Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 9 SEPTEMBER 1987

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Mr SPEAKER (Hon. K. R. Lingard, Fassifern) read prayers and took the chair at 2.30 p.m.

ASSENT TO BILL

Assent to the Fishing Industry Organization and Marketing Act Amendment Bill reported by Mr Speaker.

PETITIONS

The Clerk announced the receipt of the following petitions—

Balance between Public Ownership and Private Enterprise

From **Mr Beanland** (79 signatories) praying that the Parliament of Queensland will amend the Land Act and the Integrated Resort Development Act so as to maintain a balance between public ownership and private enterprise, particularly on Barrier Reef islands.

Fire Levy

From **Mr Prest** (16 signatories) praying that the Parliament of Queensland will declare a moratorium on fire levy charges and establish a fair system.

Fire Levy

From **Mr White** (6 signatories) praying that the Parliament of Queensland will take action to maintain the fire levy on private households at $48 and review the recent increase.

Roadworks in Bardon/Rainworth Area

From **Mr Schuntner** (943 signatories) praying that the Parliament of Queensland will carry out an environmental impact study and consult with residents before upgrading roadworks in the Bardon/Rainworth areas.

Firearms

From **Mr Beanland** (113 signatories) praying that the Parliament of Queensland will implement stricter controls on the use of firearms.

Harbours Act

From **Mr Prest** (894 signatories) praying that the Parliament of Queensland will withdraw proposed amendments to the Harbour Act which will adversely affect port authorities such as Gladstone.

Central Place Development

From **Mr Ardill** (45 signatories) praying that the Parliament of Queensland will not approve the proposal for the 107-storey Central Place development.

Food Irradiation

From **Mr Innes** (20 signatories) praying that the Parliament of Queensland will take action to ensure that irradiation of food is not permitted.

Police Station, Centenary Suburbs

From **Mr Innes** (4 406 signatories) praying that the Parliament of Queensland will take action to provide a 24-hour police station in the Centenary suburbs.

Petitions received.

PAPERS

The following papers were laid on the table—

Orders in Council under—

State Housing Act 1945-1986

State Housing (Freeholding of Land) Act 1957-1984

City of Brisbane Act 1924-1986 and the Statutory Bodies Financial Arrangements Act 1982-1984

Grammar Schools Act 1975-1984 and the Statutory Bodies Financial Arrangements Act 1982-1984

Regulations under the Building Act 1975-1984

By-laws under the Railways Act 1914-1985

Ordinances under the City of Brisbane Act 1924-1986

Reports—

Greyhound Racing Control Board of Queensland for the year ended 30 June, 1987

Queensland Turf Club for the year ended 30 June, 1987.

QUESTIONS UPON NOTICE

1. **Chemical Residue in Meat**

Mr BURNS asked the Minister for Primary Industries—

"With reference to the chemical residue problem affecting Australian beef sales—

(1) How many properties have been quarantined in Queensland after testing positive for maximum permissible limits?

(2) How many of these properties have been released from quarantine?

(3) What are the procedures involved in releasing properties from quarantine status?

(4) Is it possible that stock from quarantined properties can be diverted into the domestic market?

(5) In relation to Mr John Lloyd's feed lot at Chinchilla, which has been quarantined, how many cattle were purchased subsequently by the Department, why were they purchased and where did they go?

(6) What is the maximum permissible limit for organochlorines allowable in meat for domestic consumption?

(7) How do these levels compare with United States' levels?

(8) Will he detail the dates and quantity of meat destroyed as unacceptable for Queensland consumption?

(9) How does he reconcile his comments reported in *The Courier-Mail* that 'it is impossible to give an iron clad guarantee that Queenslanders were not eating chemically contaminated meat' with the Premier's statement in the House—'Yes, Queensland's meat is safe and will be safe'?"

Mr HARPER: In answer to the honourable member's questions—and there are a number of them—

(1) At present there are 76 properties quarantined in Queensland as a result of testing for pesticide residues. A further 13 properties are under restrictions as a result of receiving stock from properties where residues have been detected. In these cases only the animals from the original property are under quarantine.

(2) To date seven properties have been released from quarantine.

(3) Following the detection of a residue above maximum permissible limits, the sample is traced back to the property. The property is quarantined and a detailed investigation undertaken to establish the source of the residue and the extent of the problem. To do this, biopsy samples are taken from cattle on the property as well as a wide range of environmental samples as required. These samples are analysed at the Animal Research Institute, Yeerongpilly, or at our chemical laboratories at Indooroopilly.

Having established the source of the residue, we develop a management program to avoid further chemical contamination of slaughter stock and stock are monitored to ensure residue levels are receding.

The quarantine is lifted only when I am sure that residue levels are well below the maximum permissible level and a program is in place to avoid further contamination. I might add that only the Minister has the ability to remove a property from quarantine.

(4) Stock from the properties quarantined for pesticide residues cannot be diverted into the domestic market. Under the conditions of the quarantine all movements of slaughter cattle are prohibited.

(5) In relation to Mr John Lloyd's feedlot at Chinchilla, we purchased 40 steers for research into the elimination of chemical residues. Animals are able to eliminate the pesticides in question once they have been removed from the source of contamination. However, it is unclear as to the rate of elimination of some of these chemicals under various feeding regimes. The cattle are presently being held at Animal Husbandry Research Farm, Rocklea, where they are being fed various diets and monitored for the decline of residue levels. Eventually they will be sold.

(6) The maximum permissible limits known as maximum residue limits (MRLs) for organochlorines allowable in carcasses for either domestic or export consumption are as follows—

Chemical residue	Concentration (parts per million) in beef fat
Aldrin	0.2
BHC	0.3
Chlordane (including oxychlordane)	0.3
DDT (including DDD and DDE)	5.0
Dieldrin	0.2
Endrin	0.02 (milk fat)
HCB	0.5
Heptachlor (including its epoxide)	0.2
Lindane	2.0

In Australia the limits for pesticide residues are established by committees of the National Health and Medical Research Council. The recommendation of the NHMRC forms the basis for legal maximum residue limits under State food and drug legislation.

(7) Similar limits known as "tolerances" are established in the USA by its environmental protection agencies. There are minor differences in the numerical values

between the USA and Australian limits, with Australian levels generally being lower. For example—

Chemical	USA tolerance limits	Australian MRL
Aldrin	0.3 ppm	0.2 ppm
Dieldrin	0.3 ppm	0.2 ppm
Endrin	0.3 ppm	0.02 ppm (milk fat)
Lindane	7.0 ppm	2.0 ppm

However, the USA has a nil tolerance limit for heptachlor while the Australian MRL is 0.2 ppm.

Variation in the numerical values is sometimes necessitated by variations in the use pattern from one country to another and efforts are being made to reach international agreement through the food program of the United Nations to reduce the effect of such variations on international trade.

(8) Figures relating specifically to condemnations of meat as unacceptable for consumption in Queensland are difficult to isolate, because more than half—I emphasise this—of Queensland consumed meat is processed through export meatworks. All carcasses or product in which violative levels are detected is condemned as unacceptable for Queensland consumption and rendered, irrespective of its original intended destination. In terms the honourable member would appreciate: "They go down the chute!"

Sir Joh Bjelke-Petersen: Like the Labor Party.

Mr HARPER: The Labor Party is well on the way down the chute.

The Commonwealth authorities have been unable to advise me at short notice of the precise number of condemnations, however each of the 77 violations detected through meatworks testing has led to the condemnation of one body and, in some instances, lot mates, which had been killed and retained pending test results, and were also tested positive and condemned. In addition, some 1 000 cartons of boxed product remain under retention pending the availability of testing capacity to clarify their status. From the purely domestic viewpoint, I can confirm that five carcasses from the Mackay export works were traced into the domestic chain and subsequently condemned on 1 August and that seven carcasses were condemned at the Toowoomba abattoir on 20 August.

(9) The Premier has stated that "Queensland's meat is safe and will be safe". Queensland consumers have the benefit of a most rigorous meat inspection and quality surveillance system which covers every aspect of pre and post slaughter management of the product on its way from farm to consumer.

Both the Federal Minister for Primary Industries and I have said, loud and clear, there is no health risk. Queensland's meat is safe and will be safe, just as the Premier indicated. We in Queensland are proud of our reputation for providing a quality product and we are determined to take all appropriate action to protect that reputation. That we are doing! It is nevertheless impossible to provide an ironclad guarantee that all meat offered for sale is entirely free from chemicals, even if all animals were tested at slaughter.

The *Courier-Mail* quotation to which the honourable member referred was a liberal interpretation of what I said in that regard. Perhaps the matter is best put into context by illustration. At the level of pesticide contamination being identified as violative in the current program, a person would need to eat some 40 tonnes of meat in one sitting to incur any toxic effects from the chemical.

The acceptable daily intake or ADI is calculated at one-hundredth of the maximum amount causing no adverse effects in animals, and the daily consumption of meat with the maximum residue level of pesticide would lead to consumption of chemicals many times below the ADI.

I have seen one calculation which suggests that a teaspoonful of dieldrin would be sufficient to violate the maximum residue level in 1 000 bullocks. Be that as it may, the maximum residue level reflects a very small amount of chemical.

I apologise for the length of my reply. However, this matter is of extreme importance to the economy of Queensland.

2. Closure of Queensland Government Office in Bahrain; Opening of Queensland Government Office in Los Angeles

Mr BURNS asked the Premier and Treasurer—

"(1) On what date was the Queensland Government office in Bahrain opened and on what date was it closed?

(2) How many agreements, contracts and any other financial deals involving the Queensland Government had to be paid out as a result of the decision to close the Bahrain office?

(3) What special deals were arranged by the Commissioner, Mr Mick Borzi, which brought direct benefit to Queensland taxpayers?

(4) What were the reasons for the closure of the Bahrain office, which was opened with such fanfare?

(5) What special deals or arrangements that will have direct benefit to Queensland taxpayers have been arranged by Mr Borzi since taking up office in Los Angeles?

(6) Is the A$10,000 a month rent for a house for Mr Borzi in Los Angeles an appropriate place of residence and was it a former residence of Ms Liza Minelli?"

Sir JOH BJELKE-PETERSEN: (1) The Bahrain office was opened in December 1984. It closed in April 1987.

(2) Three.

(3) Confidentiality is the basic tenet upon which business is conducted with the Middle East, and respecting this convention precludes detailing the full nature and extent of any business transactions. However, a large number of inquiries from the Middle East region for products were referred to Queensland suppliers. Queensland was also strongly promoted as a tourist destination. For example, Qantas passenger levels between the Middle East region and Brisbane increased by 45.7 per cent during the period April to September 1986. A number of potential investors have visited Queensland and continue to do so.

(4) Rationalisation of the State's overseas representation.

(5) The office has been opened for only three months. The commissioner has commenced a program with the objective of creating a greater awareness of Queensland, its products, services and attractions.

(6) The rental is in accordance with the schedule of conditions of employment for the commissioner, and is consistent with conditions applying to Commonwealth officials of similar status serving overseas. Ms Minelli has never been a tenant of the commissioner's current residence.

3. Disposal of Banned Chemicals

Mr SIMPSON asked the Minister for Primary Industries—

"With reference to the Government's prompt action regarding undesirable residues in food and to the concern of primary producers with supplies of banned chemicals who would like to dispose of them or their empty containers—

Will he approach the other States to see if the Federal Government would provide a suitable disposal system which is required across the whole of Australia?"

Mr HARPER: I have maintained from the outset that the Federal Government should provide a super high temperature furnace for the safe disposal in Australia of these chemicals. Obviously this is a national responsibility. However, the Federal Government appears unwilling to accept that fact, despite its much heralded $10m Integrated Action Plan to include the recall and disposal of all existing stocks held by retailers and farmers.

At a recent meeting of the Australian Agricultural Council I indicated that I am in favour of the establishment and implementation of a nationally co-ordinated and funded program for the withdrawal and disposal of these persistent chemicals, which have been deregistered and banned for agricultural purposes. In any such program local authorities could play a meaningful role as most councils have secure chemical sheds capable of being used as collection centres and for storage until a safe method of final disposal is provided.

At present the response to the problem is fragmented throughout the States. No doubt that will continue until a decision is taken by the Federal Government as to the final method of disposal and until the Federal Government accepts its responsibility to provide Australia with a super high temperature furnace.

4. Establishment of Power Station in Turkey

Sir WILLIAM KNOX asked the Premier and Treasurer—

"Is he in a position to give to the House an update report regarding negotiations with the Turkish authorities concerning the establishment of a power station and supply of coal from Queensland sources?"

Sir JOH BJELKE-PETERSEN: As honourable members will recall, I visited Turkey in January this year to negotiate regarding the proposal for a coastal power station which would use Queensland coal. The current basic issue for Turkey to determine is which of five somewhat similar projects is to proceed first. They are building a number of power stations. In order to establish this, the Turkish authorities are currently evaluating information submitted on 10 August by each of the groups.

Certain information from each of these submissions was announced at that time. On that basis, it would appear that the Seapac group, with which Queensland is involved, was the most competitive in terms of total construction cost per kilowatt of capacity and was effectively tied with another bidder in terms of total investment cost per kilowatt of capacity. It is not certain when the Turkish authorities will make their preliminary decision regarding the project. In any case, it will be appreciated that such a decision will still need to be followed by further negotiation of details.

5. Committee to Investigate Proliferation of Big Shopping Centres

Sir WILLIAM KNOX asked the Premier and Treasurer—

"With reference to the statement made on 7 September by the Minister for Employment, Small Business and Industrial Affairs that a committee announced by the Government in February to look at the proliferation of big shopping centres was never established—

When will this committee be established?"

Sir JOH BJELKE-PETERSEN: Early this year, Cabinet gave consideration to the establishment of a committee to consider the matter of the proliferation of shopping centres throughout this State.

I am sure the honourable member will be aware this is an extremely complex matter. A considerable amount of work has been carried out in connection with the proposal. Discussions have been conducted between the relevant Government departments. The Small Business Development Corporation has furnished a report to the Honourable the Minister for Employment, Small Business and Industrial Affairs.

Consideration is presently being given to the proposed composition of the committee, and I would expect an announcement will be made in this regard in the near future.

6. Rural Adjustment Schemes, Canada

Mr ELLIOTT asked the Deputy Premier, Minister Assisting the Treasurer and Minister for Police—

"(1) Is he aware of the Rural Adjustment Scheme guidelines in Canada?

(2) Will he give consideration to implementing those parts of this scheme which have merit?"

Mr GUNN: (1) Yes. The Chairman of the Rural Reconstruction Board visited Canada in 1984 to assess the rural financial assistance schemes operating in that country.

(2) The Rural Adjustment Scheme, which was introduced in Queensland in 1985, provided similar assistance by way of subsidised credit to that offered by the Canadian schemes.

I would remind the honourable member that the Rural Adjustment Scheme depends also on Commonwealth funding and any change to the guide-lines under which it operates would require Commonwealth Government approval.

7. Security at Brisbane's New International Airport

Mr STEPHAN asked the Minister for Tourism, National Parks and Sport—

"With reference to the Queensland Government's claims that international tourists are attracted here because they feel secure and free from the threat of terrorist activity—

(1) Is he aware of an article in *Choice* magazine of August 1987 in which Brisbane's new international airport is described as a security nightmare?

(2) Is this statement accurate?"

Mr MUNTZ: (1 and 2) I am aware of the *Choice* magazine article. All thinking people should be concerned at anything which could place in jeopardy our international reputation as a safe holiday destination. Tourism is a highly competitive industry and if we as a nation cannot meet the needs of visitors, this traffic will go elsewhere. The projected number of international visitors to Australia by the year 2000 is 5 million.

As airports are a Federal responsibility, I appeal to the Federal Government to take action to rectify the situation. Comments in *Choice* magazine about security at Brisbane's new airport were attributed to no less an authority than Captain Buck Brooksbank, President of the Australian Federation of Airline Pilots. He condemns the terminal design and says security will be a major problem, largely because of the distance between the domestic and international terminals.

Private enterprise should be involved immediately in the construction of a world-class international airport at Brisbane. At the present time it is obviously the gateway to Australia and will certainly be in the future, particularly as Expo 88 approaches.

A similar situtation exists at Sydney's antiquated Kingsford-Smith Airport. Tullamarine has the ideal set-up where domestic and international passengers are funnelled through a single building. This allows for more cost effective surveillance and security.

Queenslanders expect more from their tax dollars as the airport is costing the taxpayers $400m. The Federal Secretary of the Federal Police Association, Chris Eaton, is also concerned, according to *Choice*. The Civil Air Operations Officers Association—a professional body for air traffic controllers—also singles out Brisbane's international airport for criticism from the safety aspect. The association's submissions to the Federal Government were ignored. The association is concerned at the retention of the antique radar system because it is 30-year old Korean War surplus equipment. Pilots and controllers are rightly annoyed.

Do we have to wait for a tragedy before Canberra takes notice? Brisbane Airport has been a political football for far too long. Security is most important.

Brisbane will be a focal point for international interest in 1988 and we cannot afford any unfortunate and unnecessary incidents that could mar our reputation as one of the world's leading tourist destinations. Again, I appeal to the Federal Labor Government to rectify the present situation.

8. Proposed National Coal Authority

Mr HINTON asked the Minister for Mines and Energy and Minister for the Arts—

"What will be the economic effects on the Queensland coal industry, as compared to that of New South Wales, of a national coal authority as proposed by the Miners' Federation?"

Mr AUSTIN: A national coal authority, such as that presently being promoted by the Miners Federation, would result in the inefficient and uncompetitive sector of the industry in New South Wales being allocated a greater share of Australia's coal export trade, with a reduction in exports for Queensland's more efficient coal mines.

I am pleased to be able to say that this Government's policy in the seventies and early eighties of offering encouragement and support for open-cut mining in Queensland has been proven to be the correct one. The problems facing the coal industry in Australia are largely the problems of the high cost underground sector of the industry in New South Wales.

A national coal authority will restrict the Queensland sector of the industry from reaching its full potential, with regard to new investment, wealth, income-generation and employment levels. Most importantly, employee numbers in the Queensland coal industry and elsewhere in the State would fall at the hands of such an authority.

Furthermore, should a national coal authority intervene in the export pricing structure by setting an export base price which makes Australian coal more expensive to buyers than similar quality coals from other international sources, both New South Wales and Queensland will suffer, in that less coal will be sold as buyers take advantage of cheaper coals from other countries, on an oversupplied market.

9. Annual Reports of Statutory Authorities

Mr BEANLAND asked the Premier and Treasurer—

"(1) Is he aware that only 104 of the State's statutory authorities identified in the Register of Statutory Authorities tabled reports in this Parliament during 1986-87?

(2) Will he ensure that the recommendations of the Savage Committee's Public Sector Review Report are implemented forthwith in relation to statutory authorities with particular reference to the tabling of annual reports in this Parliament containing (a) annual financial statements, (b) objectives, and reports on progress towards achieving such objectives, (c) a summary of external and internal reviews during the report period and (d) a review of the need for the statutory authority's continued existence?"

Sir JOH BJELKE-PETERSEN: (1 and 2) In my speech to the House yesterday presenting the 1987-88 Budget, I indicated that the Government has accepted the principles embodied in the Savage report and endorsed the great majority of the recommendations, including those to which the honourable member referred.

Full details of the Government's decisions with respect to each recommendation and where responsibility has been assigned for implementation is set out in the Policy Statement on Public Sector reform accompanying my printed Speech. Implementation of those decisions is proceeding forthwith.

10. Pilot Neighbourhood Watch Program on Gold Coast

Mr BORBIDGE asked the Deputy Premier, Minister Assisting the Treasurer and Minister for Police—

"With reference to the recent pilot neighbourhood watch program carried out on the Gold Coast—

When is it expected that the evaluation of the scheme will be complete and will consideration be given to implementing this program on a permanent basis if warranted by the results of the pilot scheme?"

Mr GUNN: An evaluation of the pilot Neighbourhood Watch program carried out at the Gold Coast is in the final stage of completion by the co-ordinator of the scheme. His report is expected within one week. The Commissioner of Police will then consider recommendations contained in that regard in conjunction with numerous requests for police and the current budgetary constraints. I will keep in close contact with the honourable member and inform him of developments.

11. The Outlook, Boonah

Mr HAMILL asked the Minister for Family Services, Youth and Ethnic Affairs—

"With respect to the privatisation of community welfare services in Queensland—

(1) What is the duration of the lease being offered to community organisations interested in taking over The Outlook at Boonah?

(2) What level or rate of subsidy is being offered by the Queensland Government to such organisations?

(3) Will the Department of Family and Youth Services or the Department of Works, or both, continue to have the financial responsibility for the maintenance of buildings and equipment currently on site and, if not, who will bear this expense?

(4) Will the successful lessee be required to permit other non-Government welfare agencies to use the facilities of The Outlook, free of charge, as is the current practice at the centre?

(5) Will the successful lessee be required to offer, free of charge, training courses for youth workers working for other non-Government agencies, as is the current practice at the centre?

(6) What expenditure was made from the 1986-87 Budget of the Department of Children's Services, now the Department of Family and Youth Services for The Outlook in the following areas: (a) staff salaries, (b) wages, (c) maintenance of buildings and (d) other contingencies?"

Mrs CHAPMAN: (1 to 5) It would no doubt surprise the honourable member and other unenlightened critics of the decision to change the management of The Outlook that no fewer than 23 written expressions of interest were received. After lengthy discussions and consultations, these have been short-listed to three very reputable and viable organisations.

Negotiations are now proceeding with these bodies and therefore it is impossible at this stage to provide details of the proposed lease, financial arrangements or who will be responsible for buildings and equipment. All of the tenders are different and are being negotiated individually.

Preference has been given to proposals that provide personal development programs for youth and programs for the training and support of youth workers, and we are now negotiating on the basis of retaining the types of programs already being conducted at The Outlook.

(6) The expenditure at The Outlook by my department in the last financial year comprised—

(a) Salaries	$218,517
(b) Wages	$21,601
(c) Maintenance of buildings	$1,208
(d) Other contingencies	$88,491

What the honourable member has overlooked in his public criticism of the Government and myself is that the buildings at The Outlook in the past have not been used to their full potential, and I am confident that when the present negotiations are completed we will see not only a retention of the current activities but also, in time, a major expansion of the types of programs and services offered from the facility.

12. Use of Drug Depo-Provera by Department of Family and Youth Services

Mr HAMILL asked the Minister for Family Services, Youth and Ethnic Affairs—

"With reference to the use of the drug Depo-Provera—

(1) Is the drug administered to children in the custody of the Department of Family and Youth Services?

(2) If not, when was its use discontinued?

(3) What were or are the criteria governing its use by the department?

(4) Is it or was it administered to children as a contraceptive measure?

(5) Has the use of this drug been banned from use in New South Wales juvenile institutions by the Department of Youth and Community Services in that State?"

Mrs CHAPMAN: (1 and 2) For the information of honourable members, I point out that Depo-Provera is a drug administered by injection, which provides contraceptive effects over a period of some months. It is not used as a general contraceptive for girls in the custody or care of my department. To my knowledge, it has been prescribed only once during my 19 months as a Minister. That was a case in which an intellectually handicapped girl had become sexually active and a request was received for its use based on expert medical advice.

I have been informed that it has been used on very few occasions over the years and only in rare and exceptional circumstances, such as I just mentioned, when medical advice was received to the effect that this drug was the only safe and effective method of contraception for the girl in question.

(3) As far as criteria governing its use is concerned, the following statement of the Australian Drug Evaluation Committee is drawn to the attention of the medical practitioner concerned—

"The Australian Drug Evaluation Committee recently considered this matter again. After discussions, it was agreed that the use of the drug as a contraceptive must be regarded as investigational since there were unresolved questions related to its safety for this indication. The Committee noted, however, that the drug is available on the market and, although it cannot be provided as a contraceptive, it may be used as such where the doctor, being acquainted with the facts, considers it the most responsible use such as that where informed consent has been obtained."

In addition, the medical practitioner is required to provide written advice of the full reasons for the recommended use of the drug and each case is considered on its merits, having regard to the medical advice and all other relevant factors. The personal approval of the Director-General of my department is also required.

(4) See (1 and 2).

(5) A quick check by my officers indicates that the drug has not been banned in New South Wales, and I am advised that it is not being used in juvenile institutions

run by the Deparment of Youth and Community Services in New South Wales. I understand that the policy is that it would only be used for young people in the general community on the advice of a medical specialist and at the request of the person wanting to take it, who must have a full understanding of its possible side-effects.

13. Chemical Residue in Meat

Mr COOPER asked the Minister for Primary Industries—

"With reference to the crisis in the livestock industry—

(1) What are the current developments in the chemical residue problem and in the beef industry generally?

(2) Is he satisfied with arrangements to date and could he give a detailed account of these arrangements?

(3) Will he also detail the main problem areas, the reasons these areas are significant and the nature of the chemical reaction and its causes?"

Mr HARPER: (1) Current developments include continuing intensification of testing. There has been a general transition from random sampling of 1 in 100 beef carcasses, 1 in 300 pig carcasses and 1 in 1 000 sheep carcasses, through an intermediate phase where additional attention was paid to stock from "higher risk" areas and to stock processed through meatworks with a recent history of violation, to the testing of at least one representative animal from each identifiable lot or source. Although there is still a national shortage of testing capability, the Queensland goal is to have full lot-testing, with multiple sampling of lots in excess of 50 head of cattle.

Aus-meat is now insisting on a determined level of testing as a condition for continuing accreditation, and this has been implemented in Queensland as from 31 August.

In some States the escalation in demand for testing under the new arrangement has led the Commonwealth authorities to direct some testing to local and interstate private laboratories.

Our Animal Research Institute Laboratory will almost double its capacity to 600 samples this week. I consider that we should further increase this capacity and I am prepared to implement further expansion as a top priority if Commonwealth authorities are prepared to give an assurance that such an increased capacity will be utilised.

Last night, I spent some hours in discussion with the chairman of the Australian Meat and Livestock Corporation, Mr Dick Austen, who had flown from Sydney for the meeting. As a result of that lengthy and frank exchange of information, I hope that the future role of our Animal Research Laboratory in the testing of export meats will be determined and defined later this week so that we may continue to lead Australia in action to protect our export and domestic meat markets.

Funding arrangements for the testing program have been put in place by industry. The current agreement provides in Queensland for a levy of $5 per head per lot sold to a maximum $60. The levy arrangement varies from State to State. There is considerable discontent with this arrangement amongst smaller Queensland producers, who believe that it favours the larger consignments. In my view, a flat rate of the order of $5 per head will be necessary to fund testing at the desirable intensity. However, there are other costs which must be considered, including the cost to industry of product lost after export and the cost of trace-back, including testing.

Mr Burns interjected.

Mr HARPER: I thought that the honourable member was interested in this question.

There is evidence that meatworks buyers are discriminating against areas with a history of recent violations—particularly in sugar-cane and vegetable-growing districts. In many instances the discrimination is not sufficiently selective, unnecessarily penalising

safe holdings. Those are commercial decisions, however, and I see no simple solution to the problem, although we are well on the way to implementing a property status program within our computerised records. When in place, that will give us the capacity to respond to inquiries as to the risk status of a particular property, identified only by its tail tag number.

There is also some evidence of discrimination by buyers towards larger lots, which reduces the overall testing costs of the processors. I understand that some buyers are demanding a written guarantee that slaughter cattle have been continuously on the property of immediate origin for at least 60 days prior to movement; and the buyers of grains and other fodder are increasingly seeking a warranty of freedom from pesticides from their suppliers.

(2) I am well satisfied with the co-operation between Commonwealth AQIS officers and my staff in this State. Staff are working long hours both in the testing laboratory and in the field. The laboratory turn-around time is less than 24 hours and, as a result, minimum delay is caused at meatworks and quarantines are being applied promptly following the discovery of violations. Investigations of the circumstances leading to violations are time-consuming and expensive, but are essential, both to the eventual release of the property from quarantine, and to identifying the practices or deficiencies which commonly lead to violations. With excellent communication between my officers and the AQIS staff in meatworks, a barrier to slaughter of cattle from that property in any works State-wide immediately follows the issue of a notice of quarantine.

