman has said, the Bill gives local authorities an opportunity to differentiate between categories of land and the ability of rate-payers to pay. Whereas the Opposition spokesman pointed out that the way will be left open for hostile councils to pay back, if I might still use that term, certain localities in a city area which perhaps were not supportive during previous local government polls, provisions of the Bill do have a positive side.

Some specific areas of cities and towns may be developed by the application of differential rating where previously that was not possible. I think in terms of the area of Roseneath in Townsville, for example, which I understand was subdivided over 100 years ago and therefore has none of the urban services that are usually provided in a modern subdivision. Although the council has done its best to discourage residential development in that area, many people have established homes there and are now putting pressure on the council to provide services. So I assume that this legislation will assist in that regard.

As I mentioned earlier, I welcome the provision that gives local authorities discretionary power to remit and wholly discharge rates or part of such rates levied on land where the valuation is significantly higher than the valuation of other land, and also where the financial circumstances of the owner of the land are such that, in the

opinion of the local authority, the payment of rates levied on the land would cause him to suffer undue financial hardship. That has been a deficiency in local government. Councils could really do little to assist rate-payers who were genuinely in financial distress. The most obvious example is a person who has lived on a property all his life, clearly does not want to relocate himself but, through no fault of his own, is running the risk of being forced off the property on purely financial grounds. It is to be hoped that local authorities will take advantage of that provision. The old rating system did not have an ability-to-pay provision although, to some extent, valuations did take it into account. Nevertheless, local authorities now have the opportunity to act directly in that regard.

I would like now to comment briefly on the results of the Townsville City Council election last Saturday. Sitting councillors were returned in seven of the wards with votes in the vicinity of 70 per cent, which was an outstanding result. Of course a set-back was suffered in the other wards, but the city of Townsville now has what one would expect with the introduction of a ward system in the city and I think that, in the future, the permanent result will be very strong Labor wards and very strong non-Labor wards. Most people assumed that that would eventually happen once a ward system was implemented.

I must say, however, that the election campaign was one of the dirtiest that I can recall. Everyone would acknowledge that, at election-time, some people handle the truth rather carelessly, but I cannot recall a time when so many straight-out untruths were told in the hope of gaining political advantage. The unfortunate part about the Townsville election campaign was that many of the lies were told about what is a very important matter, that is, the future water supply.

This morning I placed on notice a question to the Minister for Water Resources and Maritime Services (Mr Goleby) on that subject. I hoped to ask the question without notice, but the Minister left the Chamber early. Since the election the Minister has issued a statement totally disclaiming the statements made by the National Party mayoral candidate on the costs associated with Stage 2 of the Ross River Dam compared with the charges to be levied by the Queensland Water Resources Commission for water supplied from the Burdekin Falls Dam. In his statement the Minister dissociated himself completely from the statements of the defeated candidate, Mr Arthur Baldwin, who has since responded by saying that all the facts he cited were provided by the Minister's department. He said that, unless the Minister retracted his statement, he would resign from the National Party. At the local level, we will be closely watching that saga. I raise that matter because of the importance that the hip-pocket nerve plays in election campaigns. I am sure that, in future campaigns, we will be looking forward to discussing the use of this power that is granted to local authorities by this legislation.

Hon. W. D. LICKISS (Mount Coot-tha) (3.6 p.m.): The history of rating and taxing in Queensland and throughout Australia as applied to land valuation has not been a very healthy one. It goes back to about 1916, when the matter of valuation for rating and taxing purposes reached a climax and all the Premiers of Australia got together to look at it and determine the way to go in the future. Prior to that date, so much manipulation had taken place that something had to be done, and it became a national matter of great concern.

It was decided that a Valuer's-General's Department should be set up in each State. Although Queensland was one of the last States to fall into line, the Valuer-General's Department in Queensland—contrary to some of the adverse criticism which, in my opinion, has been levelled wrongly against it—has been very successful. It is a department with which I, as Minister, was very proud to be associated.

Some of the anomalies that have crept into land valuation over the years have related not so much to the method of determining the valuations, which are statutory valuations as determined by the Valuation of Land Act, as to the purpose for which the valuations were used. It was the purpose for which the valuations were used that often

caused adverse criticism to be directed at the valuers who made the valuations, although the valuations arrived at by the Valuer-General's Department were determined by various appeals to be correct.

As I have said before in this place, the valuers in the Valuer-General's Department are some of the few professional people whose work can sometimes be appealed against twice on the basis of accuracy, yet the number of findings against them by courts over the years has been minimal. That is to the credit of the valuers. It indicates the accuracy of the statutory valuations that they determine under the Valuation of Land Act.

Mr Yewdale: You worked in that profession for some time.

Mr LICKISS: I had the honour of working in that profession, and also of being the State president of the Australian Institute of Valuers for three or four years. Since about 1951 I have been a licensed, qualified valuer for both rural and urban purposes and a fellow of that institute since 1961.

I have a healthy respect for the profession, and over the years, I have not been very pleased with some of the criticism levelled at it, I believe unfairly. It is a very important profession.

The simple requirement of determining valuations for rating and taxing purposes is but a small duty that valuers perform. When the total economy of the State and the landed interests and real estate valuation involved in Australia are considered—and valuers have to make determinations for all purposes—it can be seen how valuable is the work that they undertake on behalf of the nation at all levels of commerce and administration.

Today, we are dealing with the application of valuations for rating and taxing purposes under the Valuation of Land Act, and how that should apply to local government rating.

In the past, a differential form of rating has been applied. From memory, under the Local Government Act, provision was made for local authorities to levy rates for either rural or urban purposes. Local authorities could give relief to pensioners by charging a percentage of the rate that would otherwise be levied on their properties. Under the City of Brisbane Act, a similar provision exists whereby the city council, at its discretion, can levy urban or rural rates depending on the nature of the property and can give a 50 per cent reduction on rural rates.

The purpose of this Bill is to extend the system of differential rating, and it gives a greater discretion to local authorities. Local authorities can take the initiative and, under the requirements of this legislation, can apply differential rating to particular properties under various conditions.

I have always been of the belief that any relief against the impact of valuation should be a matter for the Local Government Act for rating and taxing purposes and should not be the responsibility of the Valuer-General's Department under the Valuation of Land Act. To that extent, I favour that approach in this Bill. However, I foresee the difficulties that will occur at the local government level in implementing differential rating.

Problems peculiar to particular areas arise. For argument's sake, I cite as an example treeless rural country as against land that has been cleared. At the moment, the site value of both pieces of land is probably equal. Under the statutory requirements of the Valuation of Land Act, the valuer who values the land for rating and taxing purposes determines the present value of that land but deducts from the cleared land, which may have been cleared 100 years ago, the present-day value of that clearing. Given that both parcels of land at this point are of equal value, the system of valuation under the Valuation of Land Act would render the cleared land as having a lower unimproved value than the treeless land. I can understand why. Under the Valuation of Land Act,

invisible improvements are not merged into the value of the land. The only other approach is by way of differential rating which is proposed and made possible by this Bill.

This legislation introduces flexibility and, with that, places responsibility on local authorities throughout the State. I hope that much of the criticism that has been levelled at the Valuer-General's Department will cease. I also hope that questions of patronage will not apply to local authorities. It is much easier to level criticism at local authorities than State Government departments, because local authorities operate in much smaller areas. Because local authorities will have the power to implement differential rating, I hope that they will not attract unwarranted criticism. They may be accused of acting in a patronising manner that favours particular land-owners.

The adjustment figure betwen urban and rural rating fluctuates, and I foresee that criticism might be levelled at local authorities about exercising bias in favour of one part of the community over another as to the imposition and collection of rates. The differential rating system can also be levied on a benefited area that requires a greater expenditure for development than another area. This provision can, if wisely used, preserve equity and enable improvements to be effected.

In the hands of competent people, these measures will assist in providing equity between owners in certain rural areas. I sound a note of warning that, if incorrectly used, these measures will provide a system of inequitable rating just as easily as they will provide equitable rating.

The Liberal Party supports the legislation. Difficulties will arise in the future, and I foresee that they will have to be ironed out. The Bill is certainly a move in the right direction.

Mr YEWDALE (Rockhampton North) (3.15 p.m.): At the outset I should say that, in his second-reading speech, the Minister succinctly described the Bill in the following terms—

> "In a nutshell, the new system of rating will permit a local authority to categorise rateable land in its area, or in each financial division, if the area is so divided, into various categories based on such factors as land useage or land type and then levy general rates at different levels on rateable land in each category."

Obviously the average property-owner or home-owner in the cities and towns throughout Queensland would be a little concerned about which category his property might fall into. The member for Townsville (Mr McElligott) hit the nail on the head. He said that a number of people in cities throughout the State, particularly the provincial cities, which have the larger masses of populations, have lived in their premises and paid local authority rates and service charges for many years. They are very much concerned about the extent of the imposition that will be placed upon them if their properties are categorised differently. They are also concerned as to whether they will have the ability to meet their commitment to the local authority if their category is changed. For those reasons it is very, very important that the Government look closely at what it does with the normal citizens, residents and rate-payers of the various areas, who may face some problems if their properties are placed in a different category. The member for Port Curtis (Mr Prest) also hit the nail on the head when he said that this was hit-and-run legislation. I am sure that the Minister will take cognisance of the fact that people are concerned about the implementation of the legislation.

It is fair to say that, over the years, local authorities throughout the State have been described as the poor relations in government. In the three-tier system of government—Federal, State and local—local authorities find it very hard to raise finance in their endeavours to charge their rate-payers as little as possible to meet the commitments of local government. The fact of life is that most people are concerned about rates and services. Services at that level are at the grassroots level that give most concern to the community.

I believe that it is the responsibility of good government—particularly good local government—to keep costs down as much as possible, particularly considering the great variation in the incomes of the basic pensioner and the white-collar worker and others in the higher echelon of the business world. Somewhere along the line the ability to pay is very important. The categories will have a bearing on whether people will be able to sustain their current way of life.

I have referred to good government. It is pertinent to point out that the local government in Rockhampton—the government that was returned last Saturday—has performed as a good government. The opponents of the Labor Party have not refuted or denied in any way the claim that Rockhampton, under the Labor city council, has the lowest rates in Queensland. For that, honourable members should give credit to good government in the Rockhampton municipal area.

I support the remarks of my colleague the member for Rockhampton (Mr Braddy), who referred to the gerrymander of Rockhampton wards. Because a ward system allows voters to identify with the individual who is responsible for them, it is probably in the best interests of the community that it continue. The representatives can ascertain the everyday needs of the people and take their complaints, wishes and requests to the city council, which will pay due regard to them when funds are being allocated for updating services in the city. In its first three-year term, the Rockhampton City Council has done that. Because of the massive support that it received at last Saturday's election, that will continue.

It is quite common for the town clerk of a municipality or a shire clerk to be appointed as the returning officer at a local authority election. I do not think that anyone can argue against that, because he has extensive facilities available to him and he is a responsible person who can carry out his duties in the proper way.

In Rockhampton last Saturday, two candidates in the local authority election disregarded completely the rules of the Elections Act relating to the position of parties at polling booths. It is worth while reiterating the circumstances to honourable members.

