

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 27 OCTOBER 1988

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Mr SPEAKER (Hon. L. W. Powell, Isis) read prayers and took the chair at 10 a.m.

PETITION

The Clerk announced the receipt of the following petition—

Compulsory Wearing of Safety Helmets by Cyclists

From Mr Booth (18 signatories) praying that the Parliament of Queensland will legislate for the compulsory wearing of safety helmets by cyclists.

Petition received.

MINISTERIAL STATEMENT

Allegations of Mistreatment of Chicken-farmers by Queensland Government

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (10.02 a.m.), by leave: In the Federal Parliament on 12 October 1988, the member for Bowman, Mr Sciacca, made claims that two Queensland chicken-farmers have been unfairly treated by the Queensland Government. It is unfortunate that Mr Sciacca used only a one-sided version of this case to engage in a cheap political exercise and demonstrated a total lack of understanding of the industry committee which he had slated.

The problem arose following disputes between the chicken-farmers, Messrs MacDonald and Williams, and Inghams Enterprises, more than four years ago. The Chicken Meat Industry Committee investigated the disputes and agreed that Inghams Enterprises was acting in accordance with the provisions of the growing agreement when it terminated its suppliers' agreements.

Messrs MacDonald and Williams have raised their dispute with me and my predecessor as well as with the Parliamentary Commissioner for Administrative Investigations. The Parliamentary Commissioner for Administrative Investigations has stated that in his opinion the committee acted correctly when it held that Mr MacDonald's agreement had been properly terminated. Following investigations, both MacDonald and Williams have been advised that there is no further action that can be taken to assist them.

The Chicken Meat Industry Committee was established in 1976 to provide the industry with a mechanism for resolving its own differences. The committee comprises an independent chairman and three representatives each of growers and processors.

While I appoint the members of the committee, I can assure honourable members that it has been my practice and that of my predecessors, and is indeed a requirement of the legislation, to consult with the industry before making any appointments. The representatives of growers and processors appointed to the committee are nominated by the Queensland Chicken Growers Association and the major processing companies, and I personally have no knowledge of their political persuasions.

Before the introduction of the Chicken Meat Industry Committee Act 1976 there had been continuing disagreement between processors and growers concerning the amount to be paid to growers as a growing fee by the processor and the renewal of growing agreements.

The committee was established to provide a forum in which processors and growers could meet and resolve differences and determine any issues in dispute between an

individual grower and a processor. Under its powers the committee is responsible for approving of growing agreements, setting growing fees and resolving disputes.

At times there have been some concerns expressed over the lack of extensive regulatory and enforcement powers. However, when the legislation was enacted it was decided to leave the industry as unfettered as possible and to leave some flexibility to allow close consultation between all parties to the industry to ensure that no one section is disadvantaged.

Experience has justified the Government's confidence in the ability of industry-leaders to resolve their differences by goodwill and common sense and their willingness to abide by the spirit rather than the strict letter of their agreements. The continued success of the Government's policy of allowing the industry to regulate itself depends on a continuation of that goodwill.

While Mr Sciacca has referred to this committee as another quango, he should be aware that the committee was established at the request of the industry, that its operations are funded by a levy on growers and processors, and that it receives no financial support or assistance from the public purse. The Chicken Meat Industry Committee has been successful in negotiating adequate growing fees to be paid by processors and satisfactorily resolving all disputes placed before it, with the exception of the dispute involving Messrs MacDonald and Williams, who have not been prepared to accept the umpire's decision.

MINISTERIAL STATEMENT

Presence of Whale in North Kennedy River, Lakefield National Park

Hon. G. H. MUNTZ (Whitsunday—Minister for Environment, Conservation and Tourism) (10.06 a.m.), by leave: I take the opportunity to inform the House that the National Parks and Wildlife Service has informed me that an 8-metre whale in seemingly good health has been found swimming 40 kilometres upstream in a river on Cape York Peninsula.

The whale, which has not as yet been positively identified, is in a branch of the North Kennedy River in Lakefield national park, Queensland's second-largest national park.

Opposition members interjected.

Mr MUNTZ: That might seem insignificant to some members, but the eyes of the world could well be on north Queensland and Lakefield national park, as they were on Alaska in the rescue of three whales.

I would indicate that the whale is not stranded; that it is in a 50-metre wide salt-water section of the river; and that at this juncture it does not appear to be in any way distressed and is being watched constantly by park rangers. The advice which I have received from my officers indicates the whale could be either a false killer whale or a minke whale, both of which are found in the waters of north-eastern Australia.

Officers from my department are now in contact with the Boating and Fisheries Patrol, Project Jonah and marine scientists of the James Cook University in Townsville to determine what action is appropriate in the circumstances. Meanwhile, I have asked to be kept informed and have instructed park staff on Lakefield to restrict public access to the area in order to reduce interference with the animal. It appears that the whale has found its way upstream of its own accord and, while still in good health, could find its way back to the sea. Most long-term residents of Cape York cannot recall any past instances of this kind.

Again, I feel it is my duty to inform the House of these circumstances and particularly to mention that I will be stating to the public that access to the area will be restricted in certain circumstances.

MINISTERIAL STATEMENT

ALP's Policy on Town-planning

Hon. J. H. RANDELL (Mirani—Minister for Local Government and Racing) (10.08 a.m.), by leave: Recently, at its policy conference, the Queensland branch of the Labor Party determined its local government policy. I believe that there are many aspects of that policy document which reveal the total hypocrisy of many of Labor's public statements about local government matters, but my statement today concerns only one.

Section 7 of that policy document is headed "Town Planning" and asserts—

"Town planning is primarily the responsibility of local government with the local council exercising normal controls over land use in its region whether that use be by public or private ownership."

Because it has the benefit of sounding good and meaning nothing, the use of the word "primarily" is interesting. By lacking definition, it can be given any definition. The perspectives of an opportunistic Opposition and the perspectives of a power-hungry socialist Government can both be served by that term. It is worse than meaningless; it is devious. It gives the Labor Party the indulgent luxury of appearing to be all things to all people, albeit not at the same time or place. On the one hand, it can be paraded before councils as a ringing defence of the absolute integrity of their town-planning powers—

Mr De Lacy interjected.

Mr SPEAKER: Order! The member for Cairns!

Mr RANDELL: On the other hand, it can be used by the Labor Party to ingratiate itself with private enterprise and particularly the property-development industry.

This town-planning policy also sits oddly with the announcement by the honourable the Leader of the Opposition, Mr Goss, that he believes that so-called regional planning agencies should be established. However, the policy document adopted by the Labor Party makes not the slightest reference to those agencies any more than the previous Labor Party town-planning policy did.

Mr Goss: Your