(3) At the end of August the results of on-farm investigations were available for 49 of the 75 quarantines then listed. Those results confirmed that almost all violations have resulted from the careless misuse or deliberate abuse of organochlorine pesticide.

Thirty of the 39 dieldrin violations investigated had been solved, and 19, or almost two-thirds, resulted from treatments which had been deliberately applied to feed sheds (8), grain silos (4), other grain storages (3) and stockyards (4). Five cases were associated with cane-farming—either directly or through hay from canelands—and six were associated with other cropping activities.

Seven of the nine heptachlor investigations were solved and each case was associated with small cropping. Four BHC violations had been investigated and all were associated with cane-farming. One DDT violation occurred in cattle being lot-fed in a pen close to the site of an old cattle dip—once charged with DDT. The other involved careless handling of empty DDT containers.

Since those statistics were assembled, two violations have been traced to treatments with contaminated spraying equipment which was previously used for agricultural application of organochlorines. One has resulted in the quarantining of over 100 fat bullocks with DDT levels in excess of 3 MRL.

As a guide to primary producers, I am having prepared a case summary of identified causes of contamination and expect to make it available for publication early next week.

14. Johnstone TAFE College

Mr EATON asked the Minister for Education—

"(1) Is construction of the Johnstone TAFE College at Innisfail going to be completed in time to commence operation in January 1988 and, if so, what courses are envisaged?

(2) Have there been any delays in construction plans?

(3) Is he aware of any problems with sub contractors?

(4) What date is presently anticipated for total completion of construction of all planned buildings associated with this college?

(5) When does the department anticipate calling applications for administration officers and other TAFE teachers or instructors?"

Mr POWELL: (1) The Johnstone College of TAFE at Innisfail will take its first enrolments of students in July 1988. It is anticipated, subject to community demand, that pre-vocational courses will be offered in the areas of engineering, construction and business studies, together with courses in computing and adult education courses for personal development and enrichment.

(2) Construction has been delayed by adjustments made by the Commonwealth Government to its cash-flow arrangements. It had been anticipated that the first students would enrol in January 1988, but insufficient funding is available for this to occur.

(3) I am not aware of any problems experienced with subcontractors.

(4) It is anticipated that all the buildings for this college will be completed around December 1987, but equipment will not be able to be installed until the first half of 1988.

(5) It is anticipated that advertisements will be placed for the positions of principal and head technical teacher towards the end of 1987 so that the appointees may take up duty in January 1988. Other teaching staff, as well as administrative and wages staff, should be able to be appointed between February and June next year.

QUESTIONS WITHOUT NOTICE

State Budget Effects on Queensland Public Service

Mr WARBURTON: In directing a question to the Premier, I refer him to very recent pre-Budget discussions between very senior officers of the Premier's Department and representatives of State public service unions, and I ask: why was no mention made at those talks of the Government's intention to abolish the 17½ per cent holiday-leave loading and the so-called trade-off involving the 3 per cent superannuation productivity increase? Why was no mention made of the planned abolition of flexi-time?

In other words, the Government came to an agreement with the public service unions about superannuation changes but at no time during the discussions mentioned a trade-off for other benefits. In short, I ask: why did the Queensland Government engage in an act of deliberate deception of its own public servants and Crown employees?

Sir JOH BJELKE-PETERSEN: Why did not the officers you have referred to debate the whole Budget? Why did they go only as far as the Leader of the Opposition has suggested, if that is what his argument is. No deceit or deception occurred because they were not told the whole Budget contents. I suggest that the Leader of the Opposition should ask them.

Mr WARBURTON: That is pathetic. I am sure that the public servants will be impressed.

Mr SPEAKER: Order! The Leader of the Opposition will ask his second question.

Proposed World Heritage Listing of North Queensland Rainforest Areas

Mr WARBURTON: In directing a further question to the Premier, I inform the House that following discussions held this morning attended by representatives of the Queensland parliamentary Labor Party, including me, and the Federal Minister for the Environment and the Arts, Senator Richardson, the Federal Minister stated that officers of the Premier's Department have been conducting discussions with the Minister's department in relation to the World Heritage listing of northern rainforest. I understand that the discussions took place as late as two weeks ago.

In view of repeated statements made by the Premier that he and his Government have had no discussions at all with Senator Richardson or his representative on this issue, I ask: why has the Premier deliberately deceived the people of north Queensland about his Government's attitude to negotiating with the Federal Government when

officers of his own department have been involved in talks? Now that the Premier's deception has been exposed——

Government members interjected.

Mr WARBURTON: It has been exposed. It is unfortunate for Government members, but it has happened.

Will the Premier start formal and commonsense discussions with the Minister, Senator Richardson, to secure the future of those north Queenslanders who are affected by the World Heritage listing?

Sir JOH BJELKE-PETERSEN: Obviously, the Leader of the Opposition is trying to get in first by making a statement of that nature. I do not know whether or not the Leader of the Opposition knows this, but since as long ago as 10 or 15 years, a Commonwealth/State relations section has been part of my department. Three or four officers relate with their Commonwealth counterparts—one to the other—in relation to what the Commonwealth Government intends to do and how it will implement this and that.

From information given to me at lunch-time, I understand that these officers were trying to find out what the Commonwealth Government planned to do. There were no discussions. If the Leader of the Opposition is trying to imply that there were discussions, that is a lie; and Senator Richardson is lying if he says that that was so. I want to reiterate that there never have been any discussions in any shape or form by any officer or Minister in relation to any compromise. I have stated quite clearly that there is no compromise and that there will be no compromise. These people have the tiger by the tail and they will have to let go properly.

I know that Senator Richardson was here this morning trying to pull a few members of the Opposition into line. I know also that the Australian Labor Party is concerned that it has been brought to everyone's attention that the north is a drug-growing area. Everyone knows that the Australian Labor Party is going to lock off a huge belt of the rainforest area for the growing of drugs.

The members of the Labor Party want to lock those areas up and keep people out of them so that a lot of their mates and the trendies can go up into those areas. That is a very interesting aspect of the whole matter.

The attention of all Australians was drawn to that matter this morning by the Chairman of the Hinchinbrook Shire Council, Mr Williams. When a huge belt of country such as that is locked away, nobody will be permitted to live there; everybody will have to get out. Then it is quite easy to work out what will happen. Honourable members know what happened at Cedar Bay when a small pocket of land was locked away there. If a big area such as this is locked up, everyone knows what will happen.

Mr Warburton interjected.

Mr SPEAKER: Order! There will be no questions by way of interjection.

Sir JOH BJELKE-PETERSEN: The Leader of the Opposition will not be able to get off the hook that way, and neither will Mr Richardson. There will be no compromise in any shape or form, just as there will not be any ID card either.

What Mr Richardson said is quite untrue. In effect, one could say it is a lie, because that is all it is. There have been no discussions with officers about it.

Foreign Nationals on Torres Strait Islands

Mr FITZGERALD: I ask the Deputy Premier, Minister Assisting the Treasurer and Minister for Police: in relation to his recent public comments about the problem posed by the movement of foreign nationals among Torres Strait Islanders, could he advise the House of any initiatives being taken towards monitoring such activity?

Mr GUNN: I have been very conscious—and I would hope that everybody in this House is conscious—of the problem that exists in the Torres Strait. Just recently Mr Hayden did go up there. I am sure that he is well acquainted with the problem that exists in that area.

On a recent trip to that area I received first-hand information about this matter. The problem has severe consequences for the State of Queensland. As a matter of fact, it has severe consequences for Australia generally. However, I am pleased to inform the House that the Commonwealth Government has now recognised the need to do something in this area. This morning I received a letter from the Honourable Mick Young, the Minister for Immigration, Local Government and Ethnic Affairs, outlining possible initiatives to monitor and control such activities.

A major point of concern is the risk of spreading human health problems as well as the potential for such visits to break down Australia's animal and plant quarantine requirements. Associated with this have been some fisheries and customs difficulties and a small amount of illegal immigration, which I have spoken about.

The Federal Government is proposing that a system of international movement registers be maintained on each inhabited island with the keepers of such registers to inform Immigration Department officers on Thursday Island about arrivals and departures of all foreign nationals. Although no concrete measures have been adopted, the proposal being examined involves using Islander police as keepers of such registers. Mr Young is seeking my support—and I will gladly give it to him—for talks between officers of his department and senior Queensland police to develop a mutually satisfactory arrangement. There is a degree of urgency surrounding the situation because the Australian Government is required to brief Papua New Guinea delegates on proposed new arrangements at a meeting of the joint advisory council under the Torres Strait treaty scheduled to be held in Port Moresby in November. Accordingly, I will immediately contact my officers.

Instead of going into detail about the Minister's letter, I seek leave now to table that letter.

Leave granted.

Whereupon the honourable member laid the document on the table.

Apprenticeships in Queensland

Mr FITZGERALD: I ask the Minister for Employment, Small Business and Industrial Affairs: what recent initiatives has he undertaken to increase the number of apprenticeships in Queensland, and how effective have those initiatives been?

Mr LESTER: Some 10 months ago my department began a doorknock campaign. The idea of that was that four officers from the department would go round, meet employers and suggest to them the advantages of putting on an additional apprentice or putting on an apprentice for the first time. They also pointed out to employers that several opportunities are available to obtain help from the Government, which make it a little bit more attractive.

For example, no pay-roll tax is charged on the wages for a first-year apprentice. That is very helpful. Considerable help is given for travelling expenses. As a result of these things, approximately 300 additional apprentices have been employed. There are 110 in the automotive industry, 50 in cooking and 135 in metal trades industries. Queensland is leading Australia in the employment of trainees in the private sector. The Federal Minister, Mr Willis, has given the State great credit for its efforts in this regard. Some 800 trainees are now employed.

The group apprenticeship scheme provides for apprentices to be indentured to a type of authority or a company that can assign the apprentices to various employers. That means that an employer does not have to take on an apprentice for four years. The apprentices are farmed out. That provides great assistance to apprentices and

everybody else. The State Government will continue to monitor this program and continue to work hard to ensure that more apprentices are employed in this State so that the Government can keep up its good record.

Changes to State Service Superannuation Scheme

Mr BURNS: In asking a question of the Premier and Treasurer, I refer to the changes to the State Service Superannuation Scheme as announced in yesterday's Budget briefing of journalists, at which the Under Treasurer, Mr Hielscher, reportedly stated that the existing State Service Superannuation Fund had accumulated approximately $300m but that this surplus will disappear entirely by the end of this financial year because of the reduced contributions by employees, which will also have the effect of reducing the State Government's contribution by 3.46 per cent. I now ask: doesn't the admission by the Under Treasurer mean that the State Service Superannuation Fund is being used as a milking cow by the Government and that the reduced contributions will necessitate a complete review within 12 months of the superannuation scheme and the benefits payable? Did not the State Actuary advise that the fund could provide for early retirement with 80 per cent of benefits only at age 56½ and could not sustain early retirement at the age of 55 years? That is the claim by the State Actuary and his statement to the Premier.

Sir JOH BJELKE-PETERSEN: As one would expect, the honourable member is trying to confuse the issue and make it sound as though it is not very good. I reiterate what I said yesterday: the State Government puts in $2.31 for each contribution that is made by——

Mr Burns: What about what the State Actuary said?

Sir JOH BJELKE-PETERSEN: I beg your pardon?

Mr Burns: What about the $100m?

Mr SPEAKER: Order! I will not allow questioning by way of interjection.

Sir JOH BJELKE-PETERSEN: The Government has put forward a very, very sound and strong proposition that is of great benefit to the people who are in the superannuation scheme. They are very fortunate that in this State they have a Government like us that does the things that it does. The honourable member ought to be satisfied with his superannuation, too.

Proposed World Heritage Listing of North Queensland Rainforest Areas

Mr BURNS: In asking a question of the Premier and Treasurer, I refer to the fact that a moment ago, in reply to a question by the Leader of the Opposition, he said that no negotiations were going on between his Government and the Commonwealth Government in relation to the northern rainforests and rainforest conservation. I also draw his attention to an answer given in this House by the Minister for Lands on 7 April, in which he said—

> "The national rainforest conservation program has been under active negotiation between representatives of the Queensland and Commonwealth Governments for some months. I expect the matter of Queensland's participation in the program to be finalised in the near future."

He went on to speak about the north Queensland timber industry.

Honourable members interjected.

Mr Glasson interjected.

Mr SPEAKER: Order! The Minister for Lands! The House will come to complete order. Both sides of the House will remain quiet. I ask the member for Lytton to direct his question.

Mr BURNS: That was part of the national rainforest conservation and management program. In the same answer the Minister for Lands spoke about conservation of the north Queensland timber industry and about north Queensland being part of the negotiations. In view of that, how could the Premier tell the House a minute ago that his Government has never talked to anyone in the Commonwealth about it, when the Government has been involved all the time?

Sir JOH BJELKE-PETERSEN: Once again the honourable member is trying to confuse the issue. He knows very well the management plan to which the Honourable Minister made reference back in April. That was an entirely different matter to the one that is being dealt with today. This is World Heritage listing; the areas are locked away completely. They are taken over and controlled.

In regard to discussions with any Minister—it still has to come back to Cabinet. This Government will have nothing to do with those people under any circumstances. The issue highlights more than ever that this Government cannot under any circumstances have anything to do with the people down in Canberra. The Federal Government tried to get the Queensland Government to discuss this with it in those days, but I said, "No." and the Cabinet said, "No." That was the end of that episode.

Proposed World Heritage Listing of North Queensland Rainforest Areas

Mr LITTLEPROUD: In directing a question to the Minister for Lands, Forestry, Mapping and Surveying, I refer to articles contained in the *Courier-Mail* last week concerning the World Heritage listing of north Queensland rainforests. Evidently the member for Mourilyan has had the good sense to realise that the Forestry Department's sustained logging program preserves the rainforests and protects the employees in the timber industry. He is opposed to World Heritage listing. Meanwhile the ALP spokesman on the environment has threatened to resign unless the member for Mourilyan drops his opposition to World Heritage listing.

The Queensland branch of the ALP has now proposed a regional development plan to buy off the member for Mourilyan. I ask: has the Minister or his department been consulted about the regional development plan?

Mr GLASSON: I thank the honourable member for his question. It is very interesting indeed that all of a sudden the ALP and, more importantly, the member for Mourilyan, who is not in the Chamber, have had a change of heart in relation to the World Heritage listing of the wet tropics north of Townsville.

I very well remember the contribution by the member for Mourilyan to a debate in relation to areas that had to be excised from the forest. He fully supported it, without having any regard to the implications of that World Heritage listing.

Representatives of the timber industry in north Queensland travelled all the way from Cairns and throughout the north to meet the Premier in his office to plead that somebody speak on their behalf. The Premier responded to that request and went to north Queensland. Those gentlemen who came all the way down to Brisbane to see the Premier were at the point of no return in regard to the future of their investment in the timber industry, their employees who work in the timber mills, and their contractors who work in the forest. The member for Cairns cited figures in this Chamber that showed that only 300 people would be affected. That shows his naivety and ignorance of an industry in north Queensland and, indeed, in part of his electorate.

I warn the people, as I have in the past, about the extremes to which the media will go in order to paint a most dishonest and deceptive picture of the true facts. Last Monday when Cabinet was meeting a telephone call was put through to the Cabinet room from one George Negus, formerly of the television program *60 Minutes*. He requested an interview on the subject of the rainforests of north Queensland. The Premier acceded to that request.

When I saw the play-back of that interview, I was absolutely disgusted that people could be so dishonest, deceptive and deceitful to an audience. The interview was shown

on one of the most respected day-time television programs in this country. It is viewed by thousands of people. The Premier, quite unaware of what was taking place, gave that interview from the Executive Building. The footage was of over-harvested forest most certainly not in north Queensland—I took it to be a clearing operation, probably for the planting of artificial forest—and a fire that looked almost like Ash Wednesday. The day-time audience of that television program were watching and laughing at the way the forest of north Queensland has been managed.

The Conservator of Forests, Mr John Kelly, and his deputy, Mr Tom Ryan, were so disgusted that they issued an invitation to Mr Negus to come to this State, with his cameras, see the situation for himself and paint a true picture of how the forest of north Queensland is managed.

If there is to be any reprieve or salvation for the timber industry in north Queensland, I can assure honourable members that it will be brought about by the efforts of the Premier, who has gone to north Queensland. Finally, people have seen that somebody has gone in to bat for them. Any reprieve will be no thanks to the efforts of Senator Richardson, who has finally, I hope, seen the light and realises that the condition of the north Queensland forests is not as has been described. I admire the member for Mourilyan for having the intestinal fortitude to finally paint a true picture for his colleagues.

I wonder whether the honourable member for Windsor will keep his promise to resign. If he does, that will be an asset to the people of north Queensland and the industry. If indeed there is to be salvation, I will put the record straight as to who is to be thanked for it—the Premier.

Education-funding

Mr LITTLEPROUD: My second question is directed to the Minister for Education. In today's *Courier-Mail* Ms Mary Kelly, the president of the Queensland Teachers Union, is reported as claiming that the State Budget has cut funding for education by 7 per cent. Will the Minister inform the House whether this assertion is correct?

Mr POWELL: During the Premier's Budget Speech yesterday honourable members were given an extremely good run-down on what the Budget contained. Also the documents associated with the Budget gave honourable members plenty of real information on what the position is regarding education in this State.

One can massage figures to one's heart's content and try to get out of them what one would like to see, but the bottom line is that in 1988 Queensland will employ enough teachers to ensure that class sizes will not change dramatically. Specialist services such as physical education and music will be continued. Those were two services that the Queensland Teachers Union said would be dropped. I do not know who gives that union the authority to say how my department will distribute its resources. Remedial services will be continued where required and the programs that provide Queensland's children with the best education in Australia will be continued.

The only program that will be cut back will be the provision of electronic typewriters in commercial areas of secondary schools. The advances in technology that commenced two years ago in the Department of Education will be continued and, as a result of the Budget, people who send their children to State schools in Queensland can feel totally comfortable that their children will receive a proper and full education.

Proposed World Heritage Listing of North Queensland Rainforest Areas

Mr HOBBS: I ask the Minister for Tourism, National Parks and Sport: is he aware that the Federal Minister for the Environment, Senator Graham Richardson, has been here in Queensland trying to "head-butt" the Queensland ALP into supporting the Federal Government's unilateral nomination for World Heritage listing of the wet tropical rainforests of north Queensland and to prevent the State ALP members from making public statements against the cessation of work in the forestry industry in north Queensland? Is the Minister also aware that, if the proposed listing goes ahead, the

forestry industry is only one of the many north Queensland industries threatened by control from Canberra?

Mr MUNTZ: I am well aware, as everyone is, that Senator Richardson is here in Brisbane today trying to get a shattered Opposition together. Only half of the members of the Opposition are present today because they are out doing the numbers for Mr Comben to take over from Mr Warburton next week. That is what is likely to happen. He is the only member of the Opposition who supports the stand taken by Senator Richardson.

As far as the timber industry is concerned, this is only the thin end of the wedge. It is only one industry. What about the other allied industries, whether they be at Ravenshoe, Atherton, Mareeba, Cairns or Townsville? Who pays for the loss in throughput at the local fuel bowsers in Ravenshoe, Mareeba or Atherton? Who pays for the drop in sales at the supermarket at Ravenshoe or Cairns? The timber industry is only one of many industries that will lose not hundreds of jobs, as intimated by the Opposition, but thousands of jobs.

The people of north Queensland want jobs, not promises of jobs in the tourist industry. If that land is locked away in north Queensland, the tourist industry will be stifled because nobody, without going cap in hand to Canberra, will be able to construct an access road and nobody will be able to create the development that is necessary. I liken the position to what has happened to the Territorians. The bureaucracy in Canberra and the Labor Government have locked away nearly 60 per cent of the Territory to a minority group. The white people of this nation have to be granted permission to enter those lands. Similarly, that is what would happen in north Queensland. The Federal Labor Government is creating a State within a State. It is locking up thousands of jobs and thousands of acres that has potential value to the whole community. Within the proposed listings are certain areas that have been set aside for development.

One proposal is for 100 tree-top units to be developed on freehold land. It is understood that formal rezoning approval has been received from the Douglas Shire Council and, further, that the developer now has finances in place to proceed with construction. The project, which would be located on freehold land, would provide permanent employment for approximately 60 people. That is doomed to failure.

Another proposal is the Cape Kimberley project. It is a budget accommodation project, which is also located on freehold land and would be locked away by the Federal Labor Government by its inclusion in the World Heritage listing. The site was completely cleared for cattle-grazing about 30 years ago, and the owners and developers, Mr and Mrs Promnitz, are dismayed at its inclusion in the World Heritage listing. The development proposal is for 70 units plus camping ground at a development cost of $6.5m.

It is interesting to note that when those people approached Mr Gayler and Senator Richardson during the senator's visit to north Queensland, those two Labor politicians were told, "Why should you talk to them? They don't vote Labor." That is the sort of contempt that Senator Richardson and the Labor Party have for the people in north Queensland. It is wrong to make vague promises that jobs will be created in the tourist industry. In fact, the tourist industry will be stifled by the World Heritage listing. People come to the northern areas of Queensland to appreciate the national park estate, whether it is in north Queensland or in western Queensland. There is no sense in locking away that land for millions of years so that Canberra can prove to the rest of the world that it cares for the environment.

The Queensland Government was the first Government to become environmentally conscious. That occurred long before any other State thought about it. One has only to compare the amount of rainforest that is still standing in Queensland with the rainforest still standing in other parts of Australia. A total of 55 per cent of Queensland's rainforest is still standing, compared with 11 per cent in New South Wales, 0.6 per cent in Victoria, 31 per cent in Tasmania and 1.7 per cent in the Northern Territory. There is little or no rainforest in the Labor States of South Australia and Western Australia.

Senator Richardson and the Labor Party are treating north Queenslanders with contempt.

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

AUSTRALIA CARD

Hon. Sir JOH BJELKE-PETERSEN (Barambah—Premier and Treasurer) (3.38 p.m.), by leave, without notice: I move—

"That this House—

(a) condemns the arrogant determination of the Hawke Labor Government to pursue the introduction of the Australia Card legislation against the wishes of the vast majority of Australians; and

(b) calls upon every Australian to refuse to register for any national identification system which may be proposed."

I rise on a matter of grave and far-reaching consequence to the country that we all love and honour. I refer, of course, to the threat by the incompetent, insidious and un-Australian Hawke Labor Government to impose upon every man, woman and child in this country a form of institutionalisation that is unknown in the free world.

The matter at issue, in case any of the honourable members on the other side of the House still have not woken up to it, is the arrogant determination of the ALP people in Canberra to introduce what they like to call the Australia Card—a name they hope will play on patriotism.

I was the only one who opposed the system at the first summit that was attended by Mr Hawke and other persons. On that occasion I told them quite clearly that I was completely against the system because of what it meant and what it represented.

The proposal itself is, at best, unpatriotic. In real terms, it could mark the end of the Australian national identity for which men and women in generations past have given their lives to protect and preserve. In effect, everyone would become just a number.

The Federal Government can call it what it likes—the Australia Card or a national identification system—but by any name it is a plastic tattoo upon every Australian to mark every one of us for the control of our lives in the grand socialistic ideal to which that luminary of the Fabian society—the Opposition is under the control of the Fabian society—R. J. L. Hawke, is completely committed.

The arrogance of the Prime Minister, who, as we have heard so often in days gone by, postures as a man of consensus, invariably against a backdrop of the national flag, seeks to destroy by progressively shifting this land of freedom towards a rigid and totally regulated socialistic republic.

That man, who stands condemned for the shabbiest record ever of any Prime Minister for broken promises to the decent people of this nation, has staked his political future on a piece of plastic. He knows, but will not admit to this nation, that, if he cannot have the plastic tattoo card, he will have missed the best opportunity to establish personal data banks, which are the first requirement for the establishment of the socialist state. The Fabian society, of which the Prime Minister is a member, has been seeking that.

This is not what the media often calls a National Party scare tactic. Far from it. Today, all around the nation, people from all walks of life—from a range of professions, from universities, the entertainment industry, and even the media itself—are joining a spontaneous revolt against the socialistic Big Brother card proposal.

Even more importantly, at this stage of the debate throughout the community, the Labor Party is splitting apart at the seams, with Ministers out of Canberra and Labor parliamentarians, both State and Federal, all screaming for the Federal Government to abandon this crazy, wasteful and sinister plan.

I say to the Honourable the Prime Minister that the people power that is mobilising against him on this issue is unstoppable. He will be forced to reverse his attitude.

Mr De Lacy interjected.

Sir JOH BJELKE-PETERSEN: The Prime Minister called last July's Federal election some eight months earlier than was necessary, with the cry that he had to go to the people because he could not get his ID card legislation through the House.

Mr De Lacy interjected.

Mr SPEAKER: Order! If the interjections of the honourable member for Cairns are not answered, he must give way. I warn the honourable member for Cairns under the provisions of Standing Order 123A.

Sir JOH BJELKE-PETERSEN: For six long weeks during his election campaign, the Prime Minister worked hardest at preventing the ID card from becoming an issue upon which the people of Australia could make a choice. I, together with other candidates all over Australia, tried hard to make the ID card an election issue. It became clear that the Federal Government did not want that issue discussed or debated.

Australia is being conned by the Federal Government and the Opposition members in this place who support it. My Government will give Opposition members the opportunity to vote on where they stand on the ID card issue. The beauty of the free Australia in which we live is that the people of this country, I am sure, will not allow the Federal Labor Government to carry through its terrible confidence trick.

Every Australian must consider very carefully the true ramifications of the proposal for the plastic tattoo that they are to be marked with. Let us consider the real, everyday effects of the card. Mr Speaker, if you do not have this card with you at all times—and I ask honourable members to listen to this—you will not be able to deposit or withdraw money at your bank; you will not be able to claim your Medicare benefits; you will not be able to get a job; you will not be able to buy or sell any property; you will not be able to sell primary products, even to a marketing authority; and you will not be admitted to a hospital. That is only part of the list.

Opposition members interjected.

Sir JOH BJELKE-PETERSEN: Obviously, Opposition members have not read the legislation. Australians will not be allowed to carry out everyday, normal activities unless they have their plastic tattoo with them at all times.

It gets worse. I ask this House to consider the list of penalties for not carrying the plastic card—for not having it marked on one's wrist. One of the penalties, believe it or not, is that financial institutions will be stopped from paying interest on money held in deposit unless the person whose money it is can produce the plastic tattoo.

If any financial institution, bank or building society, and so on, breaks any of the long list of rules involved in the Australia Card proposal, it will face a $20,000 penalty. The rules that the socialists want to apply mean that you will not be able to put your money into a bank, get interest on it or take it out unless you carry your card. Even if your bank-manager has known you for 20 years and gives you a break, he is facing a $20,000 penalty.

There is another rule that says that all the financial institutions must tell the Commissioner of Taxation about every deposit and every account. The penalty for not doing so is again $20,000.

Under the Australia Card rules, there is a $5,000 penalty for registering a land title if the declaration for the title does not include the owner's Australia Card number. If you lose your card, under the Australia Card rules you can be fined $500. That is a mad mentality of intrusion, invasion—an attempt to legalise Government blackmail by legislation. It is absolutely staggering and unbelievable that today the people of Australia

face this system that a Fabian-oriented Prime Minister and Federal Government are seeking to impose upon them.

The Hawke Government—or, more precisely, some stubborn sections of it—continues to claim that the Australia Card will fight tax and welfare fraud and recoup hundreds of millions of dollars for the tax-payer. What a load of nonsense! Why not have the system apply only to people on the dole? The truth is that the card will cost nearly $1 billion just to introduce. It will require an army of 2 000 new public servants, and there is not one shred of real evidence that the card will ever even pay its way, let alone solve the massive welfare fraud problems that the Hawke Government continues to ignore.