The two persons who decided that they would not adhere to the rules were the National Party candidate for Division 2, Mr Simpson, and his wife, Mrs Gwen Simpson, who was the candidate for Division 5. The draw that is usually conducted for positions at polling booths was carried out in the normal fashion. Everyone accepts that procedure. It is the luck of the draw, and everyone accepts that decision. However, the National Party candidate and his wife arrived at the polling booths very early and set themselves up in the position that had been drawn by the Labor Party. Mr Bruce Simpson would not move. The Labor Party candidate approached the presiding officer and very politely explained the situation to him. The presiding officer took no action. He was not interested, and he said that he could do nothing about it. An argument ensued. Mr Simpson refused to move. Ultimately, a couple of police officers who happened to be doing an inspection of the booths were approached as to their authority. They promptly moved Mr Simpson, his goods and chattels further along the fence.

The National Party Government makes the rules. The public should be told when National Party candidates blatantly disregard those rules. Mr Simpson's wife, as a member of the National Party, did exactly the same thing. I canvassed all the booths in my electorate. Not one other argument about the position of booths has occurred. That matter is worth ventilating.

I have referred to the categories of land and its valuation. One problem confronting people in provincial cities has been around for a long time. I do not think that local authorities have been able to come to grips with it. A person who owns a building allotment very often will fill that land and raise it to a certain height. He may think that it is necessary to improve the value of it for the purpose of resale. Local authorities have some jurisdiction over people blocking watercourses. I do not argue against that. Watercourses of various descriptions run through many cities and towns. The blockage

of watercourses sometimes causes a great deal of concern. Local authorities often move in and exercise their rights.

Local authorities say that they are powerless to do anything about the building up of allotments. Conditions providing for internal drainage on the allotments are not imposed on the developers. The only way to resolve the problem is to make responsible for internal drainage on those allotments the person who raises the height of an allotment by fill.

In Rockhampton I have seen a situation in which a young couple built a low-set brick home on a concrete foundation. These days, such homes are very common. A person purchased the block next to the allotment on which the home was constructed. He built up the allotment by two or three feet with filling. Following the first major rain that was received, water permeated through the vents underneath the house on the adjacent block. The house was flooded. The carpets were destroyed completely. At the time, the owners of the house were away. They returned home to find the house totally saturated and the carpets ruined. That happened only because their neighbour was permitted to build up his allotment thereby allowing water to run across their property and causing that flooding.

That might seem to be a minor matter, and I realise that I have said enough about it. However, I hope that the Minister will take note of my comments. In my opinion, something should be done about it. It could be argued that a person has an inherent right to build up his land. However, in my opinion, the Local Government Act should contain a provision enabling local authorities to impose internal drainage conditions. Local authorities should exercise rights in that respect.

In contrast to what I have said, I know that local authorities will tell people that, because of flood levels, they are not allowed to build on land that is too low but that if they build it up significantly the council will allow them to build on it. That causes problems. It does not cause problems when floods occur. However, it causes problems when incessant wet weather and heavy rains are experienced in the central and northern parts of Queensland.

In the last day or so, many honourable members have commented on last Saturday's local government elections. I know that the honourable gentleman sitting up the back on my left jumped up and down and elaborated on what happened in Brisbane. Other honourable members commented about the results in some country areas. It is obvious that the Labor Party had a magnificent win in Rockhampton, in spite of the fact that Cabinet paid a visit there prior to the State by-election. The Government's pork-barrelling fell flat. Nobody came into town during the local authority elections to help poor old Mr Simpson or his wife. Mrs Simpson, of course, is now history, and her husband, Mr Bruce Simpson—the fellow who, unlike everybody else, would not comply with the rules—is fighting for his life on preferences. It will be a close tussle.

The legislation is hit-and-run legislation. I am sure that the Minister and his officers will take a keen interest in what some of the more experienced honourable members have said about local authorities and that they will be careful not to interfere with people's normal way of life and impose heavy costs on them.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (3.27 p.m.), in reply: I thank all honourable members for their contributions to the debate. All contributions have been generally supportive of the Bill, which will give councils the discretion to impose a differential rating system.

The honourable member for Wynnum (Mr Shaw) quite properly described the Bill as momentous and, as he said, councils throughout Queensland have been pushing for it for a long time. The honourable member for Wynnum also queried whether councils were ready to implement the new system and whether in fact they were even aware of these proposed changes.

The legislation has been discussed with the executive of the Local Government Association and that executive indicated its full agreement with its provisions. The executive felt that the powers would be exercised by councils that had particular rating problems under the present rating provisions and that other councils would be more cautious and watch the results with close interest and attention.

It must be stressed that the use of the new differential rating powers will be at the discretion of each individual council and that, if a council so decides, it can continue to levy rates under the existing rating powers which remain in force. However, the council must decide whether to use the old rating powers or the proposed new rating powers. It cannot mix the two.

As the categorisation of lands for the purpose of differential rating will be a function of the Valuer-General, the new rating powers will only be applicable to local authority areas that are valued by the Valuer-General on or after 30 June 1984 or, in special cases, where the Governor in Council directs the application of the new powers to a particular local authority area.

Opposition members, including the honourable member for Wynnum, raised some doubts about the integrity of unnamed councillors by suggesting that rate-payers who had friends at that council might be able to get a favourable lower rate. I must say that I have faith in the integrity of local authorities. If a council was seen to be abusing the provisions of this legislation to unfairly advantage any special group, it would quite properly get a thrashing at the polls.

The honourable member for Rockhampton (Mr Braddy) also agreed with this concept of differential rating and the provision which empowers a council to grant a remission of rates in areas where very high valuations lead to high rating and cause undue hardship to rate-payers. The use of this power will be at the discretion of the council and an application will have to be made to the council for relief. The rate-payer will have to establish his grounds for relief and satisfy any conditions imposed by the council.

The honourable member for Rockhampton claimed that differential rating powers could be misused by a council for party political purposes. As I said previously, I have full confidence in the integrity of the councils and I expect them to use these powers fairly. I assure the House that, if I am ever provided with any evidence of misuse of the powers by a council, appropriate action will be taken.

The honourable member for Port Curtis (Mr Prest) also supported the concept spelled out in the Bill and alleged that the new powers would be misused. My earlier remarks should reassure him and the House on that matter.

He claimed that there could be considerable numbers of objections against the categorisation of land for differential rating. It is important to note that, under the Bill, the council determines the criteria for categorisation, but it is a matter for the Valuer-General to place rateable lands in the various categories.

The new provisions will, unless the Governor in Council so determines, apply only to local authority areas revalued on or after 30 June 1984, and the information as to land uses kept by the Valuer-General should be up to date in those areas. As well, each year the Valuer-General receives advice as to land use from councils for use in determining fire brigade levies, and this measure should assist him in maintaining accurate records. In these circumstances, alterations of categorisations and adjustments of rates should be kept to a minimum. I share the concern expressed by the member for Port Curtis about categorisation. Quite obviously, we do not want too many categories.

The honourable member for Townsville (Mr McElligott) made the point that there was a need to review and update the Local Government Act. I informed the House only recently, during a debate on another local government Bill, that I intend to initiate such a review. I remind honourable members that numerous amendments are made to the Local Government Act. Almost every session, the Act is amended. There is a persistent

demand for the Act to be completely reviewed. However, honourable members would realise that it is updated to the nth degree, if I might put it that way. I give the House that assurance and I take on board the proposal of the honourable member for Townsville.

The honourable member for Townsville mentioned rating problems that have recently occurred in Thuringowa shire. I am aware of those problems. The legislation should help councils such as Thuringowa to achieve rating equality.

The honourable member referred to problems in categorising land uses for rating purposes. As I said earlier, the Bill provides for the categorisation to be carried out by the Valuer-General. There will be a right of objection and appeal against categorisation. That should help to overcome any problems that might arise.

The honourable member for Mount Coot-tha (Mr Lickiss) referred to problems experienced in rating lands such as the treeless plains on the Darling Downs. The new legislation will enable local authorities to levy differential general rates on such lands. At the present time, the Valuer-General has 87 categories of land use. However, it is expected that the number of categories used by local authorities will be kept to a minimum. I must emphasise that point.

The honourable member for Rockhampton North (Mr Yewdale) supported the legislation but said that great care would need to be exercised in its implementation. As I have previously stated, local authorities are democratically elected bodies responsible to their rate-payers. I am sure that they will use the new powers responsibly. The honourable member for Rockhampton North caused me some concern when he referred to the actions of a National Party candidate in not sticking to the rules. I share his opinion about "sticking to the rules" I am not aware of the circumstances. I would have to receive further information before commenting.

Mr R. J. Gibbs: If you found he had broken the law, you are the sort of man who would take action, even against someone from the National Party.

Mr HINZE: Nobody should break the rules. When an area is allotted for handing out how-to-vote cards, whether for a local authority election or any other election, people must abide by that. If a party loses out one year, it will pick up a good spot at the next election. I will make inquiries about the matter. Until I do so, I will make no further comment except to say that I would be surprised if that happened.

Motion (Mr Wharton) agreed to.

Committee

Mr Randell (Mirani) in the chair; Hon R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—Amendment of s. 21; Power to levy rates, etc.—

Mr SHAW (3.35 p.m.): In the last two lines of clause 6, the Bill provides for a power of entry for inspectors to establish the true value of land. The relevant part of the clause provides—

> " . . the Valuer-General or a person authorized by him so to do may enter and inspect any land."

That is obviously a necessary provision, and the Opposition assumes that the inspections will be carried out at reasonable times.

I realise that it is difficult to frame provisions that cover reasonable times adequately, but other pieces of legislation contain such provisions and they include stipulations, such as "at reasonable times", or similar wording. The Opposition admits that it may be necessary to inspect some properties after normal working hours, but it seeks assurances from the Minister that that part of the clause will be interpreted as meaning authorised

inspections at a reasonable time, and that the authority delegated to an inspector will be used with care.

Mr HINZE: The answer is, very simply, that the point will be taken on board, and I give the honourable member the assurances that he seeks.

Clause 6, as read, agreed to.

Clause 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

REGULATORY OFFENCES BILL

Second Reading—Resumption of Debate

Debate resumed from 26 March (see p.4471) on Mr Harper's motion—

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

Mr R. J. GIBBS (Wolston) (3.38 p.m.): I would describe the Bill as a crocodile Bill because the more it is read, the more slimy it becomes, and I fear that ultimately it will gobble people up. The Bill is not acceptable to the Opposition and I make that very clear from the outset.

Having said that, I make it clear that the Opposition does not oppose reform legislation in the legal sphere, nor does it oppose simplification of the law. The Opposition does not oppose non-criminal charges being laid and is in favour of expediency in the legal process, whenever possible, especially in court actions. That attitude has been borne out by action taken by the Opposition in the past when criminal charges have been laid against employees in the public service sector. I also refer to bank officers and employees of insurance companies who have been charged with criminal offences for misdemeanours that are referred to in the Minister's second-reading speech and who, upon conviction have been sacked. The overall effect of the legislation presently in force is that such people lost their jobs in the public service and banks; a misdemeanour cost them a career.