In addition to the enormous cost on the already over-burdened Australian tax-payer of introducing this card, Australians will be asked to foot a bill of some $2 billion, which is the cost to the private sector, business and industry of changing accounting and management systems to comply with the Australia Card requirements. I wonder how many Australians realise that.

All honourable members know that in society today there are many isolated and limited banks of information on each of us. We only have to buy a motor car or a house or apply for a passport to establish small banks of information. But today, there is no system of cross-referencing the information, so that there is no way that a full dossier of private details can be built up. The Australia Card—the plastic tattoo—will provide a system to consolidate the information and build up the personal dossiers with every scrap of private information on every person in this land. The Queensland Government must fight that and must beat it.

What the Hawke Government seeks to introduce is a system of privacy invasion that is unknown in the English-speaking world. It is opposed by every reasonable person in this nation today. It is a frightening piece of legislation.

My Government and the National Party of Queensland will oppose the Australia Card with every means at their disposal. That is what I am doing today. The Prime Minister is the one who stands alone in this crazy campaign to socialise Australia under a Fabian system.

I commend the motion to the House.

Mr GATELY (Currumbin) (3.51 p.m.): On behalf of all Australians, it gives me great pleasure to come to this House today——

Opposition members interjected.

Mr SPEAKER: Order! I call the member for Currumbin.

Mr GATELY: Thank you, Mr Speaker. It gives me great pleasure to second the motion moved by the Premier on behalf of all Australians concerned when they read the words spoken by none other than Dr Neal Blewett, a Minister responsible for the iniquitous legislation relating to the Australia Card.

When he spoke at the ALP 1986 South Australian branch conference, he had this to say, which he later repeated in a Senate debate—

> "Let me say, as a socialist, that it is the interests of the community that should come before the individual right . . . We shouldn't get too hung up as socialists on privacy because privacy, in many ways, is a bourgeois right and that is very much associated with the right to private property."

I see in that an insidious way in which the socialists of this country have decided that they will not only take away the right of people to freedom in this country, but they will try also to take away the right a person has to his money, his property and anything else—the dignity of people.

A similar scheme is already being tried in Sweden, where a number is popped on the wrist of little babies without the knowledge of the parents.

Opposition members interjected.

Mr GATELY: Yes, this is what is going on in this world. Opposition members can laugh and they can shout—they can do as they like—but the facts are that the day of reckoning will come for each of them.

These are the kinds of thoughts expressed by the fellow who leads Australia today—"You're going to have an ID, and that's it. You're going to give land to Aboriginals, sell it to all-comers and what is left you will have dedicated to World Heritage." That is it. That is what our Prime Minister, Bob "Bully" Hawke says. Bob, I say to you, "Don't be so cocksure of yourself. The nation is not prepared to, and will not, accept your identity card. It certainly will not accept all of the ramifications that go with it." We now see the Prime Minister and his string-pulling puppet—"Sully Suzie"—trying to be super-smooth salesmen and attempting another con job on the nation.

I say to every citizen in Australia: don't be hoodwinked again. "Bully Bob" likes to think that he has the numbers to force all of us to be tattooed with his plastic tag and have us numbered on the wrist or on the forehead. He thinks he can do it in whatever way he likes and computerise the numbers against our will, and that that will be it. Is it, now? Is it, indeed?

This occasion not merely brings about the clash of wills—"Will we?" or "Will we not?". I say that we will not accept the ID card. I say to all Australians, "Go out there and refuse to register. Refuse to register! I call on the nation to express its feelings to the Prime Minister by disobedience."

Opposition members interjected.

Mr GATELY: I call on people to demonstrate civil disobedience. They will not be breaking the law. Opposition members who suggest to the contrary are fools.

Opposition members interjected.

Mr GATELY: Mr Speaker, they would not know. It is not law. The people of this nation still have one chance to say, "We don't want your identity card and we're not going to have it under the guise of some little sales gimmick such as 'We'll have a little plastic Australia Card with our photo on it.' " That might go down with five-year-old kids, but it does not go down with the nation.

Mr Vaughan: Haven't you got your parliamentary ID card?

Mr GATELY: That is okay, but a check must be made to ensure that not too many fools get in here. How did the honourable member get the opportunity to have his?

The Australia Card will be an acid test for members of Parliament. I refer to members of this Chamber and members of other Parliaments throughout Australia. The acid test will be to show that democracy in this nation is still able to be exercised by parliamentarians standing up and having the courage and intestinal fortitude to say to Bob Hawke much the same as some of the members of his own parliamentary select committee have done, such as one John Saunderson did on the *Today Show.* He said to this nation, "No, I don't agree with it, and I said so. I say to Bob Hawke, 'It's wrong.' "

The reason it is wrong is that there are ample opportunities and mechanisms available already to effect controls. Mr Hawke says that we must have an Australia Card. However, he has already attacked the people of this nation through other means, namely, the Taxation Department. He has thrust upon the people a fringe benefits tax and a capital gains tax and, through the introduction of the Australia Card, he is attempting to bring in another tax, about which I will say more further down the track. He is not saying anything about that.

The facts are that in the Taxation Department there is ample staff—investigators and others—who are quite capable of going through every business's accounts and who are being used right now to do so. That is happening now. As I said in this House

yesterday, not only in relation to those people in the Taxation Department but also to officers of the Social Security Department, "Get off your backsides and go out and do your work." When people complain to the Department of Social Security that the system is being ripped off by people who have other jobs and are still getting the dole, the officers of that department should get off their backsides, get out of their cushy little offices and go out and front the people who are creating the problem. I am not a criminal, and most people in this country are not.

Mr Prest: That's debatable.

Mr GATELY: The honourable member should stand up and be counted. I will find out whether he is debatable when he can stand up and say truthfully to the nation that he objects to the proposed Australia Card legislation.

I now return to the debate. The fact is that most people in this nation are not criminals. I remember very vividly in 1972 a Government saying to this nation, "There must be a change to the health system." What is left today? Private health insurance has been torn down and broken up. Initially there was a Medibank arrangement. Now it is Medicare. Because of that, this nation is in the greatest mess in which it has ever found itself. Why was it introduced? It was introduced because Whitlam said that a million people were not covered by health insurance. Because of that, everyone had to be lumbered with the problem. The same problems will occur with the legislation proposed for debate in the Federal Parliament.

I say to the nation, "Do not go in and register for Mr 'Bully Bob's' identity card." Australia is a democratic country. I believe that everyone in this country is entitled to see that the people of this nation are given every chance to see democracy work in the proper way.

Two world wars were fought to ensure that people had the freedom to stand up in this and other Parliaments throughout the nation and say what they believed and to make representations on behalf of the people not only in their electorates but also in their State, their nation and the world, if need be. We have to have the courage and the guts to stand up and say it; not walk away from it. I heard many people going crook about the fringe benefits tax which Hawke and his bandits down in Canberra pulled on us. People wanted to object to it, but they could not get the message across. The press was not prepared to print a lot of the stuff that was being said. In relation to the Australia Card—I call upon the media, few of whom are up in the gallery, to have the guts to say to the nation, "Do not accept the Australia Card."

Mr Comben: It was a full press gallery till you started.

Mr GATELY: That is okay. The honourable member would not be able to find his way to the gallery. He would lose his horse.

The hallmark of Australia, and the reason that it is such a great nation, is that its people have worked as a peaceful nation. They worked as a peaceful nation up until 1972. I will repeat the words of that fellow who was turfed out on his ear just so that the fellow who is down there now may remember them. "Maintain the rage", were his words. I am saying to this nation, "Maintain the rage from today forward until Hawke gets the same message and throws the card out." The people do not need it, they do not want it and there are plenty of other mechanisms by which——

Mr Burns interjected.

Mr GATELY: I do not know how they missed the honourable member for Lytton.

Plenty of mechanisms are available to allow the various departments that are showing concern that things are wrong in this nation to use the expertise of the people who are employed by them. I do not in any way denigrate the public servants of the Taxation Office when I say to them, "Get off your backsides and go and catch the blokes who are causing the problems; leave all the decent, fair dinkum, worried citizens alone."

When age pensioners get on the phone and start crying and saying, "We do not want this", and when other people are saying the same thing——

Mr Davis interjected.

Mr GATELY: They are not all fools like the member for Brisbane Central. Those people are fair dinkum.

As the representative for the seat of Currumbin, I fear for my nation. I fear for the freedom of people in this nation and I am prepared, on behalf of all Australians, to have the courage of my convictions and to say to Moscow's comrade Bob, "We will not accept your identity card."

Mr Mackenroth: I'll bet you do when you have the choice of presenting it or paying tax.

Mr GATELY: The only way in which I will have it is if I am forced at the point of a gun to accept it. That is about the only way many people will accept it.

I wish to remind "Bully Bob" of what Aristotle said—

> "The fate of empires materially depends on the attitudes of Government towards the rights of people."

Civic pride and the power to fight should, I believe, be top priority. Whilst most of the time that big silent majority does not say too much, there comes a time in every citizen's life when he feels repressed and when the attitudes of repressive government begin to erode his rights. The citizens will rise to the occasion and sound a clear message to that Government—in this case the Federal Australian Labor Government—that enough is enough and that they have had a gutful; they will not accept the Government's Australia Card.

During the election campaign "Bully Bob" continued to state, "I have every confidence in the people to make the right decision." Today the people of Australia are shouting from the mountain tops, the valleys, the highways and the by-ways, "We don't want your Moscow card." They rightly believe it is the thin end of the wedge, the foundation-stone for the introduction of a wealth tax and an invasion of privacy the like of which this nation has never seen and certainly does not want to see.

I shall now refer to some comments from a publication titled *Current Sweden.* I ask honourable members to think about current Sweden and think about the unions of this nation for a minute. Quite rightly I will reflect upon some of the good things that they have done, because something that is going on in Sweden must be right. Last year an Australian delegation, including the president, the vice president and the secretary of the ACTU, at a cost of some $116m to the people of Australia—

Mr Davis: How much?

Mr GATELY: I am sorry, $116,000. I shoved a few extra noughts on. I am pleased that members of the Opposition are awake.

I will return to my comments about the unions and say to the people of this nation, "Wake up, Australians." In particular, I say, "Wake up, workers. Bob Hawke, Paul Keating, Simon Crean and Bill Kelty of the ACTU with their continued union mentality of disruption are saying to you, 'Worker, slow down'." How often have the people of Australia heard that? Honourable members should go out into the workplace, as I have done in the past and will do in the future, and see what is happening. Recently I went to a factory in Sydney with the management, but there was not a soul to be seen. The factory was not operating because the workers were having a flexi-day. That caused disruption to the whole work process in that plant. It leads to a lack of productivity in Australia. That is what it amounts to.

The unions say, "Slow down. Don't hurry. Make the job spin out. If you keep working at that pace, we'll all be out of a job." I say to the workers of this nation,

"Take a good look at the whole ambit of what the unions are doing to you and to the nation." I say to them, "Put on your glasses and take a look at what the unions are doing because it just might reveal the real Australia today, an Australia which the present Labor Government in Canberra has overtaxed and overburdened with its intrusions in all parts of life."

This Parliament is now debating the most insidious piece of legislation ever to be thrust upon the people of Australia. Like a true little bully-boy who gets beaten once, what does Bob Hawke do? After being told twice in the people's Parliament that it is not on, he brings the legislation back. That is true Fabian society style. He says, "If we don't win today, we'll progress as far as we can, back off, let people think it's all gone away and then we'll bring it up again, pop it in under another name or change the terminology a little bit. It will not be an identity card; it will be an Australia Card." I am not falling for the antics of Bob Hawke or any of his socialists, who want to turn this nation inside out and upside down.

I turn to the excessively high interest rates in this country. Do honourable members remember Bill Hayden's comments? He said, "We will redistribute the wealth of this nation, and we will do it by having the bond interest rate held at an unrealistically high level. In so doing, we will force commercial rates of interest higher and higher, and we will then have soaked up all the excess liquidity in this economy." Let me assure this Parliament and every citizen of this nation that that is exactly what the Federal Labor Government is doing. It is stifling every bit of development in this country. It is high time that the people of this nation were prepared to stand up for once and say, "No." Again I say to the people: refuse to register for Hawke's rotten card.

Hawke has not only been prepared to attack every business house and every person who has the capacity to have a go; he is now attacking the pensioners. Only last week, at the annual conference of the RSL movement of Australia, Bob Hawke, the Prime Minister, had to back down. Prior to that he was attacking the TPI pensioners. He told this nation that he was not going to allow those people to receive their just entitlements, after they had fought for this nation so that its citizens could live in freedom. He was going to cut out their entitlements when they turned 65. I cannot hear any interjections from the Opposition now. That is what Bob Hawke was going to do. He was going to attack every one of those pensioners. He commented that he was not prepared to see it go on any longer. It is a damned pity that he did not have the guts to go out and fight for this country like some of our forefathers. What did Bob Hawke do when he visited the Gold Coast? He tried to make a good fellow of himself. He came up there and retracted what he had said. He said that those pensions will stay in place. I say, "Good on the RSL for having the guts to fight him. Good on the RSL for standing up and doing what it did."

In addition to that, through manipulation, Bob Hawke has begun an attack on the students of this nation. He began that attack by the implementation of a $250 fee imposed under the guise of administration costs. That fee is purely an additional tax on the students and the youth of this nation, and he ought to be ashamed of it. Bob Hawke ought to be ashamed to say that he was involved in the implementation of that fee.

I turn to how well the union movement has helped none other than the coal industry. This morning I saw Mr Maitland on the *Today* television progam. He is going to have a strike. He does not know what the duration of the strike will be. However, it is another example of the disruption that is caused to this nation. The disruptive elements in that industry alone saw "Nifty Nev's" armada or fleet of ships standing by—at times up to 45 in number—off the harbour of Newcastle.

In the Hunter Valley they wonder why they no longer have the orders. They no longer have the orders because as union organisers they were not prepared to look far enough along the track and understand the ramifications of their rotten little strikes.

Mr SPEAKER: Order! The member will return to the motion.

An Opposition member: Have you lost interest in the ID card?

Mr GATELY: No.

All those coal-miners will have to bear the brunt of having an ID card. Alternatively, what else will they have? Like the people in the timber industry in Wauchope, will they be offered alternative jobs to earn their money? Those poor people down there received compensation all right, but not in new jobs. It was in the form of an ID card invitation through having to draw the dole. Now they will not be able to collect the dole.

What I am saying about the coal industry and the ID card is simply this: that they will find themselves out of work because there are not enough orders. As a result of that, they will then be told that they must have an ID card because if they do not, they will not receive the dole. We will see how they go from now on.

Mr Comben: You've run out. Sit down.

Mr GATELY: I do not need to sit down. I will give the honourable member a few more facts.

Earlier this House heard the Premier talk about the Labor Party, its Fabian attitudes and its requirement to have all Australians carrying an identity card. I refer to comments concerning the trade union movement and its infiltration of the education system, the greenie movement and the arbitration system. In recent times the trade unions have kept up a war, not so much to further the interests of their members, but to disrupt and weaken the economy. An example of this was the grain-suppliers and the Northern Territory abattoir dispute at Mudginberri.

Looking at the greenie movement—and I mean the radical people—I have stated in this House that there are genuinely concerned people who have the right attitude towards conservation in this nation and I love to work with them. I wonder just how many of the greenie elements of "Big Bully Bob's rent-a-crowd" will carry their identity cards. Then we might see who the tax-cheaters are and who the welfare-cheaters are. If the ID card is put in place, this will be seen very clearly. The greenie movement seems to concentrate upon areas where economic growth is most crucial and promising, for example, sand-mining in north Queensland and uranium-mining in South Australia. Under all sorts of banners they are prepared to hold up projects that are of vital economic worth to Australia. Their arguments are specious, and their reasons are false and not fair dinkum.

Let us not be hoodwinked. These things are happening to this nation. It gives me the greatest of pleasure to have taken part in this debate and I strongly recommend some of the urgers on the other side of the House to stand up and be counted like a few of their other Labor Party friends, and have the guts to vote against Bob Hawke by supporting this resolution. That will ensure that Australians have the right to freedom, to go where they want when they want, to buy and sell their homes if they choose to do so and have the right to move freely in any part of this country. I do not want to see another wall like the Berlin Wall between east and west Berlin.

Mr Davis interjected.

Mr GATELY: It is all very well for these people to say, "Aah". The only "Aah" they will say is when they are shoved inside a compound.

I am not prepared to live like people do in Russia and in some of the other countries where ID cards are required. I am not prepared to see people's lives intruded upon due to such hypocrisy by a Prime Minister, who purports to be doing the things for this nation that he says he is. He is not being fair dinkum. Honourable members know it; I know it. He is doing it because he has ulterior motives.

The Federal Government has indicated that it has undertaken discussions with the private sector but refuses to give any estimates of the cost to that sector of the implementation of the Australia Card. The cost to be borne by business involves not only the compliance costs with the Australia Card proposal but also the costs of complying with new tax requirements to be imposed by the Australian Taxation Office for wider

and more detailed reporting of transactions. The Federal Government does not talk about the intrusion into people's time because they will have to leave, obtain a photograph, and then have an interview with the Australia Card group. We do not hear anything about that. When we look at the cost to industry——

Mr Burns: If they had had an inquiry into the New South Wales Police Force when you were there, it would have been interesting.

Mr GATELY: There would have been no problem at all. I can stand up and be counted. I doubt whether the honourable member could be.

Mr Burns: You were counted. There is no doubt about that. That's why you left town.

Mr GATELY: The honourable member could not even get into it. Grotty little blokes like him wouldn't even get into it.

Mr Burns: You were the fastest man on the toe.

Mr GATELY: Little fellows like the honourable member would not even be given the privilege to stand in that place.

Mr Burns: You ran so fast, you never stopped—over the border; straight over the border—out of town.

Mr GATELY: I will take the honourable member's interjection. I remember his friend Mr Noel Elliott saying that this Government did not care——

Mr Burns interjected.

Mr GATELY: If the honourable member stops and listens, he will learn something. They said that the National Party did not care about Currumbin and they were making it easy——

Mr Burns interjected.

Mr GATELY: Do you want me to smile? Good on you!

They were saying that the National Party made it easy for this mob of grots to win that election. Where is Mr Elliott today? He was found—like many Opposition members—wanting in a lot of areas.

Mr Burns: You're still wanted in a lot of areas.

Mr GATELY: No, I am not.

When account is taken of business compliance costs, the Federal Government's optimistic cost benefit analysis looks extremely shaky. The major portion of the expected tax revenue gain is in the area of undisclosed interest, which it hopes to isolate by identification of account-holders and investors with banks, financial institutions and Government and semi-Government bodies. It is said that the expected revenue gains will be in the order of $224m per year in six years' time and that any alternative proposal which targeted that area without the massive Australia Card proposal cost would be significantly more attractive. If the Taxation Department officers did their work and got out and chased the real persons who are involved in tax frauds and left the fair dinkum, average, honest Australian alone and stopped tying us down with all this socialistic nonsense, the nation would be able to get on with its job of making it once again a great place in which to live. Until Hawke and the Labor Government are turfed out on their ears, the place will continue as it is—divided as a nation—and the people will not have the peace of mind that they deserve.

Mr WARBURTON (Sandgate—Leader of the Opposition) (4.19 p.m.): I have witnessed some disgusting exhibitions by the National Party Government and members in this place previously. Frankly, none has been as disgusting as the exhibition that I

have just witnessed. The last speaker, who is a johnny-come-lately in this place, not even a Queenslander——

Mr Gately interjected.

Mr WARBURTON: Could I say to the member for Currumbin in all sincerity that his performance was shameful. Hearing him talk about the Berlin Wall and the types of things about which he spoke, I thought he was Rudolph Hess reincarnated.

Despite that, I think that inevitably we will see the Liberals join with the National Party when the vote is finally taken. They will be part of this whole sordid affair—this excuse. It is merely an excuse by the Premier of this State to push his own personal hatred and his own personal obsessions.

Honourable members saw a further disgusting exhibition. The Premier moved a motion, but not one of his Ministers had the guts to support him. It was left to johnny-come-lately, the member for Currumbin. Not only would they not support it, but they also walked out. The Leader of the House was instructed to go and round them up, and they came into this House like a flock of sheep.

Mr POWELL: I rise to a point of order. As usual, the honourable the Leader of the Opposition is misleading the House. I was not dispatched to go and summon anybody. I take offence at the honourable member's remarks.

Mr DEPUTY SPEAKER (Mr Row): Order! The Minister for Education has taken offence at the implications that were made by the Leader of the Opposition. The honourable member will withdraw them.

Mr WARBURTON: A person in a light-coloured suit, having been spoken to by the Premier, went through those glass doors and, immediately, approximately 10 Ministers came into this House.

Mr DEPUTY SPEAKER: Order! The Minister has taken offence at certain remarks that have been made. There is a valid point of order.

Mr WARBURTON: That is fair enough. There are none so blind as those who will not see. I foreshadow an amendment to the motion.

The Premier's action is typical of what honourable members have come to expect. The Premier, in his preoccupation with and his obsession about the Hawke Government, has suddenly decided that he may be able to rescue some of his failing support by pursuing a matter over which this Parliament, quite frankly, has no control whatsoever.

The Drugs Misuse Act Amendment Bill, which was to be debated this afternoon, has now been pushed aside. That Bill deals with matters concerning the apprehension of drug offenders and matters affecting the civil liberties of the people of Queensland. It has been pushed aside for this stupid farce in which we are now involved.

Mrs Nelson: Do you think the ID card is a farce?

Mr WARBURTON: The Premier is claiming that 89 politicians in this House can supposedly determine the attitude that is held by the Queensland population to the ID card. Of course, that is a lot of stupid nonsense.

The honourable member for Aspley is continuing to prattle on. I wish that she would shut up.

The Premier knows that this is a lot of nonsense, and so do Queenslanders. Those Queenslanders are the people whom the Premier attempts to treat like fools.

I believe that the Premier has suddenly discovered that, if the proposed Australia Card legislation becomes law, some of his acquaintances and people that he firmly embraces could be in heaps of trouble. There are people who have genuine concerns, mainly because of misinformation. I will mention them in a moment.

What a sham this motion is. We have just had a lengthy Federal election campaign in which neither the National or Liberal Parties bothered to mention the ID card. They are more interested in their variety of ill-costed tax schemes, which were flatly rejected by the majority of Queensland voters.

Until a few days ago, the Premier of this State—the man who moved this motion this afternoon—had scarcely mentioned the ID card. I doubt if he knew what it was. He probably thought that it was something that Mike Ahern was suggesting as the issue—perhaps a permit for condoms. That is about the limit of his thinking.

If the members of this Parliament were to think back only a few months, the Premier's message was, firstly, "Joh for PM", then "Joh for Canberra", and finally it was "Joh for Nowhere" except, unfortunately, here in this House. There was not even a whisper of ID cards. Even now the Premier puts forward this opposition to the ID card even though he has an acceptance rating in this State of somewhere between 11 and 18 per cent. He is a man who is putting forward this proposition today. That acceptance rate is far lower than the worst result for Howard and Sinclair, a result that he found so completely unacceptable that he sought to replace them in Canberra.

It is not surprising to the members of the Opposition at this late stage to find the Premier and his National Party echoes shielding and championing the tax cheats and welfare frauds. After all, they are the political friends of the cheating bankrupts like Wiley Fancher, the international fraud Oskar, the infamous medical thief Brych, Brian Ray, Ian Rice, Brian Maher, Mike Gore and the others whom a card such as this is designed to protect the community against. Is it any wonder that the National Party comes out and opposes the identity card?

As the political promoter of such an undesirable bunch of scavengers, it is no surprise at all to hear the Premier now promising non-co-operation in the introduction of something that will save Australia illegal tax and welfare losses. Perhaps the card should have applied years ago when the Premier was trying to dodge tax on his oil share profits.

The Opposition would be amazed if the Premier and his National Party proposed anything different to what they do today. After all, it is the parasites in our society such as the ones that I have mentioned—who no doubt donate to the Bjelke-Petersen Foundation—that the ID card is meant to expose, and in fact will expose.

The National Party's white-shoe brigade is in mortal fear—that is what this debate is all about—of the effects that the ID card will have on tax and welfare dishonesty. As I said, until a few days ago neither the National Party nor the Premier in this State showed any real interest in the ID card. But their late interest is quite understandable in the light of the card's worthy objectives.

This issue has been before Australia for a considerable period. It has been available for public debate and argument and even now the Prime Minister says that it is still open for improvement through amendment, if necessary, after being presented again to the Parliament of Australia. What a contrast that statement by the Prime Minister is to the hasty, extremist and discriminative legislation that is shovelled through this House by the very people who are now protesting.

I respect the sincerity of many of the people expressing doubts about aspects of the Australia Card. The Prime Minister as late as today has shown that he is still open to legitimate suggestion, which is important. That is, I suggest, a very commendable approach to an important matter that attracts the attention and thought of well meaning Australians in various walks of life.

But there is no sincerity in this false motion now before us in this Parliament. The motive here is outrageous misrepresentation. The motive is not to protect Australians against the intrusion of Government—far from it. The motive is to yet again refuse co-operation with Canberra, to yet again consolidate the National Party's political patronage towards people who have a frightening record in tax and, I have no doubt, other kinds of Government deception.

This motion is, as I said, a sham at a time when this Government is under fire on so many fronts, including corruption in a police force which the Premier has for so long personally protected, promoted and pampered.

It is laughable to listen to the National Party expressing concern for majorities, whether silent or otherwise, when it demands a voting system that allows it to govern with only 39 per cent or less of the State vote. The National Party's idea of democracy and its idea of majority is a voting system that lets it win Government when 61 per cent of Queenslanders have voted against it.

Let us consider some of the arguments advanced by people who favour the Australia Card. The Australia Card program is the strongest possible weapon against tax evasion and welfare fraud. As I said, it is therefore understandable that the National Party is against the card.

The use of false identities is a major contribution to tax evasion. False identities and misstatement of financial circumstances are major factors behind welfare fraud. The Australia Card is designed to combat tax evasion and welfare fraud—and it will, despite the rantings and ravings of people who really do not want a reasonable debate.

The Australia Card will be used in determining eligibility for social security and Medicare benefits and for a wide range of financial transactions. It will enable the Australian Taxation Office to draw together financial information about individuals and ensure proper taxation assessment. It will prevent people from double-dipping from the Department of Social Security and obtaining benefits under false pretences, or in circumstances in which financial status should preclude them.

The use of the Australia Card will be limited to tax-related matters and assessing eligibility for benefits, including social welfare and Medicare benefits. Such a use for tax-related matters and social welfare assessment will reduce—I emphasise "reduce"—the massive revenue losses sustained through tax evasion and will reduce the level of social welfare fraud.

I ask all honourable members to listen carefully to the figures I will quote. Conservative estimates indicate losses to the Government at $3 billion per annum throught tax evasion and between $150m and $450m per annum through welfare fraud. It is estimated that, when the Australia Card system is fully operational, it will cost $55.6m a year to operate but will provide total savings of $932m a year, amounting to net total benefits annually of at least $877m. Those estimates do not include taxation penalties or amendments to prior tax returns in which omissions or understatement of income have occurred.

The joint select committee on the Australia Card acknowledged those two factors and concluded that estimates of evasion—and, therefore, benefits to be derived in the future under the Australia Card system—are extremely low and that evasion levels could be more than double the figures that I have given. Those revenue gains do not by any means include the full component of welfare fraud, because there is really no-one who can put his finger on how much welfare fraud amounts to. Estimates range from 1 per cent to 3 per cent of total outlays of approximately $15,000m per annum, or $150m to $450m per annum.

By 1995-96, the Australia Card proposal will save at least $4.7 billion which would otherwise be lost in tax evasion and social welfare fraud. That being the case, the Premier, who moved this motion—in spite of his economic incompetence which was aptly shown by yesterday's Budget—cannot have his cake and eat it.

In the future, the savings I have mentioned will ensure higher employment levels and much better services for Australians across the board. The Australia Card will help create a fairer and more equitable society. Public confidence in the tax and welfare systems will be restored as the level of abuse declines. Illegal immigration will all but disappear. The Australia Card will make it very difficult indeed for illegal immigrants to operate effectively in Australian society.

The program will establish the most broad-ranging and effective safeguards ever introduced in this country to protect the individual's privacy. It will ensure that a proper balance is maintained between the need to protect the interests of the community against tax evasion and welfare fraud and the need to preserve the rights of the individual to privacy and civil liberties. That is important. But those on the Government side of the House are not concerned about such matters.

Another factor that ought to be taken into consideration is that a data protection agency—that is, a new independent watch-dog body—will be set up to review, establish and maintain guide-lines for the operation of the program. The DPA will also administer comprehensive privacy safeguards for the protection of personal information contained in Government computer records.

Only the Taxation Office, the Social Security Department and Medicare will be able to have access to the register to verify the identity of people they are dealing with for tax and benefit-payment purposes. There is no requirement at all to routinely carry the card, and its use is restricted by legislation to a very limited number of situations.

I want to bring to the attention of the House a couple of matters in respect of the level of tax evasion, because really that is what we are talking about. The draft White Paper on reform of the Australian tax system mentioned tax evasion revenue loss of $3 billion per annum. That figure is based on Australian Taxation Office estimates for 1984-85. The break-up is: understatement of business income amounted to $1,500m; non-declaration of fringe benefits, $700m; overclaimed employee expenses, $150m; unreported wages and salary, $100m; non-declaration of dividends and interest, $300m to $500m; and non-declaration of rental income, $300m. That represents a total of about $3,050m to $3,250m. Fringe benefits tax and substantiation rules have addressed non-declaration of fringe benefits and employee expenses. The Australia Card will address, at least in part, the remaining areas of tax evasion.

From the figures that I have just given the House, the extent of tax avoidance is clear. One must question, of course, why the Premier, with all his property and business interests, is so keen to see the Australia Card not implemented.

The Honourable Neville Harper, when he was the Minister for Justice and Attorney-General of this State, in a media release on 13 January 1985, said—

> "The first 146 Queenslanders eligible to obtain an electoral identification card should receive letters inviting them to apply for the card later this week.
>
> Eighteen year old Queenslanders who decide to apply for the identity card will have a photograph taken at either the Chief Electoral Office in Brisbane or at selected court houses throughout the State.
>
> The Government hoped that by providing the electoral identity card to eighteen year olds, the incidence of under-age drinking would be substantially reduced, as publicans and operators of other licensed premises such as restaurants and discos would be able to obtain conclusive proof of age from people they suspected might not be of legal drinking age.
>
> The cards will contain a photograph of the holder together with their date of birth and signature.
>
> Mr Harper urged young people who turned eighteen to apply for enrolment on the State electoral roll and for their identity card as soon as possible after their eighteenth birthday and not to wait until just before an election."

So it is good to see that at least Mr Harper is enlightened.

I will not speak about all the cards that people now have in their wallets, but I wish to state that, when I first came into this House, I was told very definitely that before I would be allowed into this Parliament House I had better go and get my photograph taken and get my card. I do not know how many members carry these cards around, but here is mine in my hand. I am supposed to produce that every time I come into this place, whether it is this building or the annexe. It has my photograph on it.

Government members interjected.

Mr WARBURTON: They always scream when they are found out.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chamber will come to order. There is too much cross-conversation.

Mr WARBURTON: Last night on the *Willesee* program on the Nine network, the Prime Minister had several comments to make that have a direct impact on this issue. Because of this debate today, his comments ought to be placed on record. When asked about comments by the New South Wales Premier and the ID card, the Prime Minister said—

> "OK, he said I should rethink it and I'm interested that Barrie said it, but I can say to Barrie, I can say to all the Australian population, that this has been on the table for a very considerable period of time. It has been in the Parliament twice, and passed the House of Representatives twice, and it will be reintroduced again. It will be passed by the House of Representatives and then it is up to the Senate as to how long they consider it. But following their consideration and how long that takes, it will then go to a joint sitting and it will be passed."

After further questioning, the Prime Minister said—

> "But let me make it clear that, and I said this before, that we think there can be some improvements to the legislation. We can't include those in the legislation as it goes before the Parliament, because we would thereby invalidate the grounds for the joint sitting of the Houses. But I made it clear that once the legislation is passed, then of course we will be prepared to incorporate amendments which would even further strengthen the safeguards for the legislation. The important point is that I recognise, and the Government has consistently recognised from the time we have advanced the legislation, that we do need to make sure that we have as strong provisions as possible to ensure the security of the card, that it be non-available for uses other than those to which it is intended, that it is for tax security purposes and social security welfare services and we will be prepared to amend the legislation after it has been passed to give the absolute degree of confidence to the Australian community about the integrity and security of the card."

These are the facts. Once again the Premier of this State is engaged in a political fear and smear campaign which is reminiscent of what I have read about, what many people have read about and, from the contribution of the member for Currumbin, obviously what he knows about, happening in Europe in the 1930s. I was stunned to hear the comments from that member of this House today.

It is time for the Premier to pack his bags and give Queenslanders a real chance to destroy the divisions that he continues to try to create.

I now move the following amendment—

> "Delete all words after '(a)' where it appears in the second line and substitute—
>
> 'supports Federal Government action to eliminate tax evasion and rip-off of the social security system which is costing thousands of hard-working, honest Australians millions of dollars annually.
>
> This being the case, the House supports the Australia Card.' "

Mr BURNS (Lytton—Deputy Leader of the Opposition) (4.45 p.m.): I have pleasure in seconding the amendment. I was at first surprised to find that the National Party opposes the Australia Card and is against the use of numbers on people's cards, because I remember that when I was Leader of the Opposition a bloke by the name of Russ Hinze, who is now overseas, when in Tully proposed to the people of this State that people should have a numbered dog-tag or a tattoo to cut down dole-bludgers and to prevent illegal immigration into Australia.

Mr FitzGerald: He did not say that.

Mr BURNS: Yes, he did.

Mr FitzGerald: He then denied it.

Mr BURNS: No, he never denied it.

I appeared on television with him. At that time Sir William Knox and his Liberal Party were part of the Government. I challenged the Premier to do something about Russ Hinze, who demanded that people wear a dog-tag. In fact, on one occasion on television he said that dole-bludgers should have a tattoo on their foreheads. That is how angry he was about dole-bludgers. The National and Liberal Parties in Government did nothing about his statements. I have newspaper clippings referring to statements by the "Colossus of Roads" which were never denied. The Government did nothing about it.

Let us talk about the Liberal Party. The other day, Mr Elliott let the cat out of the bag. He said that an identity card is all right for the poor people on welfare but not for the rich. Even Mr Howard had to come into it and say, "We don't want to divide Australia into two nations." However, the policy of the new national president of the Liberal Party is very clearly that the ordinary old worker can carry a card, can be numbered, but not the rich—not Mr Elliott.

Of course, Mr Elliott is well-known for being a tax-evader. He has shifted most of his companies off shore. Most of the time he pays little or no Australian taxes. He has whipped off overseas to get away from it all.

It is a measure of the Federal Opposition's hypocrisy in relation to the Australia Card that it picked that fellow "Iron Bar" Tuckey as the spokesman on the card. "Iron Bar" Tuckey—that great civil libertarian! "Iron Bar" Tuckey's poor reputation for rational, well-documented evidence in support of any debate is so well-known that people now question the sincerity of John Howard and some of the other Liberals.

After every election, when I have asked questions in this Parliament the Government has said, "Who won the election?" Whether it was in relation to World Heritage listing or the Australia Card, the people had the opportunity to vote in the only place that counts—the ballot-box—and they voted for Hawke. Make no bones about it. At the last election, the people voted for more Labor members of Parliament, under Hawke, than ever before. In this State of Queensland, the people took seats away from the Liberal and National Parties. Those parties were very clearly rejected.

People talk about telephone polls. I can remember when the Premier started his "Joh for PM" campaign. The first telephone poll resulted in 80 per cent support for him. The other day in a telephone poll conducted by the ABC, not more than 11 per cent of people supported him as Premier—let alone Prime Minister.

Polls cannot be acted upon. It is a question of political sincerity. I am talking about social security bludging and tax-bludging. It is well known that for years and years the Liberal Party in the Federal Parliament has supported the tax-bludging industry—not tax-evasion, but the tax-bludging industry.

Every Friday the ordinary worker has the tax taken out of his wages. Over years and years in Federal Government, the Liberal and National Parties were able to set up a system that allowed the rich and the smarties to bludge on the worker. What we in the Opposition are saying is that Hawke is setting out to have a fair system introduced. The Federal Labor Government will stop Mr Gygar having two or three names, two or three accounts, and two or three ways of dodging the system. It will abolish the system that has allowed people to abuse it.

The Australia Card will save so much money that the Queensland Government would not have to bludge on the State public service and take away the 17½ per cent holiday leave loading. It would not have to wipe out such things. I wonder how many schools could have been built this year with the $877m that would have been saved if the Liberal and National Parties had allowed such legislation to be passed in the Federal Parliament?

I wonder how many schools and classrooms could have been built with $877m? The Queensland Government would not even have had to take the milk out of the mouths of the kids in the schools. That is what the National Party has done; it has taken the milk out of the mouths of the kids in the schools, while protecting the tax-bludger.

The Queensland Government is not sincere at all about the ID card as a threat to civil liberties. Sir Joh Bjelke-Petersen sees it in the same way as he sees the World Heritage listing argument—as a good political fight. He likes the headlines, the drama, the media attention. He is not concerned for the ordinary Australian. He is a well known tax-dodger himself. That was documented back in the old days. He is against human rights and the ordinary people getting their fair share and a fair go in this country.

One only has to look at the way you blokes have operated. You have operated for the millionaires and for the Mike Gores. They are outside in an office now and honourable members can go out now and see them. Lang Hancock is out there. He is the bloke who bludged on the asbestos-workers in Wittenoom. He is out there now talking to the Premier. The Premier is not in this Chamber worrying about the ID card; he is out there with one of his old mates; the mate he took overseas. He is doing a deal. The Premier is not worried about you or the little blokes in this community. He is worried about the supremacy and liberty of the State Government—not the State and not the people of the State, but the right of this State Government that has rorted, rigged and changed everything to suit itself. He is here to look after them and that is what he has been doing.

Today I heard the Premier talk about the possible abuse of Government power. I nearly fell out of my seat. Thank God I was sitting down when the Premier began to talk about abuse of Government power.

Honourable members interjected.

Mr BURNS: I have to get rid of this cold that I have picked up around here. There is a lot of pollution in this place. Honourable members should come down my way where ICI are going to install another plant and pollute the daylights out of the area.

The Premier used the term "abuse of Government power". It is most interesting. What about that poor fellow from Fraser Island? Joh used Government money and power to blacken his name. He got rid of him and had him hounded out of the State. He chased him, hounded him and even threatened to send him bankrupt over a debt of $30,000 when the Premier has run up $350,000-worth of debts trying to chase me and Nev Warburton up on a few writs. That is a misuse of Government power. Talk about saving a few bob—not our Joh!

The campaign against the ID card is similar to other scare campaigns run by Joh and the National Party over the years. Do honourable members remember the Premier's threats of Libyan-trained blacks who were going to terrorise the Commonwealth Games? Prior to the Commonwealth Games this Government passed legislation that prevented people from standing together in the street. Now this House is debating the National Party's concern for civil liberties.

Do honourable members remember the Queensland Government's stand on the United Nations treaty on the discrimination against women? According to Joh, all women were to have their children confiscated and put into State homes, while the women would be forced to work on the roads. That is what he said. He said, "If you sign that United Nations discrimination charter against women, you will have all your kids taken off you and you will be out on the roads working." It never happened, but it was a good story. The Premier got himself a headline and a little more media attention. At that time he employed his good old "Communists under the bed" tactic. It is a reliable campaign tactic.

Let us talk about the Queensland Government's record of concern for civil liberties and the citizens of Queensland. What about the Law Courts and State Buildings Protective

Security Act of March 1983? Under that Act visitors to the courts must furnish evidence of their name and address or go to gaol for three months. That is the law that was passed by this Government in 1983 and Bill Knox, Petersen and those other blokes were here voting for it. The Queen Street Mall Act of March 1983 provided that police could detain citizens without arrest for an indefinite period. That provision was subsequently dropped following public outcry. This Government introduced that legislation. It was the National Party's way of looking after the poor, and a few kids in the Mall. The Electricity (Continuity of Supply) Act of March 1985 established permanent state of emergency powers to the Electricity Commissioner and the conscription of anyone to carry out his instructions. The Liberals and the Nationals voted for it. You civil libertarians are not really worried about an ID card. You are worried about protecting the tax-bludgers. The Industrial Conciliation and Arbitration Act amendments of March 1985 reversed the onus of proof. They allow a person to be convicted on hearsay. Government members voted for it and supported it, and now you civil libertarians claim you are all worried about the ID card and a couple of numbers on the card that will be carried in people's pockets.

Queensland schools are not permitted to use the Human Rights Commission kit that was released in March 1985. Last year the Minister for Education rejected a recommendation by a research team to teach an anti-racist course in Queensland schools—"You are not allowed to do that." What about your support of civil liberties? No-one has the liberty or right to talk about teaching anti-racist courses in Queensland schools. I will show this House a cartoon which depicts an officer saying, "The bloke from the Human Rights Commission is here", and Joh saying, "Tell him we don't want any." It is unfortunately true of the National Party.

The amendment to the Liquor Act in 1985 laid down that publicans had to decide whether a person was a deviate, a pervert or a child-molester. Some of you National Party blokes have never been in a pub since. Mr Hinze made an attempt to allow council dog inspectors to detain citizens without arrest on suspicion of having given a false name and address. This Government is supposedly worried about civil liberties and about a card with a couple of numbers on it, but it is going to allow a dog inspector to pick up a citizen and detain him without arrest because he would not give his name and address. This Government is pretending to be strong on civil liberties and I think it was really taking a very strong out-of-date moral so-called stand, consistent with what it has done all its life.

The Regulatory Offences Act lays down that there is no defence of emergency or honest, reasonable mistake.

The Government even failed to support random breath-testing. Over a long period, until the introduction of the RID scheme, the Government protected the drink-driver—the murderer on the road. It did nothing about the civil rights of the people—the mothers and fathers—who were being killed or the kids who were being knocked down. People have complained about that to members of the Opposition. The members of the Government did nothing about it because somebody in the breweries or the pubs was giving them a buck. Money was more important to them than civil liberties.

I have referred to our friend John Elliott, who has double standards for the Liberals. The National Party has double standards. If the Government was so concerned about civil liberties, why does Queensland not have a Freedom of Information Act? Why is there not an Administrative Appeals Tribunal in this State? Queensland does not have a modern system of judicial review. The Government appoints its own cronies as judges and it does nothing about the system itself. There is no fair dinkum privacy legislation in this State.

Mr Innes: The Queensland Freedom of Information Act is the back of a truck.

Mr BURNS: I know where the information fell off, but it most certainly has not fallen off in this Parliament.

What about decent privacy legislation? All of a sudden the Government is concerned about a fellow who might have to take a card and give it to his bank manager to prove that he should be able to open an account in his name, not in someone else's name.

I think a woman who gave evidence from the witness-box at the Fitzgerald commission of inquiry said that she had eight or nine names. The Government is out to protect her. It is on her side. The Government is on the side of the criminal who has eight or nine names. It is on the side of Bellino, Conte and all those people who have used different names at various times. Government members do not want criminals to have to prove their name. They do not want them to have any identification that will stop them from carrying out their activities.

Queensland has no credit information controls or credit tribunal. The legislation that was debated last night did not contain any provision for a credit tribunal. But if Government members believe in the rights of the individual, they ought to stand up for him. The Government is not after the tax bludger; it is on his side. He has made donations to and sponsored the Government. Over the years he has sought out the Government. The Mike Gores of this community have looked after the Government for so long.

If the Government is really concerned about the ordinary individual, why is there not any commitment to legal aid funding in Queensland? Why is the Government not spending a bit of money on giving the ordinary little individual some right of protection in the court system? Queensland has the dearest court system in the world. It is not available to ordinary people.

Mr Comben: It is the best that money can buy.

Mr BURNS: That is correct. That's Joh's judges, isn't it?

Queensland has no anti-discrimination legislation. "We do not believe in discrimination here," says the Government. It is not going to protect people from actions on racist grounds. Have honourable members ever heard the Premier sound off attacking on rascist grounds?

The Government's civil liberties are concerned with the rights of tax-evaders. As soon as someone was going to act against tax-evaders, Government members became concerned. At any other time the Government could take everybody's civil liberties and civil rights away; but when the Opposition started to talk about stopping people from bludging on tax, all of a sudden the Government said, "You can't have this. Civil liberties are involved here. We have got to do something about it."

Mr Hayward: What about Mr Gately's comments about Vietnamese yesterday?

Mr BURNS: I am most certainly going to circulate them around the Vietnamese community.

Mr Gygar: Are you going to circulate your comments around the Jewish community? I am sure that they are really behind the ID card!

Mr BURNS: To be quite truthful, I think that they are. Mostly they have supported and voted for the Labor Party over the years, and they voted for the Labor Party at the last election. Our vote did not drop away in that area. Barry Cohen and those blokes will be able to look after themselves. What I will do in the Jewish community and in the working class community is circulate Mr Elliott's document in which he says that workers, old ladies, pensioners and people on welfare can have an ID card, but the rich, the powerful and the businessman cannot. The member can circulate my statements and I will circulate Elliott's statements in his electorate and we will see how the honourable member goes.

Queensland does not have any anti-discrimination legislation. As we are talking about civil rights, I ask: what about educational and academic freedom? What about the latest attempt by Mr Powell to amend the Education Act? How many Government

members stood up to do something about that when the Government was going to stand over the private schools and the whole teaching system? How many Government members stood up on civil liberties and the rights of the individual, the rights of the parents in those schools and the rights of the teachers in those schools? When did they stand up? I cannot remember any Government members standing up for civil liberties and the rights of individuals. I read the newspapers. I saw nothing about it.

I cite the example of what Russ Hinze did when amendments were proposed to the Racing and Betting Act. He excluded the press from stewards' inquiries and racing appeals. He did not want anyone to know what was going on. He wanted to keep it to himself. It is no wonder that he is called the "king of the red hots".

The Premier has always supported South Africa. He is supposedly a civil libertarian who is concerned about the rights of individuals. All of a sudden he has allegedly become concerned. At every opportunity, year in, year out and day in, day out, he has supported one of the most brutal and oppressive regimes in the world. That is the great civil libertarian who has today moved a motion to protect the ordinary people from having to carry an ID card. Someone said that Queensland got Bjelke-Petersen because Uganda had the first choice. I do not think that that person was wrong.

During the last election campaign, the Premier promised that he would do away with the legislation that caught the bottom of the harbour people and hand back the money. Do honourable members remember that? It was part of Joh's National Party policy. Government members are quiet now. An amount of $750m was involved with the people who were caught up in the bottom of the harbour schemes and the tax avoidance schemes. Under the National Party's policy that money was to be handed back to the people concerned. Six months later, because his Government is hard up, the Premier is legislating to take the milk out of the mouths of schoolchildren.

I have not heard any Government members mention the savings that would accrue to the rural community if the Australia Card were introduced. It is interesting to note that the Commonwealth Minister for Health invited the National Farmers Federation to participate in the formulation of the Australia Card legislation. However, that body said that it saw no need to accept the Minister's invitation.

Until recently, when it was realised that there might be a bit of politics in it, people such as Charles Blunt and Ray Braithwaite were supporting the Australia Card. They have since changed their minds. I would like to know why. I bet that I know why. I believe that the old fellow on the other side of the House had something to do with it. The civil rights of people such as Charles Blunt and Ray Braithwaite were removed.

The introduction of the Australia Card will assist the rural community. It will aid in the administration of such things as the interest rate subsidy scheme for drought. It will provide money through the wheat fund. Money will be taken from the people who are bludging on the system. Millions of dollars are being taken by the bloke who is avoiding the system. The National Party is out to protect people such as that. Taxes will not have to be increased. Services will not have to reduced. For the first 10 years the benefits, minus costs, will be $4.693 billion. What could be done with that money? The Government would not have to bludge on public servants. More policemen could be employed. More teachers would be employed in schools and more nurses would be employed in hospitals. All of those objectives would be achieved. Money would be taken from the bludgers and the tax-avoiders.

I understand the concern of Government members. Those amongst them who have been getting a bit on the side over the years or who have been doing very well out of the system will obviously be concerned that the introduction of the Australia Card will cause the money to disappear. It will cause donations to the Bjelke-Petersen Foundation to dry up a little. That is one of the reasons why Government members are concerned.

During the election campaign, the Premier announced that one of the reasons why he could not continue to run for Prime Minister was that the Federal legislation made people who gave donations to political parties own up. At that time the Premier said,

"I can't get enough money. Because they have to declare it, people won't give me money."

I support the Australia Card. I do not care about its political ramifications. I should like to see for all Australians a national identification system that is fair and impartial. In all my life I have never seen a fair system for the ordinary bloke. It has not been created yet, and perhaps this is the chance. The aim of the ID card is to create an accurate means of identification for all Australians in an endeavour to combat tax evasion and welfare fraud. Who could be against it?

Mr Simpson interjected.

Mr BURNS: The honourable member is going to vote against the Labor Party's amendment. He will vote to show that he is not in favour of a system that will do away with tax evasion and welfare fraud.

The register will contain only the most basic information: full name, address, sex and date of birth. That information is contained in the hatches, matches and dispatches department—the births, deaths and marriages department. The only thing missing is my current address.

Kids queued up and people spent record money to buy an Expo card displaying their photograph, name, date of birth, signature and so on. The Queensland Government is writing to kids when they turn 18 and saying, "Get one of these good little cards with your photo on it to prove you are over 18." It is called an ID card.

A Government member interjected.

Mr BURNS: The honourable member should not shake his head. The Government is writing to people in his electorate. There is an Expo card and an ID card for kids.

I turn now to the driving licence. I have a driver's licence with a "great" photo of me on it. The people issuing the licence said, "You can't have just one year. You have got to have five years, and you have got to have your photo on it."

Mr Simpson: I thought you had lost it.

Mr BURNS: No. I probably will be losing it, but I have not lost it yet.

The point that I am making is that it is compulsory for a driver to have his photograph on his licence, and he has to pay $23 for it. I thought that I would try out the Liberal National Party in Queensland, so I went to the driver's licence testing centre at Coorparoo and said, "I do not want a licence with my photo on it." The person there said, "Bad luck, mate. If you do not pay the money and have your photo, you do not get the licence."

Mr Simpson: Not compulsory.

Mr BURNS: The honourable member is against a compulsory card. He should go out there and ask whether it is compulsory.

The driver's licence will contain the driver's photograph, name, signature and identification number. It is similar to the Medicare card.

Mr Davis interjected.

Mr BURNS: My colleague reminds me about the support for the ID card.

Mr Beanland conducted a rally in the square and 150 people turned up. Most of them were his relatives. Three thousand people protested against the ICI chlorine plant at Lytton, yet the Government took no notice of them.

At that rally, in the square, 150 people turned up. I counted them. David Jull is a great civil libertarian. I saw him out in front of the group. I could tell a couple of yarns about him, but I would not do that. That would be unfair.

Mr Simpson: Do you know that kids 15 years of age are not allowed to have an ID card? That means that they are not allowed to open an account. If they do, they will be locked up.

Mr BURNS: That is not true. The honourable member knows that that is not true. He should see the member for Murrumba, who will give the honourable member a copy of the legislation.

This is like the story about the Berlin Wall. Earlier, the member for Currumbin was speaking about the Berlin Wall.

The people of Queensland should see what happens when a worker wants to come into the Parliament to protest about abolishing the 17½ per cent leave loading. The gate will be locked and the Speaker will complain if members bring in three of their mates to sit in the gallery. The honourable member is a "great" civil libertarian and is always concerned about the rights of the individual!

The rejection of the Australia Card legislation in the Senate by the Liberal Party and the National Party has already delayed the introduction of the card for at least 12 months. That means a bonus of $877m for the people who are cheating the system and a loss of $877m for the vast majority of honest Australians. And that is only a conservative estimate. The money that will be saved by the introduction of the Australia Card is vital to this country. The Queensland Government does not want to impose any more taxes or have people pay any more taxes, but it will let the bludgers escape. It wants the ordinary bloke to accept the consequences.

The people of Australia simply cannot afford to lose that money. They simply cannot afford to have the smarty, the con man, the crook and the spiv getting away with tax evasion and welfare fraud when the ordinary bloke has his wages taxed to make up for them. The ordinary bloke has no chance.

Through its actions, the National Party has demonstrated that it has no policies to combat tax evasion and welfare fraud. Where are its policies? It is quite willing to take no action against those two very serious problems confronting this country. Members of the National Party are deliberately encouraging tax cheats and tax frauds. It is in their interest to do so.

The Australia Card system will also help to control some areas of criminal activity. Money-laundering will become more difficult.

Mr Simpson interjected.

Mr SPEAKER: Order! I ask the member for Cooroora not to upset the member for Lytton.

Mr BURNS: The honourable member for Cooroora never upsets me. I must say this, Mr Speaker: at one time the honourable member for Cooroora wanted to become Speaker. I saw his photograph in the newspaper. He even had a pretend try-on of the wig. I must say that I do not think you are the greatest Speaker in the world; but you are a lot better than he could ever be. I would have to say that!

Money-laundering will become more difficult as bank accounts and false claims become more difficult to transact. It will be easier to identify the assets of major drug-users. After this debate, the Queensland Government will tonight introduce legislation on drugs. The Australia Card will help attack major drug-traffickers. Certain people are appearing these days down the road at the Fitzgerald inquiry. I reckon that if the Government had its time over again, it would never have a Fitzgerald inquiry, because it has opened a can of worms that the Government cannot control. The reason that the Premier is concerned about the Australia Card is that it will open another can of worms for the Government.

Mr Gately interjected.

Mr BURNS: My friend from Currumbin! I have said before that there is always cause for worry about a bloke who resigns from the police force and quickly leaves the State. Irrespective of how or why it has been done, that must be cause for concern.

Mr GATELY: I rise to a point of order. I find the words used by the honourable member for Lytton most offensive. I did not resign——

Opposition members interjected.

Mr GATELY: I was retired because I was medically unfit.

Mr BURNS: I accept the honourable member's apology and that he was sacked. I am sorry for the poor fellow.

Mr SPEAKER: Order! The honourable member for Lytton will note the comment.

Mr BURNS: I have noted his comments. I ask the honourable member whether he has given material to the Fitzgerald inquiry yet. He ought to, and that is my suggestion to him.

The Australia Card will help to ensure that everybody contributes fairly towards the cost of providing community services. It will also prevent any individual or group from taking more than a fair share. It will also aid identification for taxation purposes, employment, financial transactions and social security purposes. It will also make it easier to trace tax-evaders and it will also reduce welfare fraud. It is conservatively estimated that when the Australia Card system is fully operational, the Australia Card will provide net total benefits of $880m a year.

Government members interjected.

Mr BURNS: Government members yahoo when those figures are mentioned.

Mr Innes: We have worked out the ID card.

Mr BURNS: The Deputy Leader of the Liberal Party should give us a figure, because he will not make a speech. He does not know how many people are ripping off the welfare system. He should tell me, because he claims to know all the answers. My information comes from Government officials who provide information to the Federal Government, but the honourable member and the second-raters from the Liberal Party—the extended six-pack in the Parliament—know all the answers. All the advisers to the Federal Government are nothing, but Mr Innes and Mr Gygar have worked it all out. They have those counters with the little red and yellow beads that the kids use. When they added everything up, it only came to $4.5 billion in savings. They now say that the official figures are wrong.