The Opposition is very much opposed to the removal of a person's right to trial by jury. The feeling of the Opposition, the legal profession, including the Queensland Law Society and the Bar Association of Queensland, and various groups promoting civil liberties is that the most precious commodity in the judicial system is the right to trial by jury. This legislation removes that right. It removes the right of a person charged under this legislation to choose to be tried by a jury if he so desires. In fact, under this legislation, if a person is found guilty he must appeal under the Justices Act and only if he is successful in that appeal can he request a trial by jury. The right of trial by jury has been a guaranteed buffer, if I may use that terminology, to ensure the rights of the community, and it should remain available to any person who wants it without his having to go through the processes set up under this legislation.

As I said, the Bill will deprive first offenders on charges such as shop-lifting of the right to trial by jury. I instance a person who pulls up at a self-service pump at a service station and drives away without paying for the petrol, a person who causes damage up to a set value to another person's property, or a person who uses motel or hotel facilities and services and tenders payment with a false cheque or credit card or absconds without payment.

The main problem with the removal of the right to trial by jury is that, if people are found guilty under this legislation, in most cases they will not exercise their right of appeal under the Justices Act. My statement is borne out by reference to the number

of people in this State each year who are issued with on-the-spot fines for speeding offences and do not appear in court to fight the charge. I am sure that all members have had constituents come to them and say, "Look, I didn't commit that offence. I believe that the equipment the police were using was faulty." But, because those people would have to go to court to challenge the validity of the charge, most of them prefer to pay the on-the-spot fine rather than go to the expense of appearing in court and suffering what, in many cases, they consider to be a form of harassment to prove their innocence. That is exactly what will happen when charges are laid under this legislation. The removal of the right to trial by jury will result in a steam-rollering of the rights of persons simply because they will not want to exercise the right of appeal under the Justices Act to obtain a trial by jury.

The Minister made a number of points in his second-reading speech, and I will expand on them. He said—

> "For instance, the list of criminal matters awaiting determination by the District Court particularly in Brisbane, continues to escalate.
>
> As Minister for Justice and Attorney-General, I consider that I have a responsibility to do all in my power to ensure that criminal trials commence without undue delay. A speedy trial is desirable in the interests of justice, and this includes guarding the rights of both the defence and prosecution."

The Opposition has no problems in accepting that statement but, regardless of the Minister's recent actions, including the appointment of additional judges to the Supreme Court and District Courts benches, the appointment of masters and the appointment of the Director of Prosecutions (Mr Sturgess), the fact remains that something is dramatically wrong with the judicial system of this State. It is a simple fact that the State of Queensland has a greater backlog of cases before the Supreme Court and the District Courts than any other State in Australia.

I draw an analogy with Victoria, where the Director of Prosecutions, upon his appointment, undertook a complete review of the operations of that State's judicial system relative to the working of the courts. He was given a full back-up staff to assist him. As a consequence, Victoria rates as one of the best States in Australia in terms of cases waiting to be heard in both jurisdictions.

I have said on many occasions that it is my party's policy—and it would serve the Minister for Justice and Attorney-General well to consider this—to look at the appointment of a courts review commission. It could comprise members of the legal profession and people outside it who have the ability to bring simplification and community understanding to the complications of the legal system in Queensland. Such a commission could work very well. If properly constituted, it would accept views put forward by members of the public. It would be open to the Bar Association and to the Queensland Law Society. People from the civil liberties groups would have access to it and be able to make an intelligent input to help streamline the procedures of the judicial system in Queensland.

I return to my earlier point. I am not attacking the Minister personally, because I believe that, in some instances, he has made a very genuine effort. That is apparent from what he has said and done from time to time in Parliament to speed up the legal process. However, his efforts are not working. I make the point in this debate, although it may offend some people, that some of the judges on the bench in Queensland are not pulling their weight. They are freeloading; they are not doing the job that they were put there to do. Once again I cite a former judge, a man who retired fairly recently, namely, Mr Justice Ned Williams. For years he was seat-warming. His work-load was atrocious compared with that of his colleagues. It was known in Brisbane and throughout Queensland that most of his time was spent on overseas trips and on the various boards with which he was associated. He spent more of his time in the racing sphere and on his responsibilities to the Queensland Turf Club than he did on his judicial duties. Although he was seat-warming, a vacancy could not be declared. The Government deprived the people of Queensland of the appointment of another person who would have been willing to fill the breach and pick up the work-load that he was not carrying.

I am not referring to recent appointments. Most recent appointees are progressive, young people who, obviously, have something constructive to offer. However, to be kind, time seems to have passed by certain members of the bench who have been there for years. Their contribution should be examined.

The Minister said—

> "I draw the comparison for the benefit of those who would argue against the decision to remove the right to trial by jury and ask those people whether they believe that a person charged with a speeding offence should have the right of trial by jury."

Of course people charged with speeding offences should have the right to trial by jury. I will cite as an example a case that occurred two or three years ago, and I am sure all honourable members have heard of it. A woman was stopped on the north coast road and given an on-the-spot fine. She was distraught about being charged with speeding. She contested the case, took it to trial by jury, and won. She proved beyond doubt that the equipment that the police were using on that day was defective. If that woman had not had the right to trial by jury, I would think that she would have followed the course that is suggested in this legislation. She would have pleaded guilty and copped the charge because she thought that she had no possible chance of winning the case.

The provision disturbs the Opposition, and a number of people in the legal profession and in the community have expressed concern at the Bill's implications.

Turning to the Bill in detail, I refer to the clause that carries the side heading "Unauthorized dealing with shop goods". It reads—

> "(1) Any person who, with respect to goods in a shop of a value of $75 or less and without the consent, express or implied, of the person in lawful possession of them—
>
> (a) takes them away;
>
> (b) deliberately alters, removes, defaces or otherwise renders undistinguishable a price shown on them; or
>
> (c) consumes them
>
> is guilty of a regulatory offence and, subject to section 9, is liable to a fine of $150."

The most disturbing part appears in subclause (2), which reads—

> "It is a defence to a charge of an offence defined in subsection (1) (a) to prove the taking was neither deliberate nor negligent."

That is an abuse of one of the most basic and treasured rights of people who are charged with an offence. In this legislation, the onus of proof has been reversed. The Government is virtually saying that a person on a charge under this Bill is guilty until he proves himself innocent. I am sure that the principal that, under our judicial system, a person is innocent until proven guilty is well known to all honourable members.

Mr FitzGerald: You are wrong.

Mr R. J. GIBBS: No; that is what the Bill says.

The clause states that a person must prove that the taking was neither deliberate nor negligent. I am sure that all mothers and fathers have been in a supermarket on a Saturday morning, or at some other time, with a toddler in one hand and a pram with a very young child in it in the other, and the toddler has reached over, grabbed a handful of chocolates and dropped them into the pram without either mother or father noticing. It happened to my wife and me when our children were very young.

Under this legislation, once a person leaves a shop, store or garage and is apprehended outside—a member of the Queensland Police Force does not need a warrant to make an arrest—he will have to prove that the taking was neither deliberate nor negligent. In the example that I gave, people would be placed in a position in which it could be said

that they were negligent for not watching little Johnny or their small daughter who happened to reach over, take the goods off the shelf and place them in the pram. Under this legislation, such people would be found guilty because it could be said that they were negligent. A person could claim that the taking was not deliberate; but, by doing so, he is virtually opening himself up to a charge of negligence. That concerns me and my party.

Clause 6 (2), "Leaving hotel, etc., without payment", states—

> "It is a defence to a charge of an offence defined in subsection (1) (b) to prove the defendant believed on reasonable grounds the cheque would be paid in full on presentation or he was authorized to use the credit card or similar document."

Again, that reverses the onus of proof. That person is required to prove that he believed on reasonable grounds that the cheque was worth the money for which it had been written or that the credit card or similar document had sufficient capital to cover the purchase. It should be up to the prosecution to prove that that person committed that offence knowingly and fraudulently. The onus of proof should not once again be reversed.

I am very much disturbed at some of the implications of clause 8, which is headed "Manner of proceeding against offender" The clause greatly disturbs and worries me in view of the activities of certain sections of the Queensland Police Force. I say "certain sections"; I do not refer to the police force per se. Because of the way the Government treats its police force, it gives to certain members of the police force the false feeling that they are beyond reproach and above the proper implementation of the law.

I become extremely worried and concerned when I read anything that says—

> "A member of the police force may arrest without warrant any person who has or whom he suspects on reasonable grounds has committed any of the offences defined in this Act."

That means that a member of the police force can make an immediate arrest without warrant of a woman on a footpath, merely on the suspicion that she shoplifted from a store.

Another part of clause 8 reads—

> "Where a person has been arrested in respect of any of the offences defined in this Act, a member of the police force at the police establishment to which he is taken after arrest or where he is in custody may take all such particulars as he considers necessary for the identification of that person, including his photograph and finger prints and palm prints."

That sort of provision keeps bobbing up in legislation introduced by the Government. It has been a significant trend of the Government to write that type of provision into legislation since years ago it successfully steam-rollered and bulldozed the Commonwealth Games legislation through the Parliament.

Mr Harper: It has been in the Criminal Code for years.

Mr R. J. GIBBS: I know it has been in the Criminal Code for years.

The Attorney-General cannot convince me—and I am damned sure he cannot convince members of the public, either—that a person who is arrested on suspicion of shop-lifting should be taken to a police station and treated like a major criminal, that is, be fingerprinted, photographed and palm printed. If that person happens to object reasonably, as I believe he would be entitled to, a member or members of the police force at that particular station has or have the right to use such force as he or they see necessary to make that person comply.

I can well imagine the case of a person—it could be a frail old lady—who is charged with shop-lifting and, understandably, refuses to comply with that portion of the legislation, finding herself in the watch house, accosted by three or four burly police officers, dragged down to the front of the station to have her palm and fingers grabbed

and pushed onto the pad for the recording of prints, and then shoved against a wall to be photographed.

Under this legislation, that is what will happen, yet the Government says that it is concerned about people's rights, about people being taken to court and about abuse of their privilege within the community. The Government says that it is trying to simplify the law in this regard, but at the same time it is creating what could be a very, very dangerous provision. The Labor Party and I object to it strongly.

Clause 9 states—

> "Further power to fine. (1) The court convicting an offender of an offence defined in this Act may also order him to pay by way of fine an amount not exceeding the costs of bringing the charge, including the costs of all reasonable investigations relating thereto, the costs of court and the cost of compensating any person injured thereby."

I concede that there could be some room for a compromise so that people found guilty of offences can be held responsible for some of the costs incurred.

Although I concede that, I am concerned about how far those costs would go for a relatively minor offence. I am concerned that a person who has committed a very minor offence under the legislation, who is not taken to court and who is found guilty by way of the regulatory offences as outlined in the Bill, could be fined and penalised again by having to pay court costs and compensation to the person from whom goods may have been stolen. The person can be required to pay certain amounts in the form of costs for reasonable investigations that took place to prove the initial charge.

I make it very clear that the Opposition opposes the Bill. My colleagues who will follow me in this debate will also make that very clear. I repeat my opening comments. The Opposition is in no way opposed to simplification of the law. The Opposition is not opposed to reform of the law by way of doing its utmost and contributing as members of Parliament to any sensible legislation that will avoid leaving people who have committed a minor offence with a stigma for the rest of their lives. The Opposition applauds any genuine move to do that. The Opposition also applauds any genuine reforms of the legal system.