In the first 10 years of its operation, the Australia Card will have saved $4.7 billion which would otherwise have been lost. The money can be used in several ways—for example, expansion of services by providing child-care facilities, increasing benefits for pensioners and for recipients of family allowances. It will bring about further tax cuts, which are supposed to be dear to the hearts of members of the Liberal Party; but members of the Liberal Party do not want tax cuts created by the Australia Card.

I would like to know who is paying money and graft to the National Party and the Liberal Party. I would like to know why the Liberal Party has changed its mind and who is getting the money. I want to know about the society of the open palm. I want to know who is getting the money.

Mr Simpson interjected.

Mr BURNS: The honourable member for Cooroora is. That is one admission. The honourable member for Currumbin said that he is, too.

Mr SIMPSON: I rise to a point of order. I am not on the take. The honourable member will not answer the question whether the biggest tax cheat is the cash economy.

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

Mr BURNS: The honourable member did not ask me to withdraw the comment. He simply said that he was not on the take.

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

Mr BURNS: I withdraw the comment.

However, I will say that all Government members have shared in the graft that the National Party foundation has obtained from the people I have referred to—each and every one of them. All Government members have obtained the benefits. All Government members are tarnished. All Government members have derived benefits because money has been spent by them during every election campaign in past years.

Mr FITZGERALD (Lockyer) (5.16 p.m.): It is with pleasure that I join in this debate. Members opposite might wonder why the Government devoted some time to the discussion of this very important matter before the House. It was an excellent idea to bring this matter on for debate because it is topical throughout Australia at the present time.

The people of Queensland should know exactly where this House stands on the Australia Card issue and where members of the ALP in this House stand on the issue. Everyone knows where the ALP in New South Wales stands on the issue. Everyone knows what Barrie Unsworth thinks. He believes that it is unwise for the Federal Government to continue with the legislation in the face of broadening opposition. So Barrie Unsworth, the great hero, the great standard-bearer for the little people in New South Wales, the Premier of the largest State in Australia, has declared that he has seen that it is unwise for the Federal Government to continue along those lines.

Everyone knows what Cain, the Premier of Victoria, said. He has come out strongly and said that it is a long way down the track. Therefore, the Government believes that it has to see where the ALP in this House stands on the issue. The ACTU is now looking at it very circumspectly. The ACTU congress in Melbourne is expected to reject the card, although Mr Hawke's address to it will attempt to sway those in attendance. That was reported in this morning's *Australian*. The ACTU, which represents the workers of Australia, is very, very concerned about what is happening in relation to the Australia Card. It is now asking why——

Mr Littleproud: Are they the decent Australians that Mr Hawke talks about?

Mr FITZGERALD: Yes, they are the decent Australians.

The ACTU is expected to veto the Australia Card. That is reported in this morning's *Australian*. Why would the ALP in this House now try to defend a card that the Federal Government wants to introduce?

A previous speaker in the debate said that Hawke had a mandate to introduce the card. I will accept that an election was held and that the Australia Card was a trigger for the election. I know that figures can be turned around and massaged to come up with the results that one wants, but I ask the Opposition this: how many people in Australia voted for the ALP and how many people in Australia voted for the other parties that said they were opposed to the ID card? The Opposition should work that out and then tell me whether it thinks the ALP really has a mandate. If more than half of the people of Australia had voted for the ALP, I would accept that more than half of the people wanted the ID card. They did not. The Opposition's argument is shot to pieces.

The other question that should be asked is: will the card work? Honourable members heard a great exposé from the member for Lytton who said why the card will work and what it will do. We should really look to some people who have some idea of where the fraud is taking place.

I refer to an article in the *Courier-Mail* of 1 September 1987. The article, written by Wallace Brown, states—

> "To the argument that fraud and false identities would be reduced, the Australian Federal Police have submitted that the card would be useless in tackling organised crime.
>
> Mr Frank Costigan has warned that the card would be 'of great potential benefit to organised crime'."

That is a direct comment by Frank Costigan. He says that the card will be of great potential benefit to organised crime. I have not sat in on royal commissions. I have not been taking the documents that have been coming forward. I have not been delving into the backgrounds of some of the crooks who have been running round Australia and defrauding the Australian population. Frank Costigan has. They are his words. I ask the ALP what it intends to do with that particular quote. Does it believe it or not?

One of the arguments advanced by the member for Lytton is that the introduction of the Australia Card will bring about great cost benefits that will provide money for police, milk for kindergarten children, nurses and all these things. What does the Federal Government estimate its net return to be from the ID card in the first couple of years? The Government itself estimates that the system would not make any net revenue gains until its fourth year of operation and that until then it would lose about $350m. The assertions by the member for Lytton about immediate net gains are nothing but hoodwinking. He claimed that it would solve immediately all of the nation's financial problems that the ALP Government has got Australia into and solve the problems that other States are having in bringing down balanced Budgets. All of those arguments can be absolutely thrown out of the door.

Mr Davis: Do you support tax-dodgers?

Mr FITZGERALD: No, I do not support tax-dodgers. In that regard I quote Frank Costigan, who said that the card will not stop major organised crime, which is where a lot of the money is concentrated.

The introduction of the card deals with individual rights and the right at times to remain anonymous. Many people in this House have argued that the parliamentary security card is a form of identification card and that, therefore, it is right and proper for a nation to insist that everybody carry such a card. That is absolute bunkum. How many computers have access to our security cards, which carry our photograph? That card carries a magnetic tape that lets members into the building at night. It is not possible for computers to ascertain our financial affairs just because we have that security card.

I will now give the House examples of some of the ridiculous situations that will arise if the card is introduced. One provision of the Bill is that a person cannot get a job without the production of the card and, if an employer gives a person a job without the production of the card, he faces a penalty, which is laid down in the legislation. If a group of itinerant pickers turned up in an agricultural area—I admit that the Department of Social Security has some problems with these people—and wants to earn some money, what is the farmer to do? If he is short of pickers, will he allow an itinerant to work on his property on the promise of the production of the ID card the following day? He knows that without the card he cannot pay the worker, but he also knows that by tomorrow he will have disappeared.

Mr Davis: But he has not got paid, has he?

Mr FITZGERALD: No, he has not got paid. The farmer is liable for giving him a job without first inspecting his ID card and taking the number.

Can honourable members imagine what will happen with Torres Strait Islanders engaged in fishing? They will be supposed to be able to produce ID cards on demand. In western areas that provision will place an unfair onus on those who are not regular

workers. Is this supposed to cover all Aboriginal people living on their deeds of grant? Will they have to produce an ID card? Those examples show how ridiculous the ID card is.

One contention of the Opposition is that an ID card will cut down on social security fraud. The Minister responsible is Brian Howe. Because of the means test on the family allowance, the Department of Social Security has sent letters to mothers telling them to return to the department a form on which they have put their taxation file numbers and that of their spouse or de facto. Under the new social security arrangements they will have to return that form to be able to claim the family allowance. That is fair enough. That has been done. How on earth will this ID card be of benefit in that regard? Because of the means test, these people already have to have a taxation number, which can be checked.

I believe that it is just the thin edge of the wedge. The general public is very, very concerned. The general public believes also that this is the thin edge of the wedge. One can talk about the horrific totalitarian States in other parts of the world. However, the polls that are used to gauge public reaction and the letters to the editor in the newspapers are a good indication.

A recent letter to the editor in one newspaper stated—

> "It has recently taken some six weeks to get a replacement of a Medicare card I had reported lost. The Good Lord help him who may lose that ID card we are threatened with."

That person had trouble getting a replacement Medicare card.

Mr Littleproud: What about the Torres Strait Islanders? How long would it take them to get a replacement card?

Mr FITZGERALD: I will take that interjection. It took six weeks for this poor fellow to receive a letter. How long will it take a person who lives in a remote part of this State to obtain a replacement ID card?

Another letter to the editor states—

> "I make one prediction—the Australia Card will either kill the Labor Party or Australia—or both."

That expresses a concern that is held in the community at present. Opposition members had better believe that. Yet another letter to the editor states—

> "Does the Government truly believe that by calling it the Australia Card and colouring it the green and gold of our national sporting livery it has found a way to still our fears?"

I can assure honourable members that it has not allayed anyone's fears. One only has to listen to talk-back radio, read the letters to the editor and the results of the polls—and I know not all polls are accurate—to realise that there is an overwhelming swing against the card.

One thing does cause me concern and that is: where does the ALP in Queensland stand on this issue? Unsworth has gone one way; Cain has urged caution. The ALP is leaving itself a back door through which to escape.

Mr Vaughan interjected.

Mr FITZGERALD: Is the Opposition going to divide on this issue?

Mr Vaughan: Yes.

Mr FITZGERALD: I thank the honourable member. I wanted to know whether the Opposition intended to divide on it.

People are concerned that they will have to carry cards with them wherever they go. Will the ID card have to be used for everything? Will people have to have it when

they are entering security areas? Will the card ever be bar coded so that eventually a person entering a security area will have to feed it into a machine? Will the airlines ever decide that for security reasons people will have to have a bar-coded ID card so that they can enter an aircraft? Will a bar-coded ID card have to be zipped through a machine as one enters an aircraft? Then Big Brother would know where everyone is going. That is not provided for at present. However, fears and suspicions in that regard are held in the community.

It is quite interesting to note that Senator Susan Ryan, who is the Minister in charge of introducing the ID card, is also the senator who is in charge of the Bicentenary celebrations. What a great way for Australia to celebrate its Bicentenary!

Two hundred years ago this nation was founded by convicts, who came out here on ships. Those convicts had numbers. Now the stage is going to be reached at which every Australian will once again have a number. I do not think that that is a very good way for Australians to celebrate their Bicentenary.

Mr BEANLAND (Toowong) (5.30 p.m.): I am extremely pleased to have the opportunity to publicly denounce the Hawke Government's proposal for the national identification numbering system, the system more commonly known as NINS. I denounce not only that system but also the amendments proposed by the Labor Party today.

The Liberal Party is totally opposed to the legislation and the amendments that have been suggested today. This is one of the most depraved pieces of legislation ever to be attempted to be introduced by a Government in the history of this country. NINS—the national identification numbering system—will allow one number to be used for all financial transactions: employment, the sale of property, Medicare claims, admission to hospital and, of course, the transactions of primary producers. Everyone will require an identity card for all of these matters and become part of the national identification numbering system.

This is the most deceptive, dangerous, deceitful piece of legislation ever to be introduced into this country, and the Labor Party knows it. It is a vile piece of legislation aimed solely at licensing citizens who wish to undertake activities that previously were basic liberties. This is sheer arrogance on the part of the Government and the Labor Party.

The real effect of the proposed national identification numbering system will be to deny important rights to Australian citizens, not because of criminal conduct or intent, but simply on the basis of non-registration. Everyone becomes a card subject upon registration and is not a person anymore. Anyone who does not register will become a non-citizen of this nation; a person unable to undertake the day-to-day activities which are so much a part of today's basic freedoms. This will be a monumental intrusion into individual privacy and is an act of blatant political espionage by the Federal Government into the lives of ordinary citizens.

Even the name, the Australia Card, is a farcical attempt at creating a patriotic impression and fervour for what is clearly a national identification numbering system, and before long all people will have a number stamped on them as the Nazis used to do. The Labor Party supports this card, which is a "Moscow card".

I thank the Premier for complimenting me, because since I gave notice of my motion he has introduced his motion into the Chamber. This motion follows a very successful anti-ID rally which was held on Monday and which I co-convened. The Leader of the Opposition and the Deputy Leader of the Opposition have obviously been reading too many comics. They are masters at red herrings and this House has heard a great deal from both of them. They are fast becoming the only Labor leaders in this country who support this national identification numbering system. Premier Unsworth has now deserted them and the ACTU cannot wait to desert them. But leave it to Nev Warburton and his faithful deputy; they will continue to support it. This House witnessed many red herrings from the Deputy Leader of the Opposition, and he is now out counting

relatives up to 150. He indicated that on Monday at the anti-ID rally there were 150 of his relatives and they strongly opposed it.

There is a great deal of division in the Labor camp. The members of the Socialist Left are out the back arguing over whether they will call for a division in this Chamber. I challenge the Labor Party—and I was pleased to hear an interjection from the honourable member for Nudgee—to divide the House on this issue. Let us see its true colours. The Labor Party loves to talk about democracy and civil liberties. Let us see how it will vote on this issue, which is the greatest attack on democracy and civil liberties ever mounted in this country by any Government. The Labor Party's position was summed up very clearly by Dr Blewett in his address to the 1986 South Australian Labor Party Branch Conference when he stated—

> "Let me say as a socialist that it is the interests of the community that should come before the individual right. . . we shouldn't get so hung up as socialists on privacy, because privacy, in many ways, is a bourgeois right that is really much associated with the right to private property."

Of course the Labor Party is against private property, civil liberties and democracy. Many years ago it managed to get rid of one of the chambers of this Queensland Parliament, the Upper House, and now it is trying to get rid of other upper Houses in other States, as well as the Senate.

The national identification numbering system is fraught with enormous dangers for everyone. It simply means that there will be one number right across the board for all transactions and it can be easily traced.

At the outset, it will be easily traceable by 75 000 public servants in about 13 Government departments. Of course, it will be more than that within a couple of years. That is the real danger. It is the one number that can be so easily traceable by junior public servants and by all types of people in the community right across the board.

If one looks at the history of security cards, one will find that it all started during the French Revolution. Of course, the French have been very keen on this. During the Second World War they showed how useful it was when the Nazis managed to round up the Jews with great speed and effectiveness. Even the Nazis could not believe the efficiency of the French ID card system. Of course, at the end of the Second World War, Australians, being a freedom-loving people, could not wait to get rid of the ID card. That is the very thing we did. As soon as the war ended, the ID card proposal went straight out the door. The Labor Party is now trying to bring it back. Three weeks after the end of the Second World War the ID card was out the door. Now, 40-odd years later, the Labor Party is trying to bring it back.

A free society does not need identity cards, but a repressive society cannot exist without them. Look at them—part of a repressive society! Throughout the world, 55 countries have identity cards. The vast majority of those are Third World countries with repressive Governments and dictators. Only two of those countries do not force their people to carry ID cards and to provide them on demand. Those two countries are in the democratic world. Outside of socialist Sweden, the conditions proposed in Australia are the most stringent requirements for any ID card.

How the Labor Party loved to distort the facts, tried to create false impressions and introduced red herrings here today. The all-party joint select committee studied the ID card on three major issues: to combat tax evasion; to reduce welfare fraud; and to identify illegal immigrants. On all three scores it failed totally, and the Labor Party knows that. No lies in this Chamber or misleading statement will cover that up. Anyone who has read the report will appreciate that. In relation to the ID card, the all-party joint select committee concluded—

> "Having considered the Government's proposal for a national identification system as well as alternatives such as the use of photographic cards and the extension of the use of the current tax file system, the majority of the Committee rejects all proposals for the issuing of identity cards, with or without a photograph."

One might well ask: why did the all-party committee take such a decision? The committee stated—

> "The majority of the Committee takes this view because such proposals fail to address the major problems which were to be overcome by the introduction of the national I.D. system, namely: To combat tax evasion; to reduce welfare fraud; and to identify illegal immigrants."

One can look round Australia to find out who is opposed to the ID card. It is interesting to note that a long list of people have now been joined by the New South Wales Premier, Mr Unsworth. No doubt he feels an election coming on in a few months' time and notes that in the latest opinion poll 62 per cent of the people are opposed to the ID card. I can say here and now that it will not be long before 80 per cent of the people are opposed to it. The great silent majority of Australians are fast awakening and finding out what it is all about. Of course, Mr Unsworth is now joined by the ACTU. The ID card is opposed by a whole range of other people, including Mr Frank Costigan, QC, the person who conducted the inquiry into the bottom-of-the-harbour schemes. Perhaps we should inform the Labor Party that he is opposed very strongly to the ID card. It shows that all this argument about the bottom-of-the-harbour scheme is falacious and another red herring. It does not hold up at all. The opposition to the card is supported not only by Mr Frank Costigan, QC, but also by Labor lawyers; the National Legal Administrative Policy Committee of the ALP; the Victorian branch of the Labor Party; the Victorian Teachers Union; Mr Gough Whitlam, a former Labor Prime Minister of this country; and Mr Justice Kirby, a well-known civil libertarian of the New South Wales Court of Appeal, a member of the Labor Party for many years and President of the International Federation of Information Processing.

Other organisations opposed to the ID card include the Federated Clerks Union, the Federal Police, the Council of Small Business Organisations, the Real Estate Institute of Australia, the Australian Stock Exchange, the National Farmers Association, the Australian Computer Society—people who know all about the use of computers—the Law Council of Australia and the Confederation of Australian Industry. The list is long. The National Party, the Australian Democrats and, most importantly, the Liberal Party are totally opposed to this piece of legislation.

Let me look at the three so-called reasons for the introduction of this legislation in order to stop tax evasion. The Labor Party is the great supporter of the tax cheats in this country. It supports the cash society. It has failed to do anything about the cash society in this country. Revenue amounting to $10,000m is lost every year because the Labor Party has failed to do anything about the cash society. Why has it failed to do anything about it? The reason is that it totally supports the cash society.

The present taxation system is riddled with inefficiencies. The Commissioner for Taxation is on record as stating that his department does not have sufficient resources to check more information. The ID card will relate only to transactions that are recorded in writing. Cash transactions that are not recorded will not be affected at all by the ID card.

All honourable members are aware of the way in which employers and employees operate in a cash society. Someone can mow the grass or do a job around the home or workplace at a cheaper price if he is paid in cash. If a person is paid in cash rather than by cheque, he will do the job for much less. The introduction of the ID card will encourage a cash society. It will not solve the problems.

The Federal Government claims that the introduction of the ID card will solve the problem that is created by those many individuals who do not list their interest and dividend payments on their tax returns. Of course, those claims are untrue. The Government's biggest problem is that it has neither the technology nor the expertise to interface computerised information. In fact, the Government's own Reserve Bank, which has more than $50,000m in borrowings, has been unable to furnish this information to the Australian Taxation Office. That office has been caught in its own time-warp. It does not even spend its budgetary allocations on technological purchases.

The report of the Australian Taxation Office to the House of Representatives Standing Committee on Expenditure, entitled "A Taxing Problem", revealed that that office cannot use the information that it presently has available to it. The report contained a number of damning statements on the Taxation Office, such as the lack of processing capacity to effectively collate and present all the available information.

The Labor Party has failed to introduce appropriate technology and to get the necessary inspectors out into the field to cope with the tax cheats. The cash society is the real reason why Australia is losing $10,000m a year.

Figures released by the Labor Party show that the introduction of the Australia Card will bring in a small sum of approximately $470m. The cost to the Government of introducing the ID card will be approximately $80m a year and the cost to business will be approximately $200m a year. The cost to States and local governments has not yet been determined. However, I am sure that it will be discovered that the return to the community and the Commonwealth Government will be nil.

So much for the argument that the Australia Card will stop tax cheats. It will do nothing about tax cheats. That view is supported by the editor of the *Australian Tax Review*, who said—

> "On full analysis, it appears that alleged necessity for an Australia Card does not exist. Accordingly, the various dangers that would accompany its introduction appear to make it markedly undesirable."

There was another great hue and cry from the Labor Party about welfare fraud. The Australia Card will do nothing about welfare fraud in this country. It certainly will not stop it. Sixty-one per cent of welfare fraud is due to people making false statements of income. Only 0.6 per cent—less than 1 per cent—is due to people using false identities. So much for all the talk about how the Australia Card will stop welfare fraud. It will not do a thing. It will not be able to cope with the 61 per cent of people who make false statements.

There was a great hue and cry about illegal immigrants. Immigrants will be in Australia for six weeks before they are even given one of those cards. When they leave the country, they will not have to hand the card in. They can give it to their look-alike mate at the airport. If they like, they can take it overseas with them and circulate it. The cards will be operative for five years.

It is interesting to note that 670 000 Medicare cards are now floating around the country. So much for the illegal immigrants, welfare fraud and tax cheats. Those arguments are red herrings and do not stand up to scrutiny.

I refer now to the effect that the Australia Card will have on the civil liberties of people in this nation and how easy it will be for hackers to break into the computer system through the telephone line. Honourable members know how easy it is for people to bug telephones and tape telephone conversations. The Health Insurance Commission is already giving out information on citizens from its records. It has been done in New South Wales. Just the other day it was done in Victoria. It is very easy to tap into telephone systems. Junior public servants will have access to that information.

It is clear that, with the introduction of the Australia Card legislation, the Government will become the master of the citizen, democracy will be dead and citizens will no longer be masters of the Government.

Hon. L. W. POWELL (Isis—Leader of the House) (5.49 p.m.): I move—

> "That the question be now put."

Motion agreed to.

Amendment negatived.

Question—That the motion be agreed to—put; and the House divided—

Ayes, 54		Noes, 24
Ahern	Lane	Ardill
Alison	Lee	Braddy
Beanland	Lester	Burns
Berghofer	Lickiss	Campbell
Bjelke-Petersen	McCauley	Comben
Booth	McPhie	De Lacy
Borbidge	Menzel	Eaton
Burreket	Muntz	Gibbs, R. J.
Chapman	Neal	Goss
Clauson	Nelson	Hayward
Cooper	Newton	McElligott
Elliott	Powell	Mackenroth
Fraser	Randell	McLean
Gately	Row	Milliner
Gibbs, I. J.	Schuntner	Palaszczuk
Gilmore	Sherlock	Smith
Glasson	Sherrin	Smyth
Gunn	Simpson	Underwood
Gygar	Slack	Vaughan
Harper	Stephan	Warner
Harvey	Stoneman	Wells
Henderson	Tenni	Yewdale
Hinton	Veivers	
Hobbs	White	
Hynd		
Innes	*Tellers:*	*Tellers:*
Katter	Littleproud	Davis
Knox	FitzGerald	Prest

Resolved in the affirmative.

Sitting suspended from 5.57 to 7.30 p.m.

DRUGS MISUSE ACT AMENDMENT BILL

Second Reading

Debate resumed from 27 August (see p. 2153).

Mr BURNS (Lytton—Deputy Leader of the Opposition) (7.30 p.m.): A year ago when the Act was introduced, the Opposition said that it agreed with the Government's stated intent to deal with the Mr Bigs of the drug trade. At that time it warned the Government that the mere passing of this legislation would in no way hinder the operations of the drug-trafficker in Queensland, and that the Bill was no substitute for an all-out commitment by the Government and the police.

I quote from the speech of the honourable member for Chatsworth, Mr Mackenroth, who said—

> "Legislation is not the way to stop drug-traffickers—law enforcement is. Queensland needs a commitment by the Government to increase police numbers, and also the number of full-time officers in the drug squad."

To date, neither the commitment nor the action has been forthcoming. In fact, police funding has been cut in the Premier's Budget. It was cut 4 per cent in real terms, and no extra police will be provided.

So, one year down the track, this Government is still attempting to patch together newer tougher legislation instead of addressing the real problem of proper enforcement.

Drug offences have been one of the major categories of crime which have increased since 1983—the same period as the Premier's hysterical threats and draconian legislation. While numbers of reported drug offences have sky-rocketed, the clear-up rate for them has dropped.

It is Labor policy to boost the strength of the drug squad and provide sufficient resources to combat the drug trade. These are not limited to providing more police to

raid student parties, but include the appointment of accountants and business investigators to track down the real sources of drug supply and to follow the money trail.

I remind honourable members of Mr Costigan's finding that Queensland was the drug capital of Australia. The Queensland Government's own submission to the Commonwealth Grants Commission recently bore this out.

The Queensland Treasury figures show that Queensland had the highest rate of recorded drug offences in 1983-84 and also had the highest increases in rates over the 10-year period 1974-84. I will table that schedule of Treasury Department figures showing that Queensland's recorded drug offence rate per 100 000 population is 523.7—far in excess of the national average of 335.8. The figures I have just referred to indicate that this position is not only unimproved but in fact has worsened over the last few years. The reason Queensland's drug position is worsening is that, instead of bringing real solutions to the drug problem, the Government prefers the cheaper and easier distraction of tough legislation.

A very few of the many examples available will illustrate the hollowness of this Government's commitment to drug law enforcement. On 17 September 1980, the Premier tabled the report of the Australian royal commission of inquiry into drugs—the Williams report—which, amongst other things, recommended that at least four police with drug squad experience be stationed in north Queensland. On 21 September 1980, Detective Inspector Frank McCosker, one of the police who assisted the Williams commission investigations of the Queensland drug problem, stated that a task force of at least eight police was necessary to tackle the problem in north Queensland. On 28 October 1980, the Police Minister announced that a two-man drug squad would be stationed in Cairns. That's real commitment for you—a typical response of this Government to the drug problem.

As long ago as June 1983, the Police Commissioner stated that the police force needed more men and equipment for drug surveillance, particularly a plane and a helicopter to be stationed permanently in north Queensland. Nothing resulted from that. A few months later, the member for Landsborough, the Honourable M. Ahern, who was causing the Premier some trouble and embarrassment even then, called for an extra 30 police to be stationed on the Sunshine Coast and the establishment of a water police base to cope with drug surveillance. Nothing happened except that the police air wing was abolished and amalgamated into the Government air wing so that Beryl could get one of her many salary rises.

The next year saw further complaints from police that the Cairns drug squad of four was underequipped and unable to cope with the enormous task of surveillance in the area. That was in June 1984. Again, the response from the Government was to promise more equipment. On 24 December 1984, the Premier announced that the new Government helicopter would be used to monitor illegal drug cultivation in south-east Queensland. The existing Government helicopter would be deployed in drug surveillance in north Queensland. The Premier also stated that 50 extra police would be employed in drug detection work. Nearly three years later neither the helicopter nor the 50 extra police have been supplied. And all this despite the repeated and nauseating posturing by this Government that the National Party is tough on drug-traffickers.

We have seen similar and equally hollow posturing in many other areas of Government administration in this State. For example—

- The "free enterprise Government image", which is laughable when compared with the proliferation of Government regulations over all aspects of private and business life in this State.
- The "pro-farmer image", which was exposed as a cruel joke during the sugar crisis and the rural recession. This image is designed only to perpetuate this Government's corrupt and self-preserving gerrymander.
- The "morally righteous image"—no sex education in schools, no condom vending machines, police harassment of Rodney Rude—all this against a

background of the highest teenage pregnancy rate in Australia; teenagers and their children suffering because of this Government's "image promotion".

I am reminded of a recent *Four Corners* program which screened the Premier and his wife pounding away at hymns in church while all the time prostitution, drug use, casinos and bribery of police proliferated under a direction from this Government to "tolerate" such practices.

The hollowness and hypocrisy of this Government's images has been exposed once and for all. This Government has never been interested in reality or substance, only image, and image was the motivation for the Drugs Misuse Act and for the amendments under debate today. Unfortunately, the powers conferred by the Act and this Bill are not images. They are real; they are draconian; they are ill-conceived; but, most importantly, they are ineffective to address the real problem. They will remain ineffective as long as this Government short-changes our police force in respect of numbers, funding and expert advice.

In May last year the police union put a pre-Budget submission to the Premier and Treasurer. Note that this was before the passing of the Drugs Misuse Act. The drug squad was highlighted as being in special need of increased staff and resources. The submission noted the following—

- That Queensland's drug pre-eminence in Australia was highlighted by the program *Queensland Unlimited*, which stated that the third-largest agricultural cash crop in Queensland today was marijuana.
- Queensland police have the added disability of having no permanent helicopter for aerial surveillance. Helicopters need to be borrowed from the SES or RAAF, or even from news services. The union describes this ad-hoc situation as ludicrous.
- Referring to the Drugs Misuse Act, the union says, "Unless the manpower and resources are provided, any such legislation which is passed will merely be empty rhetoric with the drug squad becoming 'paper tigers'."

Instead of addressing the real problem of police numbers and resources, this Government took the cheat's way out. It passed "tough" legislation instead and pretended to have solved the problem.

The reason I have been referring to and quoting from the union's pre-Budget submission from last year is that this year the union did not compile a submission. I do not blame it for that, because nothing ever flowed from its years of making such submissions.

For years now police have been alerting this Government to the dangers of image development at the expense of real and substantial law enforcement. This Government has ignored those warnings for so long now that the police union simply does not bother saying it anymore.

It is not only the police union that the Government has brushed aside. The Police Commissioner himself and several other senior commissioned officers have given sworn evidence to the effect that their constant pleas to the Minister regarding police numbers have been ignored to the detriment of adequate law enforcement. Queensland's population to police ratio has consistently been the highest in Australia. Mr Speaker, I have already sought your permission to have incorporated in *Hansard* a schedule of those ratios which demonstrates that fact, and I table a copy of it.

Leave granted.

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

POPULATION-TO-POLICE RATIO

Number of persons per police officer

	1986	1987
New South Wales	513	504
Victoria	456	468
Queensland	525	510
South Australia	418	400
Western Australia	457	443
Tasmania	429	431

Source: Queensland Police Department Annual Report and Police Commissioner's testimony in the Fitzgerald Commission.

Mr BURNS: It is worth nothing that, although the Deputy Premier and Minister for Police claims that this legislation is "unashamedly the toughest piece of legislation in Australia", Queensland remains the drug capital——

Mr Gunn: Rubbish.

Mr BURNS: The Deputy Premier has said so himself. His police union has said it. Those comments come from his own policemen. The reason that Queensland remains the drug capital of Australia is that the means of effective law enforcement in this State are the worst in Australia.

I want to recall to honourable members the enormous level of public and professional criticism the Drugs Misuse Act has received since it was first mooted in 1985. While members on this side of the House, along with the Queensland Law Society, the Queensland Bar Association, the Queensland Association of Labor Lawyers, the Queensland Council for Civil Liberties, numerous private practising lawyers, academics and criminology experts all slated this Act for its eighteenth century clumsiness and disregard for principles of justice, the Mr Bigs of drug crime were yawning in the knowledge that draconian legislation was meaningless without effective police resources and commitment. Professor Richard Harding, the Director of the Australian Institute of Criminology from 1984-87 and now professor of law at the University of Western Australia, had this to say in the *Bulletin*—

> "Bjelke-Petersen's foray into the field of drug policy was ... bizarre. In Queensland 92 per cent of detected drug crime relates to marijuana, and 94 per cent of that is for use only. Queensland's capacity to detect pushers is evidently somewhat limited. Nevertheless in 1986 the law was amended to provide for mandatory life imprisonment for supplying prohibited drugs. Bearing in mind the fact that there is a legal presumption that possession of relatively small amounts prima facie to intention to supply and that there is in fact a very wide range of different supply situations, such a sentence is extra-ordinarily harsh. The law is a statement of moral rectitude, not a serious attempt at crime control. But it will certainly do its bit to help fill up the Queensland jails."

Then Professor Harding asked—

> "What impact upon crime control do such policies make? As far as one can tell, none at all."

The Drugs Misuse Act confers enormous powers on police in this State, at a time when there's good reason to suspect that the public good suffers somewhat because of cosy arrangements between the Government and the police. To protect itself and its police force against expressions of no confidence in police integrity, the Government established the Police Complaints Tribunal in 1982. So if a person complains about police misconduct or abuse of the massive police powers conferred by this Act, the Government says, "Don't bother us. Go tell the Police Complaints Tribunal."

It is neither my job nor my intention to plead the case of the Police Complaints Tribunal. However, it is clear that it is the Government which ensures that the tribunal remains largely ineffective and utterly lacking in public confidence. The Government is responsible for the much-criticised Police Complaints Tribunal Act and its absurd limitations on the tribunal's powers, its secrecy provisions and its failure to address the need for openness in the tribunal's operations. It is the Government which refuses to table all but two of the tribunal's reports. This same tribunal, established in 1982 to raise public confidence in the independence of police review, has only had two of its numerous reports tabled by this secrecy-obsessed Government.

The very Minister responsible for establishing the tribunal screamed blue murder when police used their powers under this Act to raid his niece's party near Cairns. He demanded that the tribunal investigate immediately, which naturally it did. Despite a numerous backlog of cases, the tribunal dropped everything and flew to Cairns within days. The tribunal was either acting under political direction or considered that there had been a serious misuse of the powers conferred by this Act. Which would the Government prefer it to be?

Either way, the tribunal's report is long completed and has not seen the light of day since the Minister locked it in his bottom drawer. Presumably Mr Hinze has been given a briefing in view of his status as a "special complainant". But no-one else—not the Parliament, not the press, not the people at that party—has any idea what the tribunal recommended. There is no way of knowing whether the conduct of the police at that party was proper use of their powers under this Act.

I demand that the Minister table that report of the Police Complaints Tribunal before this legislation is passed. It is scandalous that this amendment is even being debated without honourable members having access to a vital report on what constitutes proper use of police power under the Act. In his second-reading speech, the Minister denied that this amendment is as a result of any particular case. I suggest that the Minister dig out the Police Complaints Tribunal report on Hinze's niece's party and table it so that members of this Parliament and the public can see for themselves what conduct can fairly be expected from police under this Act. Let me say that I agree with the Minister that the Act is in need of amendment.

Today I received a copy of the Police Complaints Tribunal quarterly newsletter, No. 3, 1987 edition. On the bottom of page 3 it says—

> "P.S. The tribunal notes that since its recommendations in the much publicised Cairns raid and others the Government has introduced the Drugs Misuse Act Amendment Bill which contains provisions designed to cure what we highlighted as some of the anomalies in the Drugs Misuse Act 1986. In particular Clause 7 of the Amending Bill is designed to provide 'reasonable suspicion' as distinct from 'belief' as the criterion on the part of the informant upon which a justice is required to exercise a judicial discretion before issuing his warrant to search."

The document contains a long list of recommendations. If such information can be made available in a newsletter, why can't the report be tabled in this Parliament so that honourable members can read it? Why can't honourable members find out what the tribunal recommended? As I understand it, in a couple of instances the tribunal has not gone as far as the Government, which has taken it upon itself to push it a bit further.

When a Bill is being debated that is obviously based on recommendations of the Police Complaints Tribunal after it carried out an investigation of Russ Hinze's niece's party, the Parliament is entitled to have a copy of the tribunal's report. Honourable members should have had a copy of the report so that they could read it before this legislation was debated. If the Government has nothing to hide, why does it not table the report and let all honourable members see what happened as a result of it? The newsletters states quite clearly that the tribunal is acting in that regard. Why has it not been tabled?

I turn to some of the provisions that I say have been recommended as a result of the Police Complaints Tribunal's investigation of Hinze's niece's party.

The idea to allow drug-dependent persons to obtain hypodermic needles is praiseworthy, but certain policing problems arise. Under the amendments to section 10, it is proposed that the issuing doctor shall specify the name and place of residence of the drug dependent to whom it is issued. I would like the Minister to tell us what will happen with the bank of information on drug-dependent persons which will be built up from such information.

Is the Health Department, under the provisions of the Health Act or the Drugs Misuse Act, to have access to such prescriptions and thereby build up a computer data base of drug-dependent persons to whom syringes have been issued? With the Government's new-found interest in civil liberties today, it might take some interest in the civil liberties of these people. In this regard I note that the Health Department has, quite properly, refused access to police in most instances to records of persons who are on the methadone program held by the Drug Dependence Clinic. Unless very specific guarantees are given to drug-dependent persons that their name and address and other details will be kept quite confidential, in the usual context of the patient/doctor relationship, it is expected that this provision will not work. What the Government is saying is, "Here is a fellow who is a drug-dependent person."

In section 4 of the Act a drug-dependent person is described as one—

"(a) who, as a result of repeated administration to him of dangerous drugs—

(i) demonstrates impaired control; or

(ii) exhibits drug-seeking behaviour that suggests impaired control,

over his continued use of dangerous drugs; and

(b) who, when the administration to him of dangerous drugs ceases, suffers or is likely to suffer mental or physical distress or disorder".

This suggests that the person is at the bottom of the barrel and is really struggling. When a person goes along to the doctor to get the needles, he has to fill out a form giving the name, address and residence of the drug-dependent person to whom the needle is issued. In some of the southern States they do not have to fill out any forms at all, but in Queensland they will have to go through that procedure.

I am prepared to accept that a record should be kept, but later I will move an amendment and will argue that the scheme will not work if people are made to fill out all those forms. It is a serious threat to people's civil liberties to have their names on a list of drug-dependent persons which is kept in chemist shops and doctors' surgeries. I do not think the system will work.

Mr Gunn: What about the doctor/patient relationship?

Mr BURNS: There is no legal right involved in that.

Mr Gunn: It is the normal thing.

Mr BURNS: There is no legal protection at all. If the Minister will allow me to continue with my argument, he will be able to follow it.

Persons who have a drug habit, apart from fearing police raids, may also fear that their employment and other prospects could be adversely affected if there are not watertight privacy provisions. Obviously, the form will be filled out and lodged. For a number of reasons, people will not want the information circulated that they are drug dependent. It would be an illusory gain for clean hypodermic syringes to be provided to drug addicts if a spin-off is an increase in speculative drug raids on addicts.

Specific privacy guarantees, especially from a policing point of view, need to be built into this section. Although a doctor may be reluctant to divulge details to police of the patient/doctor relationship, there is no legal privilege attaching to that relationship.

The only legal privilege attaches to communications between solicitor and client. This is often misunderstood.

A further privacy and policing difficulty relates to the possible ease with which police would be able to obtain access to prescriptions by simply walking into chemists and demanding that a particular prescription, or prescriptions generally, be shown to them. This is not a fanciful concern in view of the many demonstrated abuses of search powers under the Drugs Misuse Act and under the preceding Health Act. If honourable members do not believe that abuses of those powers do occur, I point out what the Police Complaints Tribunal has stated it in its No. 3 newsletter, which I received today. The names of all the people in the tribunal—Judge Pratt, Mr P. J. Rodgers, SM, Senior Sergeant C. J. Chant and Mr D. V. Galligan, QC—appear in the circular. They have stated that these things are happening. Honourable members may also recall the appalling events of the abortion raids and the subsequent trial of Dr Peter Bayliss. The potential for abuse is a serious problem and needs to be addressed.

The other outstanding shortcoming of this section of the Minister's proposed amendment is its failure to implement a needle exchange program as part of the requirement of legal needle supply. My colleague the shadow Minister for Health will have more to say on that matter in due course.

Referring to the amendment of section 13, which provides that offences may be dealt with summarily, the Minister's speech states that the present section 13 of the Act does not allow for a person charged with possessing the proceeds of a drug for sale to be dealt with summarily. The proposed amendment would allow certain cases to be dealt with summarily. That is to be welcomed. However, the changes do not go far enough.

Both section 13 and section 45—sections which the Minister seeks to amend—need serious reconsideration. The effect of section 13 when combined with section 45 (2) will allow the prosecutor to decide whether a person charged should go before a magistrate or a judge of the Supreme Court.

Let me talk about a bloke called Bill. Bill has left his house for the week-end and his teenage children have had a party.

Mr Gately: He has not come because he has lost his ID card.

Mr BURNS: It happens to all kinds of families. It happens to people such as Mick Veivers, when they go off and have a party.

Bill has left his house for the week-end, his children have had a party at the house and, unknown to Bill, his wife or even his teenage children, someone at the party was smoking marijuana. The family does not even know about it. Someone at the party has left a pipe or a bong under a chair or in the back yard somewhere. Bill and his wife return home from their week-end away and it is only when she is vacuuming the sitting room or gardening in the back yard that Bill's wife finds the bong. She keeps it until Bill comes home and, knowing full well what it is used for, they discuss what on earth they are going to do with it. Bill and his wife have both committed a most serious crime under section 10 (1) of the Act.

There are two possible penalties they could face—imprisonment with hard labour for 15 years with or without a fine of $150,000 or imprisonment with hard labour for two years with or without a fine of $5,000. One might say, "Well, that's fair enough—let the judge decide." But it is not the judge who decides that question; it is the prosecutor—the police.

If the prosecutor opts to put Bill before the Supreme Court, there is absolutely nothing Bill and his wife can do to go back to the magistrate, where the maximum penalty is only two years with or without a fine of $5,000. The power in the hands of the prosecutor is not fettered in any way. The Act does not specify any limits on his discretion or any right of appeal by Bill and his wife.

This is yet another example of sloppy and dangerous legislation by this Government—it puts too much power into the hands of policemen. In recent days we have all seen what damage unfettered police power in the wrong hands can do to the cause of law and order in this State.

I might point out that Bill and his wife have no defence to the charge. Whichever way the prosecutor jumps, they will be convicted because it is an offence to have those things in their possession. There should be some objective criteria against which the decision to proceed or not to proceed summarily can be related.

It is a frequent police tactic to use the summary indictment procedure as a pressure tactic to force admissions, which are often false, from a suspect. Defendants often tell of signing a confession which is false, under the threat that if they do not, the matter will proceed on indictment and they will remain in custody until a Supreme Court bail order is made. That is a very powerful pressure tactic in the hands of unscrupulous police officers. The police officer will say, "Righto, mate. You do the right thing and we will put you in the Magistrates Court where the worst you will cop is a smaller fine—a smaller penalty—and you will get bail nearly straight away; or we will charge you and put you before the Supreme Court and you will have to wait until you get to the Supreme Court to obtain bail." I do not think that the policeman should be allowed to do that. I argue that the defendant should make the election on how to proceed.

Criminal law sanctions are too important and serious to simply wipe out the right to trial by jury without any opportunity for the defendant to challenge that decision. Under the Act, a magistrate will still have the power to say, "No, this case is too serious to be heard by me", and rule that the matter go to the Supreme Court.

Athough I did not see that section in the Act, it is clearly spelt out that the magistrates will still have the power to say, "No, I will not handle this matter in the Magistrates Court", and rule that the matter has to go on to the Supreme Court.

At the moment, this police discretion is not reviewed by a court, with the result that, not infrequently, matters which should be dealt with in front of a magistrate are often sent to the Supreme Court as a punitive measure by the arresting officer against the accused. The Government's own Police Complaints Tribunal has made some suggestions about that. The punitive measure means delay, expense and frequent deprivation of liberty that results from a matter proceeding in the Supreme Court.

Once a decision has been made by the arresting officer to proceed in the Supreme Court, an accused person has to apply to the Supreme Court for bail. The Opposition proposes that the defendant be permitted to opt for the quicker and cheaper hearing in front of a magistrate, or for a full trial by jury in the Supreme Court. This would put these offences in the same category as stealing and several other offences which vary widely in their degree of seriousness. Otherwise, the fundamentally important aspect of the forum in which a prosecution is to take place is a decision which lies entirely in police hands. Even if the defence objects to, for instance, the prosecution deciding to proceed in the Supreme Court and the magistrate agrees with such objection, at the moment the magistrate has no power to order that the proceedings take place in the lower court.

Conversely, an accused person may wish to have his trial determined before a judge and jury. Many accused persons regard magisterial justice—ministerial justice would be about the same—as of considerably inferior quality to that of determinations by a jury. In some areas in Queensland, police often decide to elect to have a matter dealt with by a magistrate because the police are apparently confident that the magistrate is more disposed to their point of view than the position of an accused, and the police can often expect to have issues of credibility between them and the accused resolved by the magistrate in favour of the police.

It is fundamentally wrong in any criminal justice system to enable the prosecution to engage in forum shopping. In legislation as severe as the Drugs Misuse Act, there ought to be a fundamental right to trial by jury for any person who so desires it. The

argument that this will lead to clogging up the courts is unjustified as only a small proportion of persons will elect to face the expense and delay of proceedings on indictment.

Anyway, the aspect of expense should not be the predetermining factor in matters such as these. The quality of justice in a criminal justice system is more important than aspects of expense. If delays occur, it is up to the Government to do something about them.

As to bail and summary proceedings—it is noted that, in his speech, the Minister referred to the fact that the legislation is being reviewed to ensure that any inequities and inconsistencies are eliminated. The Minister has totally ignored reasonable requests by defence lawyers and others that the watchhouse bail position in relation to summary matters be reviewed.

When the original Drugs Misuse Act, in its Bill form, was circulated, there was no indication that the power would be taken from watchhouse-keepers to grant bail in minor drug matters. Prior to the introduction of the Drugs Misuse Act, it was the law, in practice, that watchhouse-keepers were able to release persons on bail if they were charged with possession of a minor amount of marijuana or possession of a pipe that had been used to smoke marijuana. Similar bail considerations existed in relation to heroin for personal use.

After the Drugs Misuse Bill had been circulated for comment, Part II of the sixth schedule was introduced without any notification at all. This had the effect of completely preventing watchhouse-keepers from granting bail in respect of even the most minor drug matter.

From a policing point of view, that has meant that already overcrowded Queensland watchhouses have had a number of young people kept in overnight or over the week-end—especially long week-ends—simply because a person has been charged with possession of a pipe that has been used for smoking marijuana. I know that police watchhouse-keepers are very unhappy about the overcrowding that has resulted from that.

Further, it is ludicrous that a person arrested after the Saturday morning court is kept in custody until at least 10 a.m. on Monday in relation to a minor marijuana offence. Then, at 10 a.m. on the Monday, the prosecutor announces in court that he has no objection to bail and the person is released. It is a crazy situation. An additional penalty is imposed upon that person.

I consider that the watchhouse-keeper's power to grant bail should be immediately restored to the position that it was in under the pre-existing drug laws in the Health Act. Under those provisions, when it comes to possession for use charges in relation to marijuana, heroin, etc., a watchhouse-keeper had the power to grant bail if the person was otherwise a good bail risk. This power should immediately be restored.

There should also be a power to have a magistrate review after hours the watchhouse-keeper's granting or refusal of bail, particularly over week-end periods. Bail should not be used as pre-court punishment, as it often is used by some police. This position needs immediate rectification.

As to the powers of search—in his speech, the Minister dealt with powers of search in clause 7. He noted that the review of section 18 had revealed a number of "small difficulties". Once again, I believe that that review was carried out by the Police Complaints Tribunal as a result of the party for Mr Hinze's niece. One wonders who conducted this review, because there certainly has been no attempt to involve the legal profession in such a review.

The Minister claims that the changed search-warrant procedure will result in a higher standard of judicial participation in the issuing of warrants. While this sounds grandiose in theory, it is farcical in practice.

It should be remembered that, under section 15 of the Drugs Misuse Act, police do not need a search-warrant to search any house, person, car or any other place. A so-called suspicion by a police officer that a person has drugs or drug-related material is

sufficient power, without a warrant, to conduct a search. That should be remembered when the high-sounding provisions in relation to the change in search-warrant procedures are being considered.

When the Minister refers to "judicial participation" in the issuing of warrants, he is simply referring to the fact that warrants are issued by justices of the peace. Lawyers tell me that they have been present on the 9th floor of the Central Courts Building at North Quay when police officers have come there to have warrants issued by counter clerks who are justices of the peace. The amount of "judicial participation" is farcically non-existent. Those lawyers have seen police officers come to the front desk and, without any discussion by the justices of the peace as to the basis of the police officer's suspicion, a Bible is thrust into the police officer's hand, he swears that the contents of the warrant are correct and the warrant is immediately issued. They have never seen any attempt by the issuing justice to question the police officer as to whether the nature of the information sought to grant the warrant is genuine or frivolous.

A warrant issued by a counter clerk justice of the peace enables the police to enter or re-enter at any time the place specified on the warrant, to pass through, from, over and along any other place for the purpose of making that entry or re-entry and to seize anything found by him in, on or about the place that he may reasonably suspect may afford evidence as to the commission of an offence.

My comments about the issue of search-warrants do not extend to that small category of search-warrants that must be issued by a stipendiary magistrate. Stipendiary magistrate warrants are a very, very small percentage of the drug warrants which are issued. What I am arguing is that the so-called "judicial participation" in the issue of warrants is almost non-existent, when warrants that are issued by justices of the peace are under consideration.

This is another case of draconian and highly intrusive police powers being dressed up as being under the supervision of the judiciary, when in practice that is simply not the case. It is also noted in relation to the powers for search that a power is to be granted to enable all persons who are found in a place which is "raided" to be searched.

I think that that is a fairly wide power. I am fairly certain that the Police Complaints Tribunal did not recommend just that. Of course, if the report was tabled, we would find out.

Does that mean that police can raid a rock concert and detain all persons present until a personal search is carried out of each patron? Under this legislation it does. It also means that, if Mr and Mrs Hinze had been visiting their niece on the occasion of her party in Cairns, they could have been searched by police, simply for being there. It would have taken them half a day to search Russ, but they would have had to do it. He will get square with me for that.

The scope for abuse in relation to minorities should not be forgotten. The issue of police selectively exercising their powers against Aborigines has recently been in the news.

This particular extension of police power would enable police to attend any gathering at all, seal off a hall where a party was in progress and systematically search every person for drugs. The potential for victimisation in this scenario is hard to overstate.

If Senator Flo Bjelke-Petersen was having a garden party at Parliament House, I could ring the police up a few days before and say, "Look, I know that there is a bloke there who always wears a white bib down the front and he carries drugs. I propose that you raid that place and search him because he is a red-hot drug-pusher." So the police could come in and raid the party and search all the people there. If that ever happened, the Act would be changed the next day. It sounds crazy, but it is true. That can happen under the provisions of this Act. The potential for victimisation in that scenario is hard to overstate.

It is also pertinent to point out that no time-limit is specified in the proposal to allow a search of any person who is present at a place that is raided. The police can

keep people for a substantial length of time. There should be some attempt to specifically limit that time in order to prevent abuse of the procedure. If a person happened to stack on an act, the police could get square with him. They could say, "All right, you can wait. You will be the last one searched." They can make the person wait. If it is a big party, they can make the person stay for a long while. That person will pay the penalty for standing up for himself.

As was indicated in the numerous submissions to the Minister when the Drugs Misuse Act was initially introduced, it is important to ensure that there is as much monitoring as possible of police activities when exercising their powers of search and seizure under the Act. Today, the Police Complaints Tribunal monitors those activities. I would argue that there should be some provision whereby persons are allowed, as a matter of right, to contact a solicitor in order to allow that solicitor to be present for a house or other search, so as to minimise the possibility of that person's being planted with evidence by police. That should be specifically built into the legislation.

As well, I would again argue the need for mandatory tape recording by police of all interviews with suspects under the Drugs Misuse Act. The mandatory life provisions are extremely draconian and, while the Minister may get a warm inner glow from constantly trumpeting that the Drugs Misuse Act is "unashamedly the toughest piece of legislation in Australia relating to dangerous drugs", there appears to be little or no concern by the Minister to introduce checks and balances to ensure that people are not wrongly convicted on fabricated evidence under this Act. It is interesting to note that, whenever a police officer wants to use a tape recorder he can easily get access to one. But when he does not want to use such a recorder, the difficulties and excuses that he will put forward for not using one are numerous and, often, farcically stupid.

It is the bent cops in this State who make this Bill so utterly alarming. The citizen is not only vulnerable to false arrest based on fabricated evidence, but under this legislation must mandatorily go to gaol for life. There is no opportunity for reprieve.

After reading what has been occurring overseas, I thought that whipping and a few other punishments would be included in this tough legislation. That seems to be the Government's way of showing some sort of toughness without addressing itself to the problem.

The Government owes it to both the police and the public to ensure that stupid abuses of this type are not permitted. The Government should remember that small abuses lead eventually to large-scale corruption.

In relation to section 22 of the Act, clause 9 of the Bill—power to require name and address—again, I believe that the Government can go too far. The Minister's amendment considerably extends the power of the police to acquire names and, in particular, addresses. The existing provision empowers a police officer to obtain not only the name and address of a person who is thought to have offended against the Act, but also enables him to require the name and address of someone who may be able to assist him in investigating any offence. Last year many people and professional associations objected to the breadth of this latter category on the basis that it required, say, a parent to divulge the whereabouts of a child whom the police may be seeking, legitimately or otherwise, for even a minor marijuana offence. As if that is not bad enough, the amending provisions would enable police to force a greater amount of information from innocent third parties as to the whereabouts of other persons. It would be unobjectionable if the captain of a ship was required to indicate the possible whereabouts of a person who had caused a container to be brought in on a particular ship from overseas. However, it is totally objectionable to require any person to reveal to police the whereabouts of any other person, particularly when examples continue to abound of police speculative drug raids. In that context, I am reminded of a quite elderly man at Paddington, who featured recently in the Sunday press complaining of a police raid on his premises late one night. His complaint, according to a report in the *Sunday Mail*, was totally disregarded when he went to police headquarters.

In today's copy of the Police Complaints Tribunal report, mention is made of one case in which a policeman swore out a warrant on two flats because he did not know what flat was the right one. He swore out a warrant on both flats, which means that an innocent person will have police officers raiding his place, knocking the door down and bashing it in, for no reason other than that they did not know which was the right flat.

In my opinion, the Minister is being totally misleading to suggest that the extended name and address provision is based on "some objective basis and any unwarranted requests would be subject to judicial review and sanction". This is his statement. There is absolutely no provision in the Drugs Misuse Act for a Magistrates Court or any other court to review the fairness or validity of police demands for names and address. I challenge the Minister to point out where such judicial review provisions exist in the Act.

It should be remembered that there is, in fact, no provision for a person who is being constantly harassed by the police under the very wide search/seizure and name and address provisions of the Drugs Misuse Act to obtain a remedy. Several complaints have been made about this to the Police Complaints Tribunal with totally unsatisfactory results. Indeed, section 47 of the Drugs Misuse Act specifically states that a police officer is not obliged to divulge any source of information in relation to anything he has done under the Drugs Misuse Act. Under this section alone, if I choose to challenge a police officer's right to demand that I provide not only my name and address or other place where I may stay from time to time but also that of some third party, the police do not have to reveal any information which may affect their source of information.

As to register of searches, in the opening paragraphs of his speech, the Minister said that this legislation was subject to ongoing review to ensure that any inequities and inconsistencies were brought to light and eliminated. In this regard, I would refer to section 20 of the Act, which deals with a register of searches. This requires the police to enter in the police register, at a police station, supposedly full details of why a vehicle or a house was searched and details of any items that have been taken away. I know of a complaint made to the Police Department since the Act began to operate indicating that one person had a number of items taken from her which were not entered in the register at the police station.

It is also not uncommon for the police to take a number of quite important personal documents and simply list them as "documents", as opposed to specifically listing each one. In fact, the Minister received a letter—a copy of which was sent to me—from a fellow who lost a Light Horse plume and leggings. The fellow reckons that they were taken away by the police during a raid on his property and were never returned. The police say that there is no evidence that they were taken. It is a bit hard to believe that someone would make up a story such as that. It seems to me that listing of documents and other material taken, if it were properly done, would have helped. Persons otherwise have no means of proving that particular documents have been taken and not returned.

Requests to the Queensland Police Department for a procedure similar to that adopted by the Australian Federal Police have been refused. The Australian Federal Police are required, when they raid premises, to specifically and individually list items on a special form which is completed at the time of search and offered to the suspect/occupier to sign. It is a reasonable request that a similar procedure be adopted in Queensland, but nevertheless one which has been refused.

In conclusion, Mr Speaker, this amendment highlights the fact that drug laws in Queensland are initiated without any proper consideration being given to abuses of police powers. It is noted that the particular proposals to check abuses would, if adopted, not impede the ability of the police to properly carry out investigations. The only police that would be impeded would be those police who frequently fabricate evidence.

In view of the mandatory penalties that are imposed by the Drugs Misuse Act, the time has come for reasonable checks and balances to be introduced. The Act itself is in dire need of comprehensive, not piecemeal, review; but, more importantly, the need of

Queenslanders to be protected by reasonable, just and powerful drug legislation must be seriously addressed. So far, this Government has only played around with Rambo images. It still has not done anything substantial to enable adequate law enforcement or drug-trafficking laws. Instead, the Government, as it always does, has cheated the people of Queensland.

Previously I sought leave from the Speaker to have incorporated in *Hansard* a table from the Commonwealth Grants Commission, dated December 1986 showing at page 143 recorded drug offences 1974-75 to 1983-84. I seek leave to table that document and have it incorporated in *Hansard.*

Leave granted.