The Opposition cannot, however, support the legislation, on the simple gound that it is an extremely dangerous precedent in that it reverses the onus of proof. The Opposition finds it extremely offensive that a person on minor charges can be taken to the watch house, fingerprinted, hand printed, palm printed and photographed. The legislation is offensive and the Opposition is opposed to it.

Mr FITZGERALD (Lockyer) (4.2 p.m.): The honourable member for Wolston was very melodramatic when he outlined the reasons why minor offences should go before a judge and jury. He missed the main thrust of the Bill, which is to take some offences out of the Criminal Code. Some people might say that this Assembly is decriminalising minor offences. There is no intention to do that.

As members of this Assembly are well aware, on many occasions a minor indiscretion leaves no alternative, if the case is to proceed, other than to charge the person under the Criminal Code, the consequences of which have already been outlined. Many young persons so charged have been unable to obtain positions in their later years. The stigma of a conviction will always remain with them. They will suffer the consequences and pay a penalty that is many times greater than the penalty imposed at the time of their conviction.

It is with that in mind that the Minister has brought forward legislation that will allow minor regulatory offences to be heard without the stigma that is attached to persons when the offences are to be heard under the Criminal Code.

It is true that often a large number of charges are waiting to be heard in the District Courts. It is equally true a large number of cases are not proceeded with, because the

offences are relatively minor. However, they are not minor to the shop-keeper who catches somebody stealing a couple of packets of cigarettes or other goods from his shop.

To the person who is to be prosecuted under the Criminal Code it becomes a vital matter. If that person is charged, because of the effect that it will have on that person's livelihood for the rest of his life, appeals are made to the Minister not to prosecute. In my opinion, such a person should be brought to book for the offence that he commits. However, he should not be treated as though he had committed a criminal offence and have the stigma of a record for the rest of his life. The Bill is a very sensible approach to the matter.

I will cite an instance in which a relatively minor offence attracted a rather heavy penalty. On 17 October 1984, an article in "The Courier-Mail" disclosed that in the Townsville Magistrates Court the previous Friday a woman of 26 years of age failed to appear for a hearing on a charge of having stolen two packets of cigarettes. Honourable members might think that that is a minor case. It could now be dealt with under the Bill. If it is the offender's first offence, he or she will no longer have the stigma of a criminal record. The article stated—

> "The prosecutor . . . said her non-appearance meant the Police Department faced costs of $1364.44 because witnesses were brought to Townsville and (she) . . also had not turned up for a hearing on July 2.
>
> Mr Marshall Davies, S. M., ordered (the offender) to pay $950.42 costs or go to gaol for five months. A warrant was also issued for her arrest on the stealing charge."

That was for stealing two packets of cigarettes.

The Minister realises that a need exists for alteration to the Criminal Code to cater for incidents such as that. Naturally, the shop-keeper wants to prosecute if he has been losing a fair amount of stock because of shop-stealing. Everybody knows how prevalent shop-stealing has become.

On 14 December 1984, an article in "The Australian" stated—

> "One of the country's largest retail groups, G. J. Coles, said last month it had sacked 600 staff members for shoplifting in the last financial year."

The headline is, "Retailers shocked at $500m shoplifting bill."

The article stated also—

> "The first comprehensive inquiry into the costs of shoplifting in Australia has appalled retail traders' associations across the country.
>
> The National Retail Crime Prevention Council (NRCPC) has found that retailers lost nearly $500 million from shop-lifting in the 12 months to September this year (1984), much more than previously estimated."

In my opinion, justice should be done not only for the person who commits the offence but also for society. It is realistic to expect that a penalty must be extracted. I will not comment on whether or not I thought $950.42 costs or five months' gaol was a reasonable penalty to pay for the stealing of two packets of cigarettes. I leave it to the honourable members to decide.

Mr Jennings: Currently a lot of these charges are not being proceeded with because of the anomalies.

Mr FITZGERALD: The honourable member for Southport is quite correct. Because of penalties such as that, which are sometimes handed down when the costs are to be borne by the offender, many shop-lifting charges are not proceeded with. That is exactly what is happening. Many cases are not being proceeded with. I know that the Opposition spokesman views it as a great injustice when the right to trial by jury is taken away. I would be the first in the House to say that the right to trial by jury for criminal offences should never be lost.

The Opposition spokesman wants trial by jury for speeding offences, but the cost of such a trial should not be borne by the general public. A decision to defend a charge of speeding before a jury could be made not only by the wealthier members of the community but also by those entitled to legal aid. Who pays? The tax-payers. They would pay for the investigation, the court costs and the legal costs of the person entitled to them according to the means test.

It is said that a price cannot be put on justice. However, I ask: Do we as a society believe that that is a necessary cost and that justice would be done? The people who are neither wealthy enough to afford to pay for their own defence nor able to obtain legal aid would be seriously disadvantaged. More and more, that part of society is being disadvantaged. Those who are just outside the guide-lines for legal aid probably cannot afford justice. The wealthy and the poor can.

Mr Jennings: That is why on-the-spot fines are so good. They are instant justice.

Mr FITZGERALD: That is right. A person may disagree, if he wishes. If he believes that the policeman is correct, he pays the fine. If not, he may defend the matter before a magistrate. In the same way, the Bill provides for matters to be heard by a magistrate without their being categorised as criminal offences, and the stigma of a criminal offence will not attach. I reiterate that there is a right of appeal against the magistrate's decision. The Bill applies only to first offences and specified offences.

The expertise of the gentleman appointed as Director of Prosecutions has been widely acknowledged, and the House has a great deal of confidence in his ability. I trust that those who are subsequently appointed to that position will be held in similarly high esteem. At present, the decision on whether or not to prosecute or continue with a prosecution quite often rests with the Attorney-General. That is wrong. The Director of Prosecutions ought to make the decision. If the system is not altered, the cost of $500m, which is presently met by the Australian consumer, will continue to increase.

The Bill must act as a deterrent to would-be offenders. In cases in which persons are shopping and a couple of lollies are eaten by their child or finish up in a shopping bag, convictions do not result. I have no doubt that other honourable members will mention examples that will refute my assertion. I would like to hear of such cases, because I am yet to be made aware of any.

I recall a case that occurred a couple of years ago, when a man's son placed a hat on his head and walked through the check-out. The son was charged with stealing, and it was likely that he would lose his job. Because the son's job meant everything to him, the man intended to defend the charge, irrespective of the cost. I point out that defence against a criminal charge is a very costly business. The case was thrown out of court; nevertheless, the man concerned suffered a great deal of anxiety because a job was involved and it was possible that that job would go down the drain as a result of what he knew to be a simple mistake. The point I make is that the risk of loss could not be taken because, although the man's son had no previous convictions and the amount was trivial, the dangers were great.

The Bill has been framed in the interests of justice and guarding the rights of defendants and the prosecution. Three distinct areas of legislation have been mentioned. The first covers offences relating to shop goods, that is, shop-stealing, tampering with price tags or consuming foodstuffs in shops without paying, or failing to pay for petrol in service stations. The provisions of the Bill identify a service station as a shop, and relate to offences that occur when a person obtains petrol without paying for it. A limit on the amount of loss has been spelt out for offences that may be prosecuted under the provisions of the Bill.

The second area relates to hospitality establishments and obtaining food or services from hotels or restaurants without paying, or paying for such goods and services with a valueless cheque, or the unauthorised use of credit cards. Unfortunately, crimes of that type are occurring more frequently.

The third area relates to the wilful damage of property owned by a person who is in lawful possession of that property. I am sure that all honourable members recall occasions upon which young fellows have had too much to drink and have had words with each other, and one of them has walked up to a vehicle and smashed a window, kicked the boot in, or kicked a door in. The cost of panel-beating nowadays is well-known, and even for a popular model car, the price of a standard-size panel is $200.

Mr R. J. Gibbs: People who live in the Lockyer Valley say that, as a young fellow, you were notorious for that kind of behaviour.

Mr FITZGERALD: I will not tell the Opposition spokesman about incidents that occurred during my youth. Undoubtedly, anyone who has led a life similar to that of the honourable member for Wolston would be well acquainted with the people to whom I have referred. Because he is that kind of person, the honourable member would be able to identify readily with the thugs one comes across now and again.

I will admit that, unlike city people, most country people settle their differences without taking out their frustrations on the door of someone's car. It is unfortunate that such offences are prevalent in society nowadays. If, in a moment of drunken frustration, people suddenly let fly and kick a dent in the door of a vehicle, charges can be laid under the provisions of the Criminal Code that may result in their having to bear a stigma for a considerable period. Under the provisions of the Regulatory Offences Bill, the stigma of criminal charges will be removed, provided that it is a first offence, and experiences of the type referred to in the Minister's second-reading speech may teach people a salutory lesson.

Because of the enormous costs of criminal trials, many culprits are getting off scot-free. I referred earlier to the enormous cost of a trial that was held in Townsville. At present, many people who should be prosecuted are not being prosecuted, and that applies particularly to first offenders.

Society has a basic right to the protection of persons and property. There seems to have been a breakdown in the system, with people saying, "What the heck! Why should we prosecute? There is a delay in the court system. By the time he gets before the court, the charge will be dropped." If a person can afford expert legal advice, he might be able to have a minor charge dropped. But minor charges should not be dropped; they should be persevered with. A person who commits an offence should be charged as an example to others so that everybody understands the rules by which society must live. The law must be obeyed.

I disagree wholeheartedly with the member for Kurilpa (Ms Warner), who said earlier that she would continue to break the law if she believed she was in the right and the law was wrong. That was certainly the effect of the words she used. That is not an example that would encourage young people to obey the law.

The late J. F. Kennedy said, "We do not have the right to break laws; we have the right to change laws." While people live in a democracy, that is the way they must behave. We in this Assembly have the right to change the laws. If this legislation is approved by the Assembly, then the law will be changed. But members do not have the right to break laws. Unfortunately, there are some people who try to make martyrs of themselves at the barricades in order to obtain some cheap publicity and further their chances of being endorsed. They then have the audacity to say that they have been elected to represent people in this law-making body that is the Parliament of Queensland. That is probably the reason why such people are taking extreme action.

In his second-reading speech, the Minister set out quite clearly the existing and proposed punishments for offences referred to in the Bill. A minor offence such as shop-stealing, the stealing of goods to a value of $75, the deliberate alteration of price-tags, or the consumption of food without paying for it, will attract only a fine. The fine may comprise two components: firstly, up to a maximum amount of $150; and, secondly, at the court's discretion, a further amount that consists principally of outlays by the

investigating police in bringing the charge and costs of compensation. At present, the comparative maximum sentences that may be imposed on conviction under the Criminal Code are: for shop-stealing, on indictment, imprisonment with hard labour for three years, or a fine of $2,000; for false pretences offences, the maximum period of imprisonment with hard labour for five years, or a fine of $2,000. Where there is a summary determination of the charge, the punishment is imprisonment with hard labour for two years, or a fine of $1,000. Under the Regulatory Offences Bill, a fine of $300, plus the discretionary fine component may be imposed.

A wilful damage charge on indictment may attract a maximum sentence of imprisonment with hard labour for three years, or a fine of $2,000. If the charge is dealt with summarily, it may attract a sentence of imprisonment with hard labour for two years, or a fine equal to the amount of the injury and $1,000 in addition. Under the Regulatory Offences Bill, a conviction for such an offence may result in the imposition of a fine of $500, plus the discretionary fine component.