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

EXCERPT FROM THE QUEENSLAND SUBMISSION TO THE COMMONWEALTH GRANTS COMMISSION DECEMBER 1986; P. 143

Table 10.23: Recorded Drug Offences 1974-75 to 1983-84
(Rates per 100,000 population)

Year	NSW	VIC	QLD	WA	SA	TAS	NT	AUST (a)
1974-75	83.6	53.1	81.7	72.5	55.8	80.5	161.5	71.6
1975-76	175.9	63.6	109.7	102.4	80.9	164.4	252.8	119.0
1976-77	188.8	98.3	124.6	82.0	151.0	157.7	353.5	140.8
1977-78	204.4	99.7	135.7	99.7	174.6	179.1	243.4	152.6
1978-79	166.3	105.5	165.7	93.1	111.8	197.1	166.1	138.2
1979-80	184.7	91.2	205.0	110.4	247.1	263.9	112.1	161.6
1980-81	207.5	114.9	253.2	160.9	247.6	307.8	135.5	189.1
1981-82	265.3	156.4	320.6	145.9	263.1	385.5	128.5	233.9
1982-83	285.2	182.7	420.5	192.4	373.4	317.7	174.4	275.8
1983-84	343.8	186.7	523.7	263.3	508.9	406.2	289.6	335.8

(a) Includes ACT.

Source: Wardlaw, G, "Users and Abusers of Drug Law Enforcement Statistics", Trends and Issues in Crime and Criminal Justice, No. 1, Australian Institute of Criminology, 1986.

Mr INNES (Sherwood—Deputy Leader of the Liberal Party) (8.10 p.m.): It is interesting to note that the Minister in charge of the Bill tonight is the Minister for Police. The Bill was introduced by the Leader of the House on behalf of the Minister for Police. Of course, there are health aspects associated with this matter. In the Liberal Party's contribution to the debate tonight, the fact that the legislation concerns different areas of expertise will be reflected. The honourable member for Ashgrove, who is not only the Liberal Party's spokesman on health matters but also a pharmacist, will deal with those matters that relate particularly to the hypodermic syringe exchange provisions in the amendments to the schedule.

The matters that I propose to deal with—and I will foreshadow some amendments—relate to the broader questions of justice and law enforcement. It is therefore appropriate that the Minister in charge of the Bill at this time, for whatever reason, is the Minister for Police.

One of the points that the Liberal Party wishes to make is that it has no opposition to tough drug legislation. It supports such legislation. It still supports the application of the full vigour of the law and gives all reasonable support to the those who wish to bring to task those involved in the drug trade. The Liberal Party also supports the greater and very harsh penalties provided for those involved in the dirtiest trade of all, the hard-drug trade. However, warnings were given by people, including myself in this

House, that the legislation can go too far. A balance has to be preserved between the rights of the community to be protected against the evil of drugs and the rights of individuals which might be affected or trespassed on by the pursuit of drug offenders. That is a balance which is well known to the history of Parliaments and to the history of the law.

I have made the point before—and I will make it again—that some of the matters that I will address tonight arise from the fact that the police in this State have a role which is unusual for police forces in parliamentary democracies in the Western World. They have developed for themselves their own legislative section that is frequently the author of proposals and provisions to change the law in relation to police powers. Having been both a police officer and a lawyer and having sat at both ends of the bar table, I recognise very clearly the differences between those pressures which are on the police force, those matters which will appeal to the police by way of additional powers—usually sought on the basis that reasonable police officers will reasonably use wide powers—and the balance which the courts very often have to find. The case books are littered with examples of the use of power and not infrequent abuse of power which infringes on the rights of individuals, their presumption of innocence and frequently their innocence. That is relevant particularly when it is related to matters such as search, which will be dealt within the debate on this legislation tonight.

The constructive criticism which the Liberal Party offers to parts of this Act is not intended either to impede the search for drug offenders or to impede the elimination of the drug trade. The criticism deals with the rights of Queenslanders to peaceably enjoy their own property, their home and their right to exercise the presumption of innocence in their favour, that is, their right to reasonable movement and reasonable freedom of action in the State. There is no point in having drug abuses legislation and amendments if, in the fight against drug abuse, abuses are perpetrated against the rights of Queenslanders. Perhaps they are strong words.

Let me provide some background to what I am saying by dealing with the powers of search. The Minister in charge of this Bill is here now, and I am glad that he is, because I want to appeal to his good sense as well as to the Government's good sense. I will be asking them not to proceed to the conclusion of the debate on this Bill until they have considered not just the matters that I have raised but the authority of the report of the newsletter and the recommendations of their own Police Complaints Tribunal.

I will provide some background to this matter by giving examples that have been raised in the consciousness of some of the members of my own party. I have had three instances of drug-based raids brought to my attention with complaints that the raids were totally ill-founded. They were against people with unblemished reputations, people of undoubted integrity. No charges resulted from the raids. In fact, in one case there was an actual admission that the wrong unit had been entered. I will refer back to the Police Complaints Tribunal and the passage to which Mr Burns referred earlier. That sort of thing has happened not once or twice; I will guarantee that over the last two years it has happened in Queensland on dozens of occasions.

I have had brought to my attention other cases of police just going through a house. Two of the cases brought to my notice involved young people and the other involved a person who was not young; he was in his thirties or forties. I recommended to these people that they go to the Police Complaints Tribunal. I have absolutely no doubt in my own mind of their integrity. They have no convictions and no records. Two of them are well known to me and their families are well known. They would not go to the tribunal on the basis that, if the police were prepared to conduct those raids within the auspices of the present law and abuse their right to peaceful possession of their property—in one case the unit door was smashed down and the unit was left a flattened shambles—how much more would they use their powers if they were angry with them? Both young people and older people in this State are afraid because they have experienced this sort of thing.

I suppose that if serving police officers hear the word "heroin" and believe that that is what they are after, anything is justified. They become inured by raid after raid after raid. Let me take the case of a law-abiding person who has never before had the police in his house and who has done nothing wrong. That person has his or her place turned over when police burst in, sometimes without time to comprehend that it is the police. If we as members of Parliament do not understand the outrage to these people's sensitivities when their possessions are rifled, turned over or broken, we have lost touch with reality and with the community.

The member for Nundah, my party leader, told me within the last 24 hours of an instance in his own electorate over which the commissioner offered an apology to a constituent who was prepared to have his matter pursued through Sir William's good offices. I have had brought to my attention one case of mistaken address and Sir William has had one. How many has the Police Complaints Tribunal had? The member for Stafford has had a similar case. The people involved have no previous convictions and are known to us to be of good character. No prosecution and no conviction resulted from the raid.

The member for Ashgrove will detail an instance that occurred in his electorate. After a raid on her premises under Operation Noah, a middle-aged woman's premises were raided by the police. She found out that the raid was as a result of an anonymous complaint.

The member for Yeronga detailed an instance of a complaint from his constituency in which somebody who owned premises at Bribie Island had them invaded by police. A neighbour at Bribie Island telephoned to say that the door of the dwelling had been left open and that something looked wrong. The neighbour thought that the police had been there. When the owner went up there she found that the place had been cleaned out. The dwelling had been occupied by a tenant, but the owner's property had been removed with that of the tenant. By the time she pursued it, after much trouble she found that her property, together with that of the tenant, was in Brisbane. Because she used a real estate agent, she had an inventory of her property, which satisfied the police that it was her property. When it was given back to her she had to pay the cost of transportation back to Bribie Island. That sort of thing is not isolated. Those cases come from the members who sit around me. I do not know how many more instances have been brought to the attention of other members in this House.

I will turn to the Government's own body, the Police Complaints Tribunal, which is not always assessed by members of the Opposition, at least, as a radical group. In fact, sometimes it is criticised as being conservative and excessively friendly towards the police force. I do not make that judgment. I am just saying that is tentatively the criticism rather than that they are too vigilant against the police force.

What does it say? In its latest newsletter, the tribunal refers to three areas of concern that it has experienced because of recurring complaints. The first relates to police searches. Three pages are devoted to police searches. The newsletter states—

> "Police searches are frequent sources of complaint. In the view of the Tribunal there is an urgent need a for review of the various aspects of search and seizure by warrant. The Tribunal has urged particular consideration of the following . . ."

Whom has it urged? Quite clearly, it is the Government. For the information of honourable members, I seek leave to table a copy of the newsletter to which I am referring.

Leave granted.

Whereupon the honourable member laid the document on the table.

Mr INNES: The newsletter continues—

> "(1) A clear identification of the need for the issue of a search warrant;
>
> (2) Scope of the search warrant to be clearly indicated.
>
> (3) Insistence on the presence of reasonable grounds."

I will return to that matter because, despite the statement by the Minister in his second-reading speech and despite the use of the words "reasonably suspects", there has not been introduced into this legislation the capacity to elicit the reasonable grounds checked by the justice of the peace or the magistrate which are the basis of the search warrant. As I said, I will return to that matter.

There has been window-dressing and there have been fine words. However, there has been a failure to address that clear problem, which is a matter of concern to the Liberal Party and to the Police Complaints Tribunal. The newsletter continues—

"(5) Identifying items or types of items which may be seized.

(6) Procedure subsequent to seizure in respect of directions by an appropriate body as to:

(i) Place of custody;

(ii) Conditions of custody;

(iii) Duration of custody;

(iv) Access by owner or interested persons/(Persons with an interest).

(7) Return of unwanted items as soon as reasonably possible.

(8) Return of all exhibits in due course, except where otherwise ordered or specified.

(9) Repair of all damage occasioned by the use of force to effect an entry."

I would guarantee that most of the doors that have been smashed—and there have been many of them in Queensland—have not been repaired by the police force; and in fact in very few instances have any apologies been given, which is the sort of reaction one would expect from people who have unlawfully exceeded their powers or acted on virtually baseless powers of entry.

The newsletter goes on—

"(10) In respect of items seized an inventory be made and a copy of such inventory to be left with the occupier from whom a receipt should be obtained."

It is terrrible that a Police Complaints Tribunal has to state such obvious grounds for reasonable behaviour. It must be borne in mind that the members of the tribunal are Judge Pratt, Mr Rodgers, SM, Senior Sergeant Chant and Mr Denis Galligan, the former Crown Solicitor. The members of the tribunal are not a bunch of well-known civil libertarian lawyers, members of the Labor Lawyers Group or any such people. That tribunal said—

". . . a person's home may be entered by force if necessary and the occupants subjected at the very least to the humiliation of the presence of police personnel"—

the tribunal recognises the human problem—

"and frequently police dogs invariably at some most inconvenient time of night or morning."

One has to add to that the intrusion of police officers. Very often they are not particularly well dressed. There are undercover police officers who are just as badly dressed as any hoodlums a person might fear coming into his house. Sometimes they will be in the company of uniformed police. Sometimes they will be better dressed. However, more than one complaint has been made about the apparent non-conformity with usual police standards of dress, or the standards of dress that one would expect of people of the type who enter the police force, and about the use of dogs in people's residences.

The tribunal went on to speak about the way in which the police obtain their warrants. The newsletter states–

"The number of Justices is in the tens of thousands and their warrant, ostensibly at any rate, authorises the grossest invasion of privacy possible. The need for caution and conviction should be apparent, but the Tribunal believes that there is a tendency

to 'rubber stamp' the information given by a Police Officer in a sterotyped form, albeit one prescribed under a Statute."

The newsletter continues—

"The Tribunal's experience has shown that many 'beliefs' of Police Officers"—

"belief" is the word presently in the Act—

"however subjectively honest"—

the officer might say, "I had a honest belief"—

"are not reasonable in that the Police Officer's informant may be motivated by malice or spite; the information may not be current; the information may relate to previous occupants; or, in the case of multiple dwellings, to the wrong premises."

Those are precisely the matters that I have raised and which members of the Liberal Party in adjoining electorates have experienced.

The circular continues—

"The identity of the informer is sacrosanct under the Drugs Misuse Act. A standard information is that the informant, unnamed, has formerly given reliable information. In many cases the reliability of the information is at least suspect. The Tribunal have had instances of information relied on which was some 3 months old.

A Police Officer on one occasion swore out information as to two distinct flats, because he was uncertain which one was the subject of the information . . ."

Any police officer who swore that was swearing a false statement. If a police officer does not know which of two flats it is, he cannot possibly swear that he has a reasonable suspicion as to one of them.

The circular continues—

"The Tribunal mentions these matters, as it seems, beliefs are being formed on very tenuous grounds; indeed little more than a suspicion as to the likely presence of drugs, rather than an informed opinion as to their current presence."

When one has the capacity to deal with anonymous informants, without the obligation to reveal their identity, such abuses are likely to occur. Not only are they likely to happen, but also these are the types of abuses that the Police Complaints Tribunal is satisfied do occur and which we are satisfied do occur. For every one of those complaints that has gone to the Police Complaints Tribunal—like the tip of an iceberg—there will be far more of the type that have come to me, that is, of people afraid to go to the Police Complaints Tribunal because they believe that the police will become angered by complaints about their behaviour. There is a lack of confidence by some people in the tribunal. The document continues—

"Under the Drugs Misuse Act, a warrant may be executed at any time within the period specified in the warrant. A standard period specified in warrants is 28 days. The Tribunal questions why if there is a present belief, there is a need to specify a period of such duration."

If one has a belief, one must know what it applies to.

The circular continues—

"As the Tribunal sees it, 24 hours or at most 48 hours should be enough. Moreover, there are some who consider that the warrant may be executed time and time again during that period . . ."

That clearly must be wrong, but the Act does not impose any capacity to test that. In fact there is a wall of silence and secrecy built around it. That wall is becoming an abuse of the property rights, other rights generally and the well-being of hundreds and thousands of law-abiding Queenslanders.

There is more to follow, because a policeman in trouble is the same as anybody else in trouble; he looks for self-protection. It is not unknown for a police officer to

bring a charge or take some other action to save his own scalp and to cover up abuses for which he might get into trouble. That is well known and occurs from time to time.

The document continues—

> "There needs to be a comprehensive review of all legislation authorising search and seizure. The Tribunal suggests that the matter is one for the Law Reform Commission. One aspect which needs serious consideration is whether the issue of a warrant is really appropriate for a Justice of the Peace, but should be vested in some professional Justices such as trained Courthouse staff."

That is something with which the Liberal Party concurs, because the average justice of the peace becomes a justice of the peace solely to witness documents and has no training; nor does he seek any training. On many occasions in this House I have called for a division to be made between commissioners of affidavits and justices of the peace. There should be a distiction between the two.

The tribunal refers to the English Police and Criminal Evidence Act 1984 and states that that Act contains provisions which accord with the tribunal's own views. Those were that a justice of the peace was to be satisfied as to the reasonable grounds for any belief.

I hope that the Minister does not leave this Chamber for a moment before I am able to incorporate this document, because the germ of my argument on this topic is contained in an amendment that I propose to move. What is left in the wording in the Act is that the police officer will satisfy the amended requirement "reasonably suspects" by saying to the justice of the peace, "I have a reasonable suspicion. I honestly believe it." He will swear to it on oath, and that will be sufficient.

Mr Ahern: Are you under the misapprehension that I introduced this Bill? I did not.

Mr INNES: Yes, I am. I am sorry. It is ministerial merry-go-rounds. Dare I say that, because the Minister's name was associated with the topic of the exchange of needles, I thought that he must have introduced the Bill. I am sorry. I am glad that there are three Ministers in the Chamber who should know something about the Bill.

The Act, as it is worded, does not meet the high standards referred to in the second-reading speech. I think that the Police Complaints Tribunal is deficient in its statutory interpretation. If the members of that tribunal saw the actual words contained in the Bill, they could not be satisfied that the criteria that they set out have been satisfied. If a policeman says, "I swear that I have an honest and reasonable suspicion that drugs are present", that will satisfy the obligations, and the justice will have to issue the warrant. The Liberal Party will be proposing that the justice himself must be satisfied that reasonable grounds are held by the policemen before the warrant issues. That is doctoring up the present situation; it is not getting to the bigger issue addressed by the Police Complaints Tribunal, which was that really the whole business of warrants should be reviewed and that their issue should be restricted to a specially trained group of justices or sent back to the magistrates.

The newsletter further referred with approval to English provisions, as follows—

> "Requirements to specify to the Justice the grounds, the relevant Act, the premises, and the identification of the articles and persons to be sought.
>
> Requirement for answers on oath to questions by a Justice of the Peace.
>
> A warrant shall authorise an entry on one occasion only.
>
> Two copies shall be made of a Warrant.
>
> The copies shall be clearly certified as copies.
>
> Identification to the occupier of the fact that the person concerned is a police officer . . ."

That is increasingly important with the use of undercover and drug-type people. The newsletter continued—

> "Where no person is present a copy of the warrant should be left in a prominent place in the premises.
>
> Entry and search under a warrant must be at a reasonable hour unless it appears to the police officer executing it that the purpose of a search may be frustrated . . ."

That is not one of those middle-of-the-night type deals.

The newsletter continues—

> "The warrant which has been executed shall be returned to the Clerk of the appropriate Magistrates Court . . ."

The Police Complaints Tribunal noted that its recommendations in the much-publicised Cairns raid and others had been relayed to the Government. I think that I said in this House that this Act and other Acts of its type would be changed on the first occasion that a child, relative or friend of a member of the National Party got into trouble. Whenever one introduces legislation that departs from all lessons, rules, checks and balances that have gradually evolved over a thousand years of revolution and mayhem, one will get into trouble. It occurred with the mandatory imprisonment that followed two convictions involving the suspension of drivers' licences. Somebody came running to his member and the legislation was suddenly changed. That was predicted. It is predictable that the mandatory sentence of life imprisonment will be changed because a particular case, particularly as human affairs are infinitely diverse, will differ from other really savage, hard-drugs cases.

The Bill incorporates a total departure from normal powers in relation to the issue of warrants. The trouble that has been created is evidenced by the Police Complaints Tribunal's report and by the instances that I have cited to the House already tonight. I foreshadow that on behalf of the Liberal Party I will be moving amendments to make the issue of a warrant more open to the scrutiny of a justice. If there are any worries that a justice might not be totally trustworthy, firstly, it reveals a flaw in our justice system and, secondly, the police no doubt will select a justice because he has some competency. If another Act has to be amended so that total security will be gained, I do not mind. The police officer has to swear an oath and give the grounds for his suspicion. The person who issues the warrant must understand that he has a magisterial function to inquire on behalf of the public. A warrant to search is an extreme thing in our society because a person's home is his castle. The person who issues the warrant must require reasonable grounds before he issues it. It is a simple proposition. The Government ignored it and got into trouble.

I pick up one matter raised reasonably by the Opposition spokesman. Although he referred to words with astonishing accuracy of a type that I have had in the course of conversation today—I am not sure who wrote his script, but it seems to have had wide circulation—the matter of name and address goes too far.

While we have been told that this Act attempts to temper some police powers, major additions to those powers are being included. With respect to any police officer who might be present in this House, I suggest that the Justice Department should look after legislation that gives people powers in relation to arrest, detention, rights of search and so on. We have been through this before.

The Bill contains provision for a person to supply his name and address and, if a policeman believes that there is something wrong with that information, he can require that person to produce evidence of it together with his date and place of birth.

For the purposes of this debate, the Liberal Party agrees that a person should be requested to supply his date and place of birth. But does the Bill stop at that? No, it does not. The Bill continues—

> ". . . and if he reasonably suspects that any of the required particulars given is false, may require evidence as to the correctness thereof and such other particulars as the officer reasonably believes . . ."

I am sorry that I have had to refer to the actual wording of the Bill, but it was necessary because those words are very important to my argument.

Because he is the one who faces a month's gaol, an objective standard of what is required of a member of the public is tranferred, namely, a request for his name and address. For the purposes of this argument, let us say that he adds his date and place of birth. However, we suddenly add to that the subjective suspicions of a police officer, who can seek further particulars about anything that he wishes to. If a police officer says that he suspects that one of those details that have been provided may be false, that is going too far. Perhaps there may be problems involved with two Adam Smiths or two members of the Smith family who may have been born on different dates. That is fair enough. In that case, the person concerned should be requested to provide his date and place of birth. But there should be no grab-bagging whereby a police officer can start asking a reasonable law-abiding human being about any particular that comes into his head simply on the basis of suspicion and leave that person in the firing-line for a month's imprisonment. That is not on.

I know many law-abiding people who get pretty toey when they are questioned by the police, particularly if the police attempt to question them beyond asking for their names and addresses and seek to ascertain other particulars. Those people regard that behaviour as totally unnecessary and offensive. It is not normally allowed. The Liberal Party believes that that additional area of totally subjective police criteria of suspicion in that section of the Act should be removed.

There is force in the argument that there should be an efficient central point of registration not only of searches but also of the occasions on which people are detained.

Under this Act, a police officer, who is in possession of a search warrant relating to a place of residence, will be able to go to that place and detain and search anybody who is found there. In the case of a party such as the one that was held for Mr Hinze's niece, anybody at a place such as that could be detained for an unspecified period and searched.

If one of the world's great rock groups is playing at the QEII stadium and the police believe that somebody has smuggled in something in the drums, on the face of the Act everybody at the QEII stadium could be stopped, detained and searched. That would be unreasonable and excessive. Search warrants should specify who and where, and that is what the police should act upon.

The Bill contains other powers relating to suspicion as to whether or not an offence has actually been committed. That provision would allow the police to deal with anybody else who is committing an offence at a particular spot, or who police reasonably suspect has drugs in his possession. There should not be any fishing expeditions. Honourable members are already aware that search-warrant powers have been abused.

The Police Complaints Tribunal has called upon the legislature to act against the abuse of search-warrants and to bring the Act back into kilter. The Liberal Party says to this Government, "Heed your Police Complaints Tribunal. Heed the well-based arguments that it presents, together with the lessons and examples of other jurisdictions. Heed the arguments that have already been raised tonight in this House. Do not proceed with this legislation until you have absorbed those factors and you have had time to convert them into proper legislation in relation to this Act."

The Liberal Party supports the steps that were outlined by the honourable member for Ashgrove with regard to the exchange of syringes. But the Government should control the matters relating to personal rights and police powers.

I seek leave to have incorporated in *Hansard* the Police Complaints Tribunal quarterly newsletter No. 3, 1987.

Leave granted.

Police Complaints Tribunal
Queensland
(Queensland's Independent Civilian Oversight Authority)
Quarterly Newsletter—Number 3—1987 Edition

Present Members of the Tribunal:

Chairman:	His Honour Judge E. C. E. PRATT, Q.C.
Deputy Chairman:	Mr P. J. RODGERS, S. M.
Member:	Senior Sergeant C. G. CHANT
Member:	Mr D. V. GALLIGAN, LL.B., Q.C.

From the Tribunal's experience certain areas of concern have been highlighted due to recurring complaints. These relate to (1) Police Searches; (2) Arrests for Minor Offences; and (3) Access for Solicitors to clients in police custody.

The following sets out the Tribunal's views of these problems:—

(1) *Searches:*

Police searches are frequent sources of complaint. In the view of the Tribunal there is an urgent need for a review of the various aspects of search and seizure by warrant. The Tribunal has urged particular consideration of the following:

(1) A clear identification of the need for the issue of a search warrant;

(2) Scope of the search warrant to be clearly indicated.

(3) Insistence on the presence of reasonable grounds.

(4) The proper exercise by a Justice of the Peace of a judicial discretion.

(5) Identifying items or types of items which may be seized.

(6) Procedure subsequent to seizure in respect of directions by an appropriate body as to:

(i) Place of custody;

(ii) Conditions of custody;

(iii) Duration of custody;

(iv) Access by owner or interested persons/ (Persons with an interest).

(7) Return of unwanted items as soon as reasonably possible.

(8) Return of all exhibits in due course, except where otherwise ordered or specified.

(9) Repair of all damage occasioned by the use of force to effect an entry.

(10) In respect of items seized an inventory be made and a copy of such inventory to be left with the occupier from whom a receipt should be obtained. This is particularly appropriate where money is seized.

It is not proposed to go into detail here, except to indicate the Tribunal's view that the law at present is fragmented, uncertain, and, indeed, capable of causing unnecessary hardship and friction. At present, on a warrant issued by a Justice of the Peace a person's home may be entered by force if necessary and the occupants subjected at the very least to the humiliation of the presence of police personnel and frequently police dogs invariably at some most incovenient time of night or morning. By contrast, the authority of a Supreme Court Judge is necessary to monitor, by a listening device, a conversation. It is the Tribunal's experience that Justices of the Peace have in many cases little clear conception of their powers and the responsibilities which should attach to their exercise. The number of Justices is in the tens of thousands and their warrant, ostensibly at any rate, authorises the grossest invasion of privacy possible. The need for caution and conviction should be apparent, but the Tribunal believes that there is a tendency to "rubber-stamp" the information given by a Police Officer in a stereotyped form, albeit one prescribed under a Statute.

The Tribunal's experience has shown that many "beliefs" of Police Officers, however subjectively honest, are not reasonable in that the Police Officer's informant may be motivated by malice or spite; the information may not be current; the information may relate to previous occupants; or, in the case of multiple dwellings, to the wrong premises.

The identity of the informer is sacrosanct under the Drugs Misuse Act. A standard information is that the informant, unnamed, has formerly given reliable information. In many cases, the reliability of the information is at least suspect. The Tribunal have had instances of information relied on which was some 3 months old.

A Police Officer on one occasion swore out information as to two distinct flats, because he was uncertain which one was the subject of the information, which in any event was as to a previous tenant. The Tribunal mentions these matters, as it seems, beliefs are being formed on very tenuous grounds; indeed little more a than suspicion as to the likely presence of drugs, rather than an informed opinion as to their current presence.

Under the Drugs Misuse Act, a warrant may be executed at any time within the period specified in the warrant. A standard period specified in warrants is 28 days. The Tribunal questions why if there is a present belief, there is a need to specify a period of such duration. As the Tribunal sees it, 24 hours or at most 48 hours should be enough. Moreover, there are some who consider that the warrant may be executed time and time again during that period; a concept the Tribunal finds grossly in error, or if correct, an open-ended intrusion on privacy which can only be justified in extreme circumstances. The Tribunal finds it difficult to see how when drugs are so mobile, there could be a belief as to the existence of drugs for the whole or for any identifiable occasion during such a period.

There needs to be a comprehensive review of all legislation authorising search and seizure. The Tribunal suggests that the matter is one for the Law Reform Commission. One aspect which needs serious consideration is whether the issue of a warrant is really appropriate for a Justice of the Peace, but should be vested in some professional Justices such as trained Courthouse staff.

The Tribunal would hope that the many recommendations that have already been made in respect of the provisions of the Drugs Misuse Act 1986 will be given serious consideration. It is encouraging for the Tribunal to learn that relevant sections of the English "Police and Criminal Evidence Act 1984" contain provisions which accord with the Tribunal's own views. They are these:—

A Justice of the Peace to be satisfied as to reasonable grounds for any belief.

Requirements to specify to the Justice the grounds, the relevant Act, the premises, and the identification of the articles and persons to be sought.

Requirement for answers on oath to questions by a Justice of the Peace.

A warrant shall authorise an entry on one occasion only.

Two copies shall be made of a Warrant.

The copies shall be clearly certified as copies.

Identification to the occupier of the fact that the person concerned is a police officer and that the persons conducting the search should identify themselves, produce the warrant and supply a copy of the warrant to the occupier, or if the occupier is not present, the person apparently in charge.

Where no person is present a copy of the warrant should be left in a prominent place in the premises.

Entry and search under a warrant must be at a reasonable hour unless it appears to the police officer executing it that the purpose of a search may be frustrated on an entry at a reasonable hour.

The warrant which has been executed shall be returned to the Clerk of the appropriate Magistrates Court in the District in which the premises to be searched is situated.