This Bill will protect the rights of first offenders. I repeat that prosecutions will not be taken under the Criminal Code. Quite a distinction is to be drawn between the Regulatory Offences Bill and the Criminal Code. The congestion in the District Courts will be eliminated and, in many instances, it will not be left to the Minister for Justice and Attorney-General to determine whether prosecutions should be launched.

The legislation protects the rights of individuals. It has appeal and it will ensure that justice is done.

Mr BRADDY (Rockhampton) (4.26 p.m.): As the Opposition spokesman said, the Opposition applauds reform but opposes oppression. This legislation is an unhappy mixture of good intent and bad result. I am sure that no-one in this House seriously opposes reform that leads to persons guilty of committing minor first offences, such as those outlined in the legislation, receiving only minor punishment. However, all members should guard against legislation which, under the guise of reform, imposes heavier burdens on the citizens of the State than formerly applied.

I am afraid that that is what the member for Lockyer and the Minister missed when looking at the legislation. A careful examination of the legislation makes it clear that, ultimately, it is more oppressive of the citizens than it is supportive of them.

I am extremely disappointed that the Minister is proceeding with the Bill. I should have thought that, in the light of the criticism levelled at it very soon after its presentation to the House, he would withdraw it, or look at it more carefully and decide to change it drastically. No doubt he is aware that the Queensland Law Society criticised it publicly. I will refer later to that public criticism.

I applaud the idea of giving first offenders who commit offences such as those outlined in the Bill—that is, unauthorised dealing with shop goods, leaving defined premises without payment, and unauthorised damage of property—an opportunity to have that first offence regarded, in effect, as not being a criminal offence. At what price is this reform to be introduced to Queensland? I suggest that the price is far too high and that the Minister has not given this matter sufficient thought.

In citing certain examples, I refer firstly to a person who may take goods to the value of $75 from a store in Brisbane without paying. Secondly, I refer to another person who may take goods on the same day from the same store in Brisbane, to the value of $76. I will outline the benefits applying to each of the potential offenders and the detriment that applies to each of them in the way that they will be dealt with. I suggest that the analysis will show how unjust and unfair the legislation is.

The person taking goods to the value of $75 immediately has the right to be tried by a magistrate, whereas the person taking $76 worth of goods can elect to be tried by a judge and jury. The right to trial by judge and jury in our system of law was fought for over many centuries. It is a right that should not be surrendered lightly.

Mr FitzGerald: Do you want a jury trial for speeding tickets?

Mr BRADDY: I do not support jury trials for speeding tickets. Other people may have a different point of view, and I do not condemn them. I am not arguing about that. I wish to speak to the Bill and I do not wish to draw an analogy with traffic offences. The Minister for Justice and Attorney-General (Mr Harper), in his second-reading speech, drew an analogy with speeding offences. It was a poor analogy and it did nothing to assist honourable members to understand this Bill. In fact, his analogy detracted from the manner in which he should have dealt with the Bill.

I speak to the analogy that I drew, that is, with the taking away of goods to the value of $75 and the taking away of goods worth $76 or more. Under this Bill, the person who takes away goods worth $75 has lost his right to trial by jury; yet the person who takes away goods that are worth $76 or more retains that right. In other words, the person who takes away goods of a greater value retains the greater right. The person who takes away goods to the value of $1,000 has kept that wonderful right to trial by jury, whereas the little person or minor offender loses that right. He is told that, because his offence is not particularly important, he will appear before a magistrate. Queensland laws provide for a number of smaller offences for which the right to trial by jury is lost. So, in that respect, this provision is not such a surprise.

Other factors must be considered, but the honourable member for Lockyer (Mr FitzGerald) did not speak about them. I refer particularly to the reversal of the onus of proof. The prosecution must prove beyond a reasonable doubt that the person who takes away goods worth $76 or more is guilty; and the onus of proof remains on the prosecution at all times. It must be proven that the offender intended to take the goods away with him. The offender proves nothing.

The person who takes away goods worth $76 or more can stand on his dignity and say, "You prove that I intended to steal those goods; otherwise, I am not guilty of any offence." He can look to the protections offered by the Criminal Code, including honest mistake and lack of intent.

What of our friend the little bloke who the Minister claims he set out to help so that life would be easier for him? The $75 offender has lost the right to stand on his dignity and say, "You prove me guilty." Under this legislation, the little bloke must prove that he is innocent and that he did not have the intent to take the goods away without paying. Even if he can do that, he must also prove that he was not negligent in the way that he took them away. The Criminal Code contains no provision whereby offences of dishonesty can be committed by negligence. A person cannot be convicted for negligently stealing goods worth $76 from a department store. However, under this legislation a person can be convicted of stealing $75 worth of goods from a department store unless he can prove that he did not intend to take them away and that he was not negligent in the way that he behaved.

The honourable member for Sherwood (Mr Innes) put his finger right on it before when he challenged the honourable member for Lockyer by asking, "Have you ever walked out of a store having forgotten to pay for something and found that you had to go back?"

Mr FitzGerald: The answer is, "No"

Mr BRADDY: I accept the honourable member's answer. However, I know people who have done that. They were very lucky, because when they got to the door of the store they noticed that they had not paid for a particular item. They had paid for the goods in their bag, but not for that item, so they went back to pay for it.

What has happened to other people is that, through absentmindedness, they did not notice an item and they were apprehended or stopped at the door by a store employee who asked them to stay and talk to the police. That is what people invariably do.

Under the present law, such a person has a defence. He can say, "Prove that I had the intent to steal that property." If the prosecution cannot prove it, either before or after the defendant gives evidence, the defendant is acquitted. The $76 offender retains that right; he still can say, "If I had noticed, I would have gone back and paid for it; it was a mistake." However, the $75 offender has to give evidence. Not only does he have to prove to the satisfaction of a magistrate that he did not intend to steal the goods, or take them away without paying, as it is defined, he also has to show that he was not negligent.

How easy is it to show that a person is not negligent when that person has walked out of a store without paying? I suggest that prima facie such actions constitute negligence. What the Government is doing is prosecuting and persecuting the little bloke. It is saying, "If you take $75 worth of goods out of a store, you will be guilty of negligence, but we will let the bigger bloke off." The offender who steals the larger amount can still say, "You prove my guilt."

In many instances a jury or a magistrate is not prepared to convict a person merely on evidence that he walked out of a store with the goods. The defences in the Criminal Code are placed there for a good reason. I must say that I have come across quite a number of people who have unwittingly left stores before they have paid for all of their goods and who have gone back to pay for the remainder. They are the sorts of people who will be in trouble under this legislation. They are the sorts of people who will have to prove their innocence.

As for the reversal of the onus of proof—this is a totally unwarranted provision. Another totally unwarranted provision concerns the defences that will be available to people under the legislation. People have to prove they neither intended to take the goods nor were negligent. If it is thought fit to convict a person even of a regulatory offence because he or she negligently took something from a store without paying for it, surely to goodness in all fairness the same principle should be applied to a person who takes $150 worth of goods from the same store on the same day. However, this legislation does not apply that principle. It is, therefore, on the face of it, asinine.

The Government is saying to the little bloke, "We will convict you of an offence." To the person who takes more goods from a store, the Government is saying, "You keep all your rights. You cannot be convicted of negligence. You are all right, mate. We will convict the little bloke."

Mr Comben: Does this mean we are trying to encourage people to steal more-valuable goods?

Mr BRADDY: Certainly, the effect of the legislation will be that people who take goods to a greater value are placed in a better legal position than people who take goods to a lesser value. Because of that, the legislation must be a retrograde step.

Unfortunately, those on the Government side of the House and some people in the community have rushed into judgment on the legislation and have applauded it. In particular, I refer to the editorial in "The Courier-Mail" of 27 March, which is headed, "Enlightened, welcome law". A reading of the editorial displays that the editor has totally missed some important parts of the legislation, namely, the reversal of the onus of proof and the ability to convict people for negligence. The editorial does not even mention those aspects of the Bill.

I refer honourable members to the second-last paragraph of that editorial, which states—

> "Other objections might be raised because the legislation effectively ends trial by jury for first offences. No government should lightly remove the provision for a trial by jury but the administration of justice must be tempered by regard for economies and the cost to the public purse. It makes little sense, for example, to

spend thousands on a District Court trial where the amount involved is less than $100."

The possible loss of right to trial by jury is criticised. Although I do not support the provision, I do not regard it as the most onerous, oppressive and obnoxious segment of the Bill. It has a parallel with other legislation in which trial by jury for petty offences has been lost. Trial by jury should not be lost. No-one should infer from my remarks that I am advocating in this Chamber that trial by jury should be lost. However, that is not the worst aspect of the Bill.

The worst aspects of the Bill are the reversal of the onus of proof, the introduction of the negligence provision and the overall effect of favouring offenders who are charged with offences involving large amounts of money as distinct from those charged with offences involving small amounts of money. For what benefits are those rights being traded? In exchange for the loss of those rights, the first offender will be dealt with sympathetically in that the offence will be regarded not as a criminal offence but as a regulatory offence.

In his second-reading speech, the Minister said that the legislation applies only to first offenders. I can find no reference to that in the Bill. Therefore, I do not know in what way the law is to be applied so that the legislation will be applicable only to first offenders. If the legislation applies only to first offenders, is that not also an injustice? I will suggest to honourable members why it is an injustice.

The potential first offender has lost his right to a trial by jury, which he otherwise would have had. He must prove his own innocence. He can do that only if he did not intend to commit the offence or was negligent. All of those defences are open to the large potential offender but are denied the first offender. What an absolute tradegy for the potential first offender! Of course, that is the offence that most people wish to defend. The potential first offender has lost all of those important rights. He will be patted on the head and told that it will not be regarded as a criminal offence and that it will not be treated seriously by other persons. The Minister went as far as saying that it would be analogous to a speeding offence. That is not so. After some real thought by the Minister, I think that he will withdraw that analogy.

Another penalty must be paid by the potential first offender. Surely it is included in the Bill to make it even more unlikely that the first offender will fight any charges laid against him. The Bill provides that, on conviction, the first offender will be liable not only for the costs of court and the cost of compensating any persons injured in the commission of the offence but also to another penalty. Under the present legislation, court costs could be incurred in addition to a fine and an order for payment to compensate any person who may be injured. An order may be made to return the value of the property that has been taken. No-one is asked to pay the costs of all reasonable investigations relating to a stealing offence. Again, the little bloke is hit. Under the current legislation, a person who takes goods worth $76 or more is never asked to pay the costs of all reasonable investigations, but a person who steals goods worth $75 or less can be ordered under this legislation to pay the costs of all reasonable investigations. Enormous pressure is being applied to the little bloke. He stands the risk of not being acquitted because of the reversal of onus of proof and the onerous condition that he must prove that he was not negligent. He then faces the cost of paying what could be large amounts of money, including the cost of the investigations.

The end result of this legislation is that enormous pressure is being applied to the potential small offender to cop it sweet, to plead guilty, not to put the authorities, such as the police, the Crown law office, the Minister for Justice and District Court judges to any trouble, and to get it over and done with, even though he walked out of a store with goods and without any intention of stealing them. Anyone with any practical knowledge of society knows that many people walk out of stores with goods, without any intent to steal them. Perhaps those persons were distracted by their children or other people.

Mr FitzGerald: You had better give us a bit on the other side and say how bad shop-stealing is and what it costs shops and the nation.

Mr BRADDY: I regard it so seriously that I say that all people should be dealt with similarly and, if anyone should be treated under a harsher system, it should be the more serious offenders, not the minor offenders.

Justification for taking away the defences under the Criminal Code has not been put before this House by the Minister. It is purely a matter of machinery and convenience for all concerned.

Mr Veivers: That is what the law is supposed to be all about.

Mr BRADDY: The law should be about treating everybody equally. The law is not treating people equally if defences which are right and proper and which have been fought for by our ancestors over many centuries are taken away, if people are deprived of their rights of adequate and honest defence.

Take the case of a man who is convicted because he could not convince the magistrate that he was not negligent when he took a $74 toy bike and forgot to pay for it at the cash register. How would that man feel when, two days later, he picks up a paper and reads that someone else was acquitted purely because the magistrate was not convinced that he had the necessary intent?

It is just not right and proper that the smaller offenders should be penalised in such instances. That is why I support what has been said by the Law Society. I refer to an article on 28 March 1985 in "The Courier-Mail" The heading is, "New Bill a mistake, says Law Society." The article states—

> "The Queensland Law Society president, Mr Jim Carey, yesterday described the new regulatory offences legislation as an unhappy combination of progressive and repressive thinking.
>
> Mr Carey said the Bill would shift the choice of court for a person arrested for shop-stealing from the accused person to the arresting police officer.
>
> Worse, it substantially removed all the defences, including 'an honest and reasonable mistake' and 'an honest claim of right to property without intention to defraud' guaranteed under the Criminal Code.
>
> 'If, for example, a wife believed her husband had paid for all the goods taken from a store when in fact he had forgotten to pay for one item, that honest and reasonable mistaken belief that she was entitled to take that item would be a defence to a charge of stealing,' he said.
>
> 'Under the new law, those defences are no longer available and she would be convicted of the new shop-stealing charge.' "

I say that if she could show that she was not negligent under the new law, she would be acquitted. The wife could say, "I thought he had paid for them." The magistrate could say, "Did you ask him whether he paid for them?" She could reply, "No, but I thought he had." I suggest that that would be negligence and that the defence would not be open to her. If she could show that her husband had left and that there was no reasonable opportunity to check, possibly it would not be negligence. In the situation put forward by Mr Carey, the president of the Queensland Law Society, the wife would be guilty of this new offence because she could not prove that she was not negligent, even if it was accepted that she had proven that she had no intention of taking the goods away without paying for them.

I suggest that the legislation is ill-informed legislation. It has been brought before the House without proper consultation with the people who could have assisted in ensuring that such badly drafted and ill-advised legislation did not come before the House. I suggest that the appropriate course would be to withdraw the legislation and totally redraft it. By all means, let the first conviction on a minor offence be a matter

of record to be subsequently expunged, so that a person's future is not put in jeopardy, but it should not be done at the expense of infringing on our liberties, as this legislation does.

Mr INNES (Sherwood) (4.50 p.m.): I also express some grave misgivings about the legislation. The Queensland Law Society is absolutely correct in saying that it is an unhappy blend of progressive inclinations and repressive consequences, many of which relate not to sentiment—which I mentioned last night—not to the intention to do something that can be approved by many, but to the fact that, when legislatures carry out their intentions, they have to express them in words to be judged by the appropriate forum—usually the courts. Therefore, in stating its intentions, the legislature has to struggle for some sort of precision so that there are no undesirable consequences. It is in the stating of the intentions that the Liberal Party believes the Bill falls very far short.

That is not to suggest that shop-lifting offences do not constitute a pressing community problem. That is accepted. It is not to say that the backlog in the District Court should not be dealt with. It is not to say that it would not be in the interests of reducing costs to the community of running the judicial system if there were fewer trials by jury. All of those matters we can accept. The latter two have existed for many years. The traditional way in which to deal with a backlog is to appoint more District Court judges.

On occasions it has been felt necessary to allow summary determination of serious offences so that people will opt for the short, easier and less-expensive course. That has led to beneficial changes. However, the criminal law has always reflected a respect for the consequences of criminal proceedings, whether because people can be deprived of their liberty or because they perceive themselves as having something called a reputation which they wish to protect against any slur or cloud created by conviction of an offence.

The Bill indulges in a play on words. It creates a new category of offences that it calls regulatory offences. That, it is suggested, has a consequence which somehow decriminalises an offence. By virtue of the Bill, it is clear that the person is left with a record. Fingerprints and photographs are taken and kept. There is no suggestion of their being destroyed except if no conviction ensues. To most people who are not hardened criminals—the ordinary, law-abiding, self-respecting members of the community or those who have the same aspirations for their children or for their ageing parents—a police record is a major blot upon them or their family. People strive not to have it.

Mr Harper: You are misleading. I do not make a practice of interjecting, but you are misleading. I suggest that you refer to the Justices Act. Then you will not mislead the public into believing that their fingerprints will be retained indefinitely if they are not convicted.

Mr INNES: Clause 8 (3) says that, where a person has been arrested, the police officer—

> "may take all such particulars as he considers necessary for the indentification of that person, including his photograph and finger prints and palm prints:
>
> Provided that, if the person is found not guilty . . (they) shall be destroyed. . "

Otherwise one is left with the usual position of police retaining those details.

In like manner, even where the Criminal Code is used by the court to discharge a person without recording a conviction, because of the practice of the police force—if the Minister is not aware of it, I assert it to be so; I have seen it to be so—the record is kept. The record is noted "discharged" under the relevant section of the Criminal Code.

By virtue of other legislative provisions enacted by this Parliament, the use of records kept by the Police Department is prohibited and the records cannot be examined. However, all honourable members would know that records are kept.

Regardless of how this legislation is dressed up, the topic of shop-lifting was concentrated on throughout the Minister's second-reading speech. The major provision that refers to shop-lifting is contained in clause 5. I know that retailers are very worried and that, throughout the Western World, shop offences account for an enormous loss of money.

The honourable member for Lockyer has used the term "shop-stealing". It is clear that this legislation is intended to deal in a very significant way with action that is presently termed shop-lifting. The term "shop-stealing" has been mentioned in the House, and that is the way such an offence will be regarded by the community generally.

Shop-stealing is an act that relates to stealing in a shop, and a person could be convicted of a shop-stealing type of offence. However, when one refers to the provisions of the Bill, it can be seen that the word "stealing" has not been used, the word "dishonest" has not been used, and no mention is made of the term "fraudulently", which is a word used in the Criminal Code.

I contend that, by virtue of the interpretation given to clause 5, it would not even by necessary for a person to act in a dishonest way—and that is the crucial flaw of the Bill. It must be pointed out that throughout the development of criminal law, and when the legal system operated under the common law for approximately a thousand years, the whole of the so-called British principles of justice that were translated into the Criminal Code in Queensland, or were converted into words from principles of case law, have involved the principle of justice whereby, before people were prosecuted and punished for a public offence or breach of the law—referred to as "crime" in the various subcategories of the Criminal Code—a certain level of proof that went beyond an ordinary action taken by one person against another had to be achieved. A state of mind or an attitude also had to be proven. The Latin term for guilt associated with a state of mind is "mens rea", and the principle of mens rea must be enlivened before a person can be found guilty of an offence.

When that principle was translated to the provisions of the Criminal Code, chapter 5 of the Criminal Code listed instances in which a person would stand innocent of a charge. This legislation removes the protection afforded by that chapter.

For instance, if a person were intoxicated by a drug or alcohol administered against that person's will—in other words, if someone slipped that person a Mickey Finn—that person could not be held responsible in a criminal sense for any offence in which the element of a mental attitude was required to be proven. Section 23 of the Criminal Code is a very important section, and it states, in short, that a person is innocent if the action or omission in question occurs independently of the exercise of that person's will, or by accident. Apart from the category of criminal negligence, which is negligence of a very high order, ordinary negligence does not amount to responsibility for actions that would otherwise constitute criminal offences.

The entire history of criminal law involves the concept of a guilty mind. In the case of property offences, a dishonest state of mind is an essential element, and I refer specifically to the taking of somebody else's property. If destruction of another person's property is involved, a criminal offence still involves the perpetration of a wilful act and a deliberate state of mind.

Protection under the Criminal Code is provided in circumstances in which a person takes property in the honest and reasonable belief that that person has a claim of right to possession of that property. It might be that a person believes that the property belongs to him, and a typical example would be, "I am sorry, I thought that was mine."

What if somebody has gone into a shop and bought an article and his wife or child has walked out with that article? He picks up an identical article and walks out with it, thinking that it was the one that he bought. That sort of thing does occur. There is no question that many criminal acts—tens of thousands too many—do occur, but innocent actions in relation to property in shops also occur. I certainly have committed them.

The member for Lockyer, after some thought, said that he has not, but I have questioned other members informally and they have admitted that they have done so. I have walked out of a shop talking to somebody, taken a few steps and got into my car and found that I have an article for which I have not paid. I had absolutely no intention of not paying and, as soon as I realised what I had done, I walked back into the shop and paid for the article. It happens every day of the week. It is not usual in the supermarket situation, because there is a mental prompt at the check-out. But the small store situation is different. It happens in everybody's life.

The criminal law—the law over which the Minister presides—takes into account that individuals are jealous of their reputation and that individuals do not wish to be convicted of anything unless there is proof according to the normal concepts of the criminal law, and that means proof that the person had a guilty mind, that he had an intent which is called a fraudulent intent. It means that the person intended to deceive, to wrongfully take the other person's property. The proposed section 5 does not mention the word "dishonest"; nor does it mention the word "fraudulent". In one case it uses the word "deliberately" The legislation removes 1 000 years of the development of the criminal law by taking away any reference to the requirement of dishonesty. It does reverse the onus of proof and does require the person who takes something out of a shop to prove that that action was neither deliberate nor negligent. It is in the omission of the word "negligent" that the Minister will come unstuck. The Minister will recall that I have reminded him that the Criminal Code states that, if an event occurs by accident, it is excused.

This legislation makes enormous inroads into the concept of it being necessary to prove fraud or dishonesty, to use the layman's term, in association with the taking of goods. That removal is revolutionary. There has been a reversal of the onus of proof. The onus is now placed on the person charged to prove that his action was not negligent and not deliberate. I do not know what is left if the Minister says that it is not negligent and not deliberate, because he is entering a completely new area of law. The Minister says, "Ah, but this is a regulatory offence." I say, "Let us look at the Minister's second-reading speech and remember the words of the member for Lockyer." Throughout his speech, the member for Lockyer talked about the sin of shop-lifting, of shop-stealing. This legislation will be known as the code of law for minor cases of shop-lifting, yet the wording of the section does not necessarily involve that vital component of that guilty element of mind before anybody can be called a stealer or a shop-lifter.