P.S. The Tribunal notes that since its recommendations in the much publicised Cairns raid and others the Government has introduced the Drugs Misuse Act Amendment Bill which contains provisions designed to cure what we highligted as some of the anomalies in the Drugs Misuse Act 1986. In particular Clause 7 of the Amending Bill is designed to provide "reasonable suspicion" as distinct from "belief" as to the criterion on the part of the informant upon which a justice is required to exercise a judicial discretion before issuing his warrant to search.

(2) *Arrests:*

An arrest is a summary interference with a person's freedom of movement and has consequences of a very drastic nature for that person. Apart from immediate deprivation of liberty, the person concerned is subjected to searches, fingerprinting, photographing, etc. While the law provides that a person arrested should be brought as soon as practicable before a justice, the reality is that a person summarily arrested will be required to spend at least some hours in a

watchhouse in surroundings and in company which at best are hardly congenial. There is in many cases also a stressful and traumatic impact on families. In short, an arrest is a violent interference with a person's liberty and has dramatic consequences for that person and any of his or her family.

In order to justify an arrest, there should be a substantial reason as well as a power to exercise it.

The Tribunal is not concerned here with arrests with a warrant. The issue of a warrant requires a sworn information and the provision of material sufficient for a Justice of the Peace to exercise a considered judicial discretion. In the case of an arrest without warrant, particularly for simple offences under the Vagrants, Gaming & Other Offences Act for such things as obscene language, insulting words, unruly conduct, etc., it often seems that the police officer may not exercise a discretion in as objective a manner as the circumstances require. There is a perceived tendency to effect an arrest because the power to do so exists, irrespective of what real mischief has been caused by the mere uttering of words which in many respects have lost any power to offend or induce revulsion in any ordinary persons (which after all is the test of obscenity).

Frequently the arrest for one of these types of offences triggers off allied offences, such as 'resisting arrest', and assault on a police officer in the execution of his duty. The offender on many occasions has been taken from or near his home; locked up for several hours; fingerprinted; searched; photographed and generally treated as a criminal. In addition to any trauma so far as the arrested person is concerned, there is the impact on and tension caused to the family.

The fact that Bail is often forfeited in these cases does not indicate a consciousness of guilt, but merely that the person arrested finds it more convenient and cheaper to pay the money than contest the charge in Court. The Police Officer is also of course relieved by such forfeiture of the need to vindicate his actions and to furnish statements of evidence.

It is not the Tribunal's desire to inhibit Police Officers in the lawful and reasonable exercise of duties, which are often delicate and dangerous. If in any particular situation an offender is acting in a manner which could reasonably cause concern to members of the public, then arrest may be the only practicable way of proceeding. If, on the other hand, as appears to the Tribunal from numerous complaints received, the alleged offence occurs in or near a private residence when no 'public element' is involved, or where it occurs late at night on roads where the alleged misconduct has no impact on any member of the public, the making of an arrest does not seem to be the appropriate way of proceeding. The suspicion often occurs in our minds that the arrest complained of is a 'knee-jerk' reaction, if not a 'get square' or 'teaching a lesson' measure.

It is hoped that the spirit and intent of the Commissioner's General Instruction 1.23—that arrests should not be made for minor offences unless necessary—will be observed. If complaints continue in the same vein, the Tribunal considers there could be scope for legislative action to lay down clear guidelines when arrest may be made and for some vetting (by senior officers) of over enthusiastic activities. It is to be hoped that the Commissioner will be able to promote the concept of responsible exercise of powers among his officers. Education and instruction hold out greater prospects of improvement than legislation.

(3) *Access for Solicitors to Clients in Police Custody*

One particular area of complaint which has come to the Tribunal's notice relates to Solicitors having access to their clients who have recently been detained by police for questioning in relation to an offence.

In one such complaint, a Solicitor spent some hours trying to locate his client. A subsequent investigation revealed an error in the duty roster for officers of the Railway Squad.

When various police officers endeavoured to respond to the request from the Solicitor, an examination of the roster indicated that the Railway Squad officers were not on duty whereas, in fact, those officers were on duty and were questioning the suspect in the Railway Squad Office. Friends of the suspect had been informed that he was being taken to the "Office" and it was assumed that the "Office" mentioned was the Criminal Investigation Branch Headquarters.

As a consequence of this investigation, the Tribunal recommended that a central point be designated for recording the location of suspects being held in custody and requiring legal representation.

Curiously, the latest complaint of this kind also involved the person in custody allegedly being taken to the Railway Squad Office. This time the police personnel concerned were not said to be of the Railway Squad.

An implementation of the measure suggested by the Tribunal in April 1987 could well have cured the problem.

The Tribunal understands that there is concern in some quarters that the introduction of a central register point could lead to cases being lost in court if there is an unavoidable breach of the relevant Commissioner's instruction to report to the Central Register point the whereabouts of a detainee. The Tribunal is unimpressed by this argument. Presumably the rationale is that an inadvertent breach would be relied on by defence counsel so as to induce the trial Judge or Magistrate to exercise his discretion to reject confessional evidence obtained during that period of custody. The Tribunal would have thought that a mere breach of such an instruction without more would scarcely bring about such a result. In any case, in an age of excellent communication inadvertent breaches would surely be rare.

Any correspondence or enquiries concerning material published in this newsletter should be directed to The Secretary, Police Complaints Tribunal, G.P.O. Box 782, Brisbane. 4001.

Time expired.

Mr SHERRIN (Mansfield) (8.41 p.m.): It gives me great pleasure to speak in support of the Drugs Misuse Act Amendment Bill. The Drugs Misuse Act, which was introduced in 1986, is one of the success stories of the Government.

I have been told by senior officers of the Police Department that, as a result of the strong provisions of that Act, the senior drug-pushers and the kingpins of the drug trade are no longer in Queensland and are terrified to come to Queensland. They will not come any further north than Lismore.

I wish to outline the extent of the problem of drug misuse and drug abuse and to place the Bill in the context of the problem of drug abuse. I wish also to consider the relationship between drug abuse and social drug usage. I believe that those aspects are interrelated. I wish to consider the success story of the increasing incidence of drug arrests by the police force in Queensland over the last six years, do a brief review of the provisions of the Act and then devote some time to the question of the provision of syringes and the reasons, medical and so on, why that provision is included in the Act. I then wish to finish with a brief review of the impact of the Drugs Misuse Act that was introduced last year.

There is no doubt that drug abuse, particularly heroin use, is a major problem confronting all democracies throughout the world. Heroin is the second-biggest killer of young Queenslanders. It has been estimated by my parliamentary colleague the Minister for Health that during 1986 20 young Queenslanders aged between 15 and 34 years died as a result of heroin use or abuse. It is the greatest killer of young Queenslanders apart from alcohol-related motor vehicle accidents, which, I inform the House, claimed the lives of 101 people in that same age group last year. In fact, last year in Queensland 264 people aged between 15 and 34—that is the at-risk age group—died on the State's roads, and they made up 55 per cent of the total road toll of 481.

It is interesting to note that out of a total of 182 people tested in the 15 to 34-year age group, 101—or 56 per cent—of that age group were blood alcohol positive. It is interesting also to note that there were 23 heroin or opiate-related deaths in Queensland last year and that 87 per cent were in the 15 to 34 age group.

A total of 950 people are currently involved in the Queensland methadone program, which gives an indication of the extent of the drug abuse problem, especially serious drugs such as heroin. Unfortunately, that number of people, approaching 1 000, is possibly only the tip of the iceberg, which gives an indication of the extent of this major social problem.

It is interesting to note that throughout Australia the number of deaths as a result of heroin and opiate abuse rose threefold from 91 to 283 in the five years to 1985. In the at-risk age group of 15 to 34 years, the number has increased from 81 to 244. It has been estimated by the Department of Health that at least 20 000 young Queenslanders have used intravenous drugs on at least one occasion. That is the significance of the problem that has to be addressed by the Bill.

A recent nationwide survey by Australia Market Research showed that 5 per cent of the Australian population have used intravenous drugs at least once—that is, 1 in 20. That shows the extent of the problem. Two per cent have used the drug in the past 12 months. More importantly for one of the provisions of the Bill, 58 per cent have shared needles.

It has been estimated by the New South Wales Department of Health that 50 000 drug addicts currently live in New South Wales. If I could digress and talk about heroin—its effects and the effects that it has on the life and the health of people who come within its clutches—it may well set the context for the Bill and for the severe penalties that are provided in the original Act. Honourable members will probably realise that heroin can be consumed in several ways. It can be smoked from a bong, injected by a syringe into the bloodstream, or sniffed up the nose in a manner similar to the sniffing of cocaine. When I have the opportunity to watch television, I am often disturbed to see that these various implements used in taking heroin in different ways are often displayed in quite graphic detail on many television shows—particularly American television shows. A couple of weeks ago, I had the opportunity to watch a recorded program of *Miami Vice*, which is a very popular crime show. During that one hour program, the mechanisms used to ingest those drugs into the body were shown—all three of them in the one program, and very graphically. Any young person with a mind to experiment in this field had the methods revealed quite graphically to him during that program.

A report released during the national Drug Offensive states that heroin briefly stimulates the higher centres of the brain and then depresses the activity of the central nervous system, which causes a feeling of euphoria and peace. Immediately after an injection, the user experiences an orgasm-type sensation which is commonly referred to as a rush, and which soon gives way to a mental state of gratification. The effects of heroin, depending on the manner in which it is taken and its purity, can last up to four hours. With extremely high doses, the user is prone to vomiting before entering a dream world of escapism. A fatal overdose may follow the use of a sample which contains more narcotic than samples previously purchased, and death can occur when the drug has such an effect on the body that it totally depresses breathing. Materials used by the dealer to reduce the purity of heroin, thereby stretching the quantity, can include strychnine, barbiturates, amphetamines, caffeine, talcum powder and—believe it or not—soap powder.

Dependence on heroin occurs when increased dosages of the drug are required to produce the same effect as initially achieved at lower dosages. The addict keeps increasing the concentration of the drug until it reaches such a stage that it kills the addict. Addiction exists when heroin becomes so central to the person's thoughts, to their whole life, to their reason for existence, to their emotional well-being and to all other activities, that it is difficult to stop using it or to maintain their use of heroin at a reduced level of consumption.

The cost of heroin on the street, which I understand currently runs at about $300 for a gram ranging in purity from 6 to 18 per cent, compels many users—and this is the tragic side of it—to adopt a life of crime to feed their ever-hungry habit. Australian Bureau of Statistics figures released last year reveal that most bank-robbers and prostitutes turn to a life of crime in order to feed their insatiable habit for hard drugs such as heroin.

It was mentioned previously that research conducted in Queensland during the last year has shown that 20 000 Queenslanders had used an illegal, intravenous drug in the past 12 months. The research also indicated that 58 per cent of the people who admitted having used IV drugs had shared needles with other drug-users. To my mind, that is a very worrying statistic. Thirty-two of 402 known AIDS-positive sufferers in Queensland were intravenous drug-users. Sharing needles is certainly a recipe for spreading the AIDS virus. It is important that, as members of Parliament, honourable members get the message across to the community—especially to young people who are in the at-risk age

group of 15 to 34—that the use of IV drugs is a high-risk AIDS contamination form of behaviour, and a sure-fire way of spreading the disease among the heterosexual community from the homosexual community where it is now predominant.

It is also important to note that deaths caused by drug overdose in Australia have increased by more than 200 per cent during the period from 1980 to 1985. During my research, I came across a very interesting article that had a sobering effect on me. It reported on the increasing incidence of drug-addicted babies who were born at Brisbane hospitals last year. Figures I obtained reveal that in Brisbane alone, hospitals recorded an increase of 30 cases of drug-addicted babies during 1986. Overall, the number of babies born to heroin and methadone addicts is still increasing, which means that the sinister effects of the drugs are being passed on to the babies.

Each year in Australia authorities confiscate something of the order of 12 to 14 kilograms of cocaine. They believe that that represents, as I said, a small part of the total amount of cocaine that is available in Australia. Their estimates indicate that that represents a range from about one-fifth to one-tenth of the total cocaine that has been smuggled into Australia per year. In other words, if that is extrapolated, on the assumption that it represents only the tip of the iceberg, the estimates are that something like 140 kilograms of cocaine enters Australia during any one year.

It is also interesting to note the extent of the problem in the United States where authorities confiscate something of the order of 40 000 kilograms of cocaine a year. Working on a similar formula of one-fifth to one-tenth, I suggest that that means that something like 400 000 kilograms of cocaine enters the United States of America every year. That is a very grave and severe problem; it is certainly a problem that we as members of Parliament do not wish to see repeated in Australia.

During my time as a teacher, I became convinced that drug abuse, not in the hard drug area but in the soft drug area, can well lead to the abuse of hard drugs. It is very important that we, as representatives of the people, alert them to the dangers of the abuse of soft drugs and the possibility that that could lead to the abuse of hard drugs, especially where it concerns their children. I am certainly led by advice from organisations such as Drug-Arm in that regard. It warns that society's use of acceptable drugs encourages parents to provide role models for their children in drug abuse. One interesting aspect is the abuse of alcohol, especially by teenagers. Teenage alcoholism is increasing dramatically, with as many as 10 per cent of schoolchildren between the ages of 12 and 17 getting very drunk at least once a month. Alcohol is the most regularly used drug by students in the age group that I have just mentioned, with more than half reporting at least a weekly usage of alcohol. On the other side is tobacco usage. Despite the high profile "quit smoking" campaigns that have been conducted in Australia, smoking among young people has increased dramatically as well. According to McNair-Anderson and their annual surveys, in the past 15 years the number of smoking teenagers has increased by 3 to 4 per cent to around 20 per cent. The Queensland Cancer Fund estimates that more than 20 000 Queensland schoolchildren aged 14 to 15 years are addicted to cigarettes.

It is very appropriate to consider the significance that those double standards regarding the abuse of soft drugs on the part of many parents are having on children in the younger age groups. At schools children are taught the evils of drugs. Those children then go home from school to find their parents abusing not necessarily hard drugs but soft drugs in the form of alcohol and cigarettes.

It is important that there be some form of reinforcement at home. Unfortunately, in many instances there is no reinforcement there because the parents come from a different generation. They perceive the real problems to be problems of hard drugs and yet they are not setting an example by a proper usage of soft drugs. On the one hand, they are saying, "You shall not abuse hard drugs, children; you are to steer right away.", and on the other hand the children come home, they watch television, they see programs warning them off hard drugs and yet they turn around and in some instances see their parents showing signs of soft drug abuse.

According to Drug-Arm, there is every chance that a girl will learn from her mother to take tranquilisers and a boy, for example, will model his father and drink booze to excess. The sort of behaviour that is learned in childhood is very, very hard to change indeed.

I find it very encouraging to look at the statistics of drug arrests in Queensland over the last six years. One very interesting statistic that speaks highly of the work of the Queensland Police Department is that the number of arrests for drug-related offences in Queensland has more than doubled in the past six years. Arrests have jumped from an average of 174 a month for 1980-81 to more than 450 a month for 1986-87.

The Bill before the House allows for a number of major initiatives. For example, to expedite matters it allows limited cases of possession of drug proceeds to be dealt with immediately by the court. It will allow the possession of needles and syringes by drug-dependent people when a doctor has authorised a pharmacist to dispense those items. I wish to speak about that briefly a little later. The Bill gives police the power to detain people in a place being searched and allows police to seek additional information such as date of birth, etc., from suspects to ensure that they can be later found and identified. One of the problems with the Act is that people who are highly mobile, particularly those who live in caravan parks and similar places, and who give a caravan park as the place of residence to the arresting police officer, can skip bail and it is very difficult for the police to track them down. So that ultimately people can be brought to justice, I think it is very important that the police can obtain sufficient information to identify them positively.

I wish to dwell for a minute on the aspects of the legislation that relate to the provision of syringes to drug-dependent people. Some of the comments on this subject made elsewhere in Australia, especially from the pharmaceutical association, are quite interesting. That association is very confident that the provision of syringes will not lead to an encouragement of the use of illegal drugs. Any opposition to the provision of these syringes must be tempered by the community's concern about the spread of AIDS. In the past the unavailability of syringes has meant that, in some documented cases, addicts have shared the same syringe 100 times. That is like passing aroung a loaded gun. The use of syringes in such a manner will spread the AIDS virus from the homosexual population to the heterosexual population much faster. In Sydney about 30 per cent of male users of intravenous drugs work as prostitutes to support their habit. Of the 100 male drug-users who have been found to carry AIDS antibodies, about 50 are homosexuals. That underlines the real problems that call for the provision of syringes to these users. The Bill contains sufficient safeguards to prevent any undue concern over this matter.

I understand that my colleague the member for Surfers Paradise will dwell for some time on the impact of the Drugs Misuse Act, but I wish to bring two important issues to the attention of the House. Because of the severe penalties contained within that Act, a number of the major drug-dealers have been scared away from the State. Many of the drug-dealers who have been forced to locate outside of Queensland are now not prepared to do any business inside the State.

I strongly support the Bill.

Mr McELLIGOTT (Thuringowa) (9 p.m.): I appreciate the opportunity to speak to the Bill, and particularly to clause 5, which refers to the availability of needles to intravenous drug-users. I speak to that clause in my capacity as shadow Minister for Health.

Mr DEPUTY SPEAKER (Mr Row): Order! I bring to the attention of the honourable member that he will have the opportunity to do that at the Committee stage.

Mr McELLIGOTT: Mr Deputy Speaker, I take your point.

The proposed amendment to the Drugs Misuse Act is typical of the way in which the Government has failed to come to grips with the AIDS crisis. On every occasion that the Health Minister has put to Cabinet a proposal that would have had a meaningful

impact, it has been defeated and some watered-down compromise decision has been made instead. Now even the Minister for Health has given up and retired in humiliation. How embarrassed must be the Government back bench over the condom vending machine issue and how gutless must be the members of the Cabinet, all of whom failed to support their colleague Mr Ahern on this issue. Even the members of the Ahern faction backed off when it came to the crunch, that is, when the Premier put their ministerial positions on the line.

The Government's program to combat the AIDS virus—if in fact a program does exist—is truly in tatters. It is full of inconsistencies, hypocrisy and false moralising. How hypocritical it is that tonight honourable members are debating legislation to allow drug-users access to needles to follow their dangerous practice, yet university students will not be given access to a condom. How hypocritical it is that the Government allows cigarettes in a packet which bears a very clear warning that smoking is a health hazard to be dispensed through vending machines, yet the Government will not allow condoms, which may well save lives, to be dispensed through similar machines.

While I am on that subject, I refer to an article which appeared in the *Sunday Sun* of 23 August 1987 headed, "Condom Machines Backed." That article states—

> "An overwhelming majority of Queenslanders is in favor of legalising condom vending machines.
>
> And they don't believe introduction of the machines would increase casual sexual behaviour.
>
> Only 17 per cent of Queenslanders oppose legalisation—while 75 per cent are in favor and 8 per cent are undecided."

The Opposition will support an amended version of clause 5 of the Bill. I shall deal with the proposed amendment later.

The Opposition accepts that, unfortunately, there are those in society who use drugs. The Opposition accepts also that one of the ways in which the AIDS virus is spread is by multiple use of needles.

I refer now to an article in the *Sydney Morning Herald* of 20 August 1987 headed, "Needle exchange program is vital, says Buttrose". The article states—

> "The Federal and State Governments must stop 'procrastinating' and introduce across-the-board sterile needle programs, the chairwoman of the National Advisory Committee on AIDS, Ms Ita Buttrose, said yesterday.
>
> 'We know that needle exchange programs will slow the spread of AIDS and I don't think it is sufficient to endorse their introduction in principle,' she said. 'They should be up and running nationally now.'
>
> Ms Buttrose said NACAIDS reconvened last week a committee on needle exchange programs after learning that in New York about 200,000 of the city's 250,000 intravenous drug users are now believed to be infected with the AIDS virus.
>
> 'The New York experience is already being repeated in Edinburgh and Paris and it would be folly to think that it won't happen here,' she said.
>
> 'Already in NSW the number of known infected IV drug users has increased from 25 in November to 120 now.'
>
> NSW has a needle exchange program based at St. Vincent's Hospital. Chemists also sell needles to addicts, but don't collect them. There is however no sterile needle system in the jails.
>
> Speaking at a symposium on AIDS at Concord Hospital, Ms Buttrose also said more methadone programs were going to be 'absolutely essential' to try to reduce IV drug use."

Of the more than 400 active AIDS cases in Queensland, some 32 contracted the disease through intravenous drug use. By introducing the legislation being debated tonight, the

Government has recognised that there are people who use drugs and that unless those people are given access to clean needles, an increasing number of them will die. The member for Mount Gravatt, Mr Henderson, stated the position perfectly when he said, "I am not prepared to sentence anyone to death, irrespective of how immoral or promiscuous they might be."

As I have said on numerous occasions, the AIDS crisis is a health issue and not a moral issue. Whether people should inject themselves with drugs and how they are educated to resist that type of behaviour is another debate altogether. That will take years to resolve, if indeed it is ever resolved. The Government just cannot wait that long to deal with the potential crisis in public health that is represented by the AIDS virus.

The same can be said in respect of homosexuality and promiscuity. Why people act in those ways again is another debate. However, it is known that AIDS is spread by homosexual acts and by sex with multiple partners. Of the more than 400 AIDS cases in Queensland to which I have referred, 283 are homosexuals, 59 are bisexual and seven are heterosexual. The Government will provide needles to intravenous drug-users but will not provide condoms to those engaging in high risk sexual activities.

In a feature article in the *Gold Coast Bulletin* of 26 June 1987 Mr Ahern is quoted as saying that there were three main weapons against AIDS—abstinence from sex, the use of condoms, and education, which he cited as the most effective weapon. The Minister is further quoted as saying—

> "We don't want people to die from ignorance, and there is plenty of that about."

How true is that in terms of the last few weeks and Cabinet's consideration of the great condom issue?

Last Thursday there was a marvellous cartoon in the Townsville *Advertiser* drawn by Bob Hebden, who draws under the name of "Heb". He must be one of the best cartoonists in the country. This cartoon showed Lady Florence Bjelke-Petersen speaking on the telephone to a friend whilst the Premier is at the table obviously finishing off breakfast. A gladwrap container is lying on the kitchen floor and Lady Florence is saying on the telephone to her friend, whose name apparently was Mabel, "I don't know what got into him, Mabel. For no reason at all he suddenly jumped up from his Weetbix and prised the gladwrap container off the wall with his butter knife." The community is laughing at the Premier and his Government over the issue of condom vending machines. If the issue was not so serious, it would indeed be very funny.

This issue has publicly humiliated the Minister for Health, who no longer appears to be leading the fight against AIDS. He has been the victim of the leadership brawl within the National Party. I will review the performance of the Minister for Health in that context. He has clearly failed to deliver on the AIDS crisis. Indeed, the article in the *Gold Coast Bulletin*, to which I referred earlier, commenced with the following comment—

> "Despite knockbacks for various AIDS programs, State Health Minister, Mike Ahern, keeps getting back on his feet to trumpet the warnings of a national crisis."

Mr Ahern has just been knocked out and he will not be getting back on his feet this time because he has been sold down the drain.

Mr Goss: Is there not a limit to how far a person goes to hang on to a job?

Mr McELLIGOTT: One would imagine so. It is very disturbing that an issue as serious as the AIDS crisis has been brought into the debate within the National Party over the after-Joh leadership situation. The Opposition watches with interest as the various people move around lobbying and counting the numbers. It concerns me that the Minister for Health, who ought to be in charge of the AIDS debate, has been forced to ignore the AIDS crisis and concentrate instead on doing the numbers around the Government side of the House.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order!

Mr McELLIGOTT: The Minister for Health has been sold down the drain. He has not been able to deliver on a sex education program in Queensland schools.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! I demand that the debate return to the Bill. The House will come to order.

Mr McELLIGOTT: I was about to explain that the Bill deals with the very serious question of the AIDS virus. One way of seeking to prevent the spread of that disease is through the issuing of clean needles to intravenous drug-users. I have made the point that the Minister for Health has been sold down the drain by his colleagues. He has been unable to deliver on a sex education program in Queensland schools, compulsory AIDS classes, freely available condoms and a needle exchange program. I recall that the Minister set up a committee to examine the regulation of brothels and massage parlours and nothing more has been heard on that subject either. Quite simply he has been a failure as a leader in the fight against AIDS in this State.

The measure contained in the Bill before this House tonight does not represent the basis for a needle exchange program and does not go far enough. I would have recommended that the House vote against the proposed amendment, but it is marginally better than what exists at the present time, in that it does permit a drug-dependent person to obtain clean syringes and needles lawfully. It will not prevent those who are presently obtaining needles under false pretences from continuing to obtain them in that way. Honourable members should be aware that people are able to obtain syringes at the present time by using a whole range of subterfuges. This amendment will not grab the many addicts who will not present themselves to a doctor and give their name and address in order to obtain a prescription for needles. All of these people will continue to use dirty needles. I share the concern of the Opposition spokesman about the need for drug-users to present their name and address to medical practitioners. They simply will not do it. The Minister has referred to the confidentiality that is supposed to exist between doctors and patients, but that did not help in the case of the patients whose records were seized by police during the raids on the abortion clinics.

The Bill that we are considering tonight will simply increase the number of needles in circulation among drug-users and in the community generally. In some States there is increasing concern about used and discarded needles in parks, on beaches and even in the streets. I do not know whether that is a danger in Queensland yet, but it may well be a danger one day in the future.

The Labor Party's policy is to implement a proper needle exchange program whereby clean needles would be exchanged for dirty ones. This would have the effect of controlling the number of needles in circulation. I think that it would be obvious to all members that drug addicts are unlikely to be amongst the most environmentally conscious section of society. So there is need for an incentive to them to return used needles. The Opposition will be moving an amendment to that effect at the Committee stage.

This is the first opportunity that the Opposition has had to debate the AIDS issue in this place. An attempt by me to bring on such a debate was stopped by the Government in an earlier sitting this year. A whole range of issues need to be discussed in relation to the AIDS crisis, but I think that what we need to resolve this evening is the most basic question of just how serious is the AIDS virus to the health of Queenslanders. Varying stories continue to be told.

About 12 or 18 months ago, the Health Minister made headlines by saying that AIDS represented a national crisis. I realise that the Health Minister is not in charge of

the Bill tonight and that he will not be responding to the debate. The *Gold Coast Bulletin* quoted Mr Ahern in the following terms—

> "Let's face it, AIDS is nothing less than a national crisis. Unlike other forms of national crises, cyclones or wars, AIDS does not impact immediately and visually. But mark my words, it will impact in every city, town and hamlet in the nation."

Mr Ahern described AIDS as a silent cyclone.

On the other hand, the Minister for Education, who has just entered the Chamber, has said that the threat of AIDS has been grossly exaggerated.

Mr Powell: And is here quite often.

Mr McELLIGOTT: Does the Minister still subscribe to that opinion?

Mr Powell: Most definitely.

Mr McELLIGOTT: There we have the conflict that exists between Government ranks. The Health Minister, on the one hand, is saying that AIDS is the silent cyclone. He said that it will impact in every city, town and hamlet in the nation. The Minister for Education has said that the threat of AIDS has been grossly exaggerated. That is why I say that the Government's AIDS program, if in fact one does exist, is currently in tatters. Cabinet cannot agree on the measures that need to be implemented and will not support the Health Minister in the plans he has put in place to combat the virus. Here tonight we are considering yet another watered-down version of what needs to be done to help prevent the spread of the disease.

At the Committee stage I will be moving an amendment. I look for the support of the Committee because it is very clear that what is being proposed tonight will simply increase the number of needles in circulation in the community of drug-users. People who already have access to needles will continue to obtain them. The Opposition supports the concept of issuing clean needles, because it has been established very clearly that multiple use of needles represents one of the ways in which the AIDS virus is spread. I believe that the Opposition's amendment is very responsible. The Opposition believes that the number of needles in circulation needs to be controlled, and it can be controlled by a proper exchange program.

Debate, on motion of Mr Powell, adjourned.

The House adjourned at 9.15 p.m.