This legislation is a major reform. The Queensland Law Society picked it up quickly, and rightly so, as other people will. Because nobody suggests that the Minister intended to revolutionise the law or deal with anything other than genuine intentions, this is the sort of problem with legislation that is debated only a week after it is first introduced into the Chamber. The Bar Association of Queensland has already been mentioned. As I understand it, the relevant voluntary committee of the association has not had time to consider this legislation. It has not even met, because voluntary groups meet only once every fortnight or four weeks, and this legislation was introduced only a week ago.

Mr Harper: And the bar has had it for more than a month.

Mr INNES: Certainly people involved in the area of the criminal law whom I know have not seen it. A week is too short a time. The legislation should be available for public circulation, so that members can take it abroad to people who they know are interested, in the hope that the laws passed do carry out the good intention in a realistic and proper way and in the hope that any of the bugs that might be there are overcome. Without the exercising of a group of minds, a decent product cannot be produced. That is revolutionary. Were there other ways in which to approach it? There were. As I understand it, about four years ago, the Minister's department looked at it. As I recall it, a committee comprising the Bar Association, the Crown Solicitor and judges of the Supreme Court met to tackle the real problem of the prevalence of shop-lifting and to see whether there was a way of dealing with minor shop-lifting offences.

One of the proposals should have come close to the Minister's heart. I do not know whether he has heard of it. He said that trial by jury is not necessary for speeding tickets. One of the suggestions put forward which, I understand, found some sympathy with the then Crown Solicitor, concerned a ticket system for minor property offences. The ticket system has some sense. If a person gets a speeding ticket, he can pay the fine without admitting his guilt. He does not plead guilty, and it is not recorded as a guilty verdict. He might lose some administrative points and he might pay a sum of money, but he has not pleaded guilty. He has paid the fine. He has taken the administrative way out of potentially criminal proceedings.

Mr FitzGerald: When you pay a speeding ticket, don't you acknowledge that you have committed the offence when you sign it?

Mr INNES: The man does not in fact plead guilty and he is not found guilty by a court.

Mr FitzGerald: Don't you acknowledge that you have committed the offence when you sign it?

An Honourable Member: You don't sign anything.

Mr FitzGerald: You do sign a speeding ticket.

Mr INNES: As I recall it, I do not think that he accepts being guilty.

Mr FitzGerald: You do sign it.

Mr INNES: He signs it, but he does not sign a plea of guilty.

This proposal was put forward in Germany as a way of dealing with shop-lifting. It is a way by which a person is penalised by paying a sum of money. In Germany, it was suggested that it could be computed according to the value of the goods, or that a standard tariff could be set. An amount of money would be paid so that the person would not escape all penalty. As there would be no admission of guilt, and as the matter would not be dealt with by a court, it would be truly an administrative or regulatory type of penalty. It could not be construed or interpreted in any way as being an admission or finding of guilt.

That is particularly important if the offence is to be changed so that it is no longer an offence of stealing, but an offence relating to the taking away or consuming of goods, or altering tickets, without reference to the dishonest intent that normally accompanies matters under the criminal law.

In an attempt to make sense of the legislation, the Liberal Party will propose the introduction of the word "dishonest" to require the maintenance of that guilty concept.

I am sure that the majority of Government members thought that they were dealing with shop-lifting or shop-stealing which was being transferred into a lower order of offence. I am sure that not for a minute did they believe or understand that they were dealing with a new type of offence, but they are. That offence will not be found anywhere else in the criminal law of Queensland. It removes vital things that have to be proved.

Mr FitzGerald: Is it still a criminal offence?

Mr INNES: The Government is certainly making many inroads into the Criminal Code. The Criminal Code will have to be modified to try to deal with this concept. If the Government intends to deal with it, let it still deal with something that is shop-lifting or stealing. Let it do that in a fashion different from this.

The Liberal Party believes that people should not run the risk of conviction or run the risk of a police record unless they do something that involves a criminal sense of guilt, or what was formerly called, except for the small amount of money, a criminal

concept of guilt, something involving dishonesty. I do not believe that it was the Government's intent to deal with anything other than dishonest offences.

Similarly, the Liberal Party does not believe that the Criminal Code defences should be removed. They are not removed for anything else related to stealing, wilful damage or defrauding a person supplying services. Why should they be changed in this way? The definitions of the offences should be left the same, but the way in which they are dealt with may be altered.

The move to include the costs of the investigation of the charges is a novel and revolutionary one. The person who takes away goods worth $75 or less gets no chance of backing his innocence to the hilt. People who are sensitive about their reputations will go to trial before a court for a charge involving less than $75. The Government has taken that right away. It has also put them over a barrel, because, if found guilty, such people may be fined and have court costs awarded against them, as well as the cost of the investigation. If two police officers have been staking out a department store for a week, does the cost of their wages for that week come under that provision?

Mr Harper: Come back to earth.

Mr INNES: The Minister said that I should come back to earth. One thing that I am tired of is discovering that what Ministers say about their legislation is totally divorced from the legislation itself. If the Minister means to say something, the legislation should say what the Minister tells the House it says. Under the present administration, the Assembly is more frequently taking part in actions that it does not understand or comprehend. Ministers are not fully informing the House of the consequences of what they are doing.

Mr R. J. Gibbs interjected.

Mr INNES: I do not teach Mr FitzGerald to grow onions, and I do not teach the Minister how to produce a good head of stock. That is their expertise. However, people who are not trained need the benefit of canvassing ideas and actions, particularly revolutionary or novel ones, with the largest number of people to make sure that what they are doing is right. If I wanted to produce a good onion, I would talk to the honourable member for Lockyer. I remind the Government that, if it wants to make good laws, Liberal Party members are available to assist in making beneficial laws. When the Government is right, it will get our support; when it is wrong, it will be criticised.

Mr Davis: What you are saying is that the Attorney-General is a good grazier.

Mr INNES: I have no doubt that the Minister has good intentions and that he is a good grazier. However, when other honourable members have knowledge about a particular piece or aspect of legislation, he should listen to their advice.

Mr R. J. Gibbs: That is almost a very snobbish remark.

Mr INNES: It is not snobbish.

Sir William Knox: If we want to know how to box, we will come and see you.

Mr INNES: That is right; if we want to know how to deal with D'Arcy on a dark night, we will see the honourable member for Wolston.

The Minister is right in addressing the problem of shop-stealing, because the prevalence of the offence is great. Some people might say that running the risk, the publicity and social stigma of facing a full-blown trial is a bigger deterrent. Most people do not want to be involved in the cost and mental trauma of a trial.

The delays in the present system have been criticised. It is well known that the number of shop-lifting cases has increased. The Minister has been responsible, as have other Attorneys-General, for allowing more nolle prosequis to be entered in these cases. What sort of cases has he approved?

One of the unusual features about shop-lifting is that it cuts across all social classes, all ages and both sexes. Women are more frequent offenders than men. An ex-Commissioner of Police of this State was dealt with on a shop-lifting charge. The head of one of the armed services in Queensland was dealt with for shop-lifting in his last days in the service. It is an unusual offence and it seems to be a reflection of the openness with which goods are displayed. It is associated with particular upheavals in a person's life.

Many studies show that women who are disturbed are more prone to shop-lifting. The onset of the menstrual period has been found to relate to an increase in the incidence of shop-lifting. I know of a case that came before the Minister. Two days before the Minister's discretion was sought, the lady concerned left her baby on a train because she was so disturbed.

There will be occasions—no doubt they will be more frequent in hard economic times—when the Minister will be asked to invoke his discretion not to prosecute. Does that mean that, to overcome the difficulty of having to deal with those decisions, the Government should take away from everybody else his traditional rights under our criminal law? I suggest that that should not be done lightly. It certainly should not be done with the type of hasty response that the House has before it, which is a complete removal of the traditional rights that people should have to rely on if they wish to protest their innocence completely.

Some people will not find it of any comfort at all to say that this is merely a regulatory offence. If they have been charged by the police and taken before a court of law of any sort, and if they believe in their innocence, they will want to protest that innocence to the last degree. We in the Liberal Party are very mindful of the right of people who are not wrong-doers to protest their innocence.

Mr Harper: Are you suggesting that this does not allow them to do that?

Mr INNES: Yes, I am saying that the legislation removes from people who protest their innocence defences that are customarily allowed to the people of Queensland under the present criminal law.

Very clearly, the legislation does that by changing the words by which a type of offence is dealt with, by reversing the onus of proof, by requiring people to prove that actions were not negligent—the defence of accident is not there—and by removing the protection of chapter 5 of the Criminal Code, except for sections 22 (3), 29 and 31. Very clearly that is what the legislation does. I know that the Minister has been informed by professional bodies that deal with this branch of the law every day that that is so.

Mr COMBEN (Windsor) (5.17 p.m.): I rise briefly to speak to the Bill, which is badly drafted and ill-conceived, as the honourable member for Sherwood has just said. Largely he supported the comments made by the member for Wolston that the legislation has many shortcomings.

A study of the legislation and the Minister's second-reading speech reveals that the real reason for the Bill is that the cost of a criminal trial has reached such a level that minor offences for trivial matters ought not to proceed to trial by judge and jury. In many offences, the tax-payer, through the Minister's department, bears all costs, including court, prosecution, jury and public defence. For the Minister and the Government, it comes down to a matter of economics. This low-tax Government is no longer prepared to spend money on what has been for probably the last 200 years in western society the accepted outgoings of a Government, that is, the cost of justice—justice for every person, equality before the law and trial by jury. Yet the Minister is now saying that that is expensive and the Government does not think that society any longer wants to bear that cost.

What is the result of that? As the member for Sherwood has said, under the legislation, any person who wants to pursue his defence with the utmost vigour and at

the utmost cost in terms of a full-blown defence before a jury no longer is able to do that. This is a sad day indeed for our society. It is a harbinger of what is to come. "The Courier-Mail" editorial mentioned by the honourable member for Rockhampton (Mr Braddy) concludes with the following words—

> "The Justice Minister is to be congratulated on the move. If it works, and there are no good reasons why it should not, these regulatory offences might well be expanded in the future as society changes and with it, its attitude towards misdemeanours."

I suggest to the Minister that in a few months or a few years' time, with the way Queensland is going today, the Government will be talking not about misdemeanours but about a whole range of offences. Moves in that direction have been made in a number of countries, such as France, where, historically, judges come up through a system that conducts very few jury trials. A professional person makes the decision, not one's peers.

Mr FitzGerald: They have a different system of justice altogether.

Mr COMBEN: That may well be, but I can envisage the day when the Minister comes into this House and says that that system works all right over in France, so why should we not have such a system here?

People will be appointed to try matters of a fairly serious nature that would not usually be accepted in a western society. The Bill throws out a thousand years of defences. Criminal offences will suddenly become regulatory offences. Honourable members have been told that there will be different onus of proof and different lines of defence under a different name. The onus of proof will be totally reversed. The old defences were referred to so well by Sir Samuel Griffith, whose name I thought would have been raised by the honourable member for Sherwood. Sir Samuel Griffith, in the second chapter of the Criminal Code, went to great lengths to outline the defence of intent. He said that the onus of proof in all criminal matters must always lie with the Crown. However, the Government has decided that no longer will those defences be available and that a person must prove his innocence. As the honourable member for Wolston (Mr R. J. Gibbs) said, a police officer can grab a little old lady, take her along to the police station and, if he believes that an offence has been committed, can take her into custody. If the police officer considers that it is necessary, he can take photographs, fingerprints and palm prints for the identification of that person.

Mr FitzGerald: What happens now if a person is charged with a criminal offence?

Mr COMBEN: Those sorts of things happen today.

The Minister referred to speeding offences. He said, "You don't expect trial by jury for speeding offences." If somebody pulls me up for doing 10 km/h more than the speed limit, I do not expect to be carted off to a watch house, put up against the wall, photographed and fingerprinted. However, that is what will happen under this legislation.

Mr FitzGerald: What happens to the little old lady now?

Mr COMBEN: If the little old lady were picked up for speeding, she would be dealt with pleasantly and without any problems.

At present, the onus is on the Crown to prove that a person is guilty. That onus of proof is being reversed. The little old lady is considerably disadvantaged. If by mistake she walks out of a store with something over her arm that is worth less than $75, because some burly police officer comes in and looks round the place and she gets a fright, she is deprived of those defences. If, like the honourable member for Lockyer, she is somewhat absent-minded and walks out of the store, she can say, "The onus of proof is on the Crown to prove intent." When the Bill becomes law, the Crown will be able to say, "We are not worried about your negligence. You walked out of the shop; therefore you are guilty." That attitude to an offence which, for 85 years has been a criminal

offence, is not acceptable to the Opposition. I understand that it is also not acceptable to the members of the Liberal Party.

The public perception of the Bill makes interesting reading. Honourable members have heard that Mr Jim Carey, president of the Queensland Law Society, described the new regulatory offences legislation as "an unhappy combination of progressive and repressive thinking" Mr Carey is reported as saying that the Bill would shift the choice of court for a person arrested of shop-stealing from the accused person to the arresting police officer. He said that no longer can a person say, "I want to be judged by my peers because I know the circumstances and they look fairly crook. I want 12 of my peers—12 true men under the old English system—to say, 'I believe that he did not go into the store with an intent to defraud or to steal.' " A provision is being taken out of the Criminal Code and moved into another area. Mr Carey and the Queensland Law Society do not agree with the legislation. Opposition members cannot comment on the statement by the Minister by way of interjection that the Law Society has had the Bill for one month. Opposition members know that they have had the Bill for only one week. In that time it is very hard to bring its provisions to the attention of persons who advise us.

It might be all right for the honourable member for Sherwood (Mr Innes) to make certain comments about the Bill. However, it is still necessary that honourable members have time to ascertain the views of society on legislation that is passed in this House and not let the Parliament be treated like a sausage factory, which is so often the case with the National Party in Government. The Government brings a Bill in at one end of the factory and says, "Well, we won the election, so what we say goes." Legislation is pushed through that subsequently has to be amended and sometimes withdrawn. That happens all too often these days.

Bodies that are concerned about the legislation include the Queensland Retail Traders and Shopkeepers Association, which represents approximately two and a half thousand independent retailers. That association said that the Bill would be disastrous. The vice-president of that association, Mr Grant Somerville, said that the legislation would exacerbate shop-stealing, which is already estimated to cost $120m a year. In my opinion, that will be the effect of the Bill.

The legislation is badly drafted and ill conceived. An offender will still be left with the stigma of having been convicted of shop-stealing. Nothing will remove that stigma. The reason for the Bill is the penny-pinching attitude of a low-tax Government. One of the costs to society of the Government not doing the right thing by it is that the courts cannot do their job because Queensland does not have sufficient judges in the District Courts. The sooner the Government addresses the question of financing services properly, the sooner Queenslanders will be better off.

The Bill should be withdrawn. I support the comments made by the shadow Minister.

Debate, on motion of Mr Wharton, adjourned.

ABORIGINES AND TORRES STRAIT ISLANDERS (LAND HOLDING) BILL

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs), by leave, without notice: I move—

> "That leave be given to bring in a Bill to provide for the grant of leases in perpetuity and other title in land to members of communities of Aborigines or Torres Strait Islanders and for related purposes and to amend the Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982-1984 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) (5.27 p.m.): I move—

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

In March 1982, the Queensland Government issued the deed of grant in trust legislation, covering the State's 7.5 million acres reserved for use by the Aboriginal and Islander people.

While Government policy in this matter has been unchanged, it has sought to strengthen the legislation, firstly with legislation passed in February last year which requires a special Act of Parliament before changes can be made to the deed of grant in trust areas and, secondly, through the Bill which is before the House today.

During my exhaustive consultation with the Aboriginal and Islander people preceding the drafting of the community services Acts, I also consulted the people concerning the deeds of grant in trust and provisions for land usage.

The vote was overwhelmingly for private ownership. Indeed, only two people out of more than 3 000 did not actively seek private ownership of their own homes and residential blocks of land. The opinions of people on every one of the 27 reserves in Queensland were canvassed. Public meetings were held and people were called upon to express their views on this issue. Delays have therefore occurred owing to the need to provide an individual perpetual title in the communities. As a step of almost unparalleled significance, drafting of this legislation created difficulties.

Following the decision to provide perpetual title to individual community residents, rather than hand a blanket lease over the whole area to the council, it was necessary for the Crown to retain reasonable portions of the present areas to meet its obligations to each community. Aboriginal people are entitled to receive, and do receive, the same basic levels of public service available to us all, including hospitals, schools, policing, roads and so on. The Crown should have a guaranteed access to those facilities, which ultimately must be identified, plotted and described in mapping and survey terms. Although it was originally envisaged that the survey could be done swiftly and relatively inexpensively, the costs in time and money, owing to distance and isolation, proved almost insurmountable. It is a task that requires precision and, above all, a great deal of time. Therefore, while this work is ongoing, the Government has facilitated the issue of the deeds of grant in trust and the individual leases by making provision in this Bill for the automatic excision of Crown land for the purposes of providing an instrument of title identical in every way to that enjoyed by other Queenslanders and a document recognised by lending institutions.

The Bill will ensure that the rights of the individual residents, the trustees of the deeds of grant and the Crown are sound and secure. It provides, firstly, for the issue of perpetual leases over areas of up to one hectare to individual residents for residential or small-business purposes. I might add that the provisions will be very similar to the mining laws of Queensland under which the people of Mount Isa, Charters Towers and Gympie, for example, live.

Aboriginal people will now be responsible for the maintenance of their own homes and residential blocks. To date, the people who paid their rent regularly and looked after their homes were subsidising a group of irresponsible people who knocked their houses around and were notoriously late with rent payments. That will now come to an end. Each individual will have sole responsbility for the care and maintenance of his home and land. That means that those who work hard and look after their homes by painting and improving them will be much wealthier and much better off. Those who

arrive home inebriated or for some other reason smash their houses up will become poorer. No longer will the workers be expected to carry the drones.

The Government believes that this Bill will encourage and facilitate maximum usage of the tremendous resource that is available to the Aboriginal and Islander people—7.5 million acres of the State of Queensland. Almost all of it is in the rainfall belt over 40 inches. It is land traditionally owned and occupied by them. The Government is now confident that individuals and communities will move towards self-sufficiency through private enterprises based upon that truly wonderful resource.

In a recent meeting with Roy Gray and the Yarrabah Council, I was told that 30 people in Yarrabah have already made application for areas to establish small businesses, farms and various other undertakings. Six families at Edward River, which last year had no private enterprise whatsoever, are now fully involved in their own small businesses and well on their way to self-sufficiency.

The Queensland Government is deeply opposed to the socialist ethic under which Big Brother Government has a finger in every economic pie. Government-run agricultural and pastoral enterprises have never been successful. Queensland had approximately 20 State-owned cattle stations in the 1920s, but all of them were dismal failures. Provision has been made for pastoral and agricultural land to be included in areas available for lease to individuals. One of my predecessors lost his seat for demanding land as compensation for assistance that was given to the ALP during the previous election.

Queensland is the only State in Australia that makes provision for private ownership in these circumstances. One does not need to look any further than that to realise why, even before the introduction of the Bill, this State was moving swiftly ahead of the other States. Queensland is the only State in which that foresight and confidence in the Aboriginal and Islander people is evident. In other States, notably the Northern Territory, Aboriginal land is off limits to all other sections of the community and, apart from one or two cattle stations and a motel operation, simply going to waste.

Approximately 47.6 per cent of the entire surface area of the Northern Territory is not being utilised for the widespread wealth and resource utilisation of the people of the nation, nor in fact for the people themselves, because of the concept of traditional ownership and group corporate title.

The individual lease provided by this Bill—and I stress that it is exactly the same as the perpetual lease issued on mining fields at Ipswich, Mt Isa, Charters Towers and Gympie—will provide the owners with something of immense value, that is, mortgagability of their land.

Mr Price: Land under the miners perpetual homestead lease scheme can be freeholded.

Mr KATTER: The honourable member for Mount Isa says "freehold", and that provides me with an opportunity to give him a quick lesson in what "freeholding" means. Freeholding replaces the entail system which provided no rights at all to sell land. Freehold replacement of the entail system meant non-saleability of land. What the honourable member has put forward is a complete contradiction in terms, and I hope that that small lesson that I have been able to give him in legal history might be of assistance to him in the future.

Neither the Federal nor State Government has the financial resources required to develop these remote and already heavily subsidised areas. The people themselves, however, will be able to develop their own blocks individually.

On many occasions it has been said that the people are incapable of developing blocks of land and developing themselves personally, either on an individual basis or on any other basis. That is not the view of this Government, and I am confident that time and history will prove that the Government is very correct in its actions.

The land will provide security for a bank loan, albeit very limited security, over the next few years. At the moment, land transactions can only take place between members of the community, so the land is not saleable to non-community residents. Obviously, the mortgagability value of the security will be reduced to a very great extent.

Whereas I believe that this is necessary during this development stage, I am hopeful that a future Government will be able to remove this bar.

The basic philosophy behind this Bill, which underlines all Government legislation in this area, is that Aboriginal and Islander people living in this State should enjoy the same rights and privileges and bear the same responsibilities and obligations as every other Queenslander. This philosophy is encapsulated in the Bill before the House.

Finally, I would like to thank my colleagues, the Minister for Lands, Forestry and Police (Mr Glasson) and the Minister for Justice and Attorney-General (Mr Harper) for their co-operation and assistance. Special thanks must go to the chairman of the Lands Administration Commission, Wally Baker, for his tremendous assistance and support in drafting this legislation.

I wish to thank the thousands of people whom I have met and spoken to on the reserve areas of Queensland, who played the important and ultimate role of deciding the direction that the Government would take with the legislation.

I would also like to thank the members of my parliamentary committee for their long hours, dedication and important input and, in particular, the honourable member for Roma (Russell Cooper) who travelled vast areas of the State with me, and the honourable member for Southport (Doug Jennings) whose original pressure for perpetual title in this situation was one of the motivating forces behind the Government's move in this direction. I am sure that the passage of time will vindicate the faith that the honourable member for Southport has placed in people of Aboriginal descent in Queensland.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

SPECIAL ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

"That the House, at its rising, do adjourn until Tuesday, 9 April 1985."

Motion agreed to.

Mr WHARTON: I take the opportunity of wishing every member of Parliament and every member of the staff a happy, holy and safe Easter.

Mr DEPUTY SPEAKER (Mr Row): The Chair endorses the remarks of the Leader of the House.

The House adjourned at 5.40 p.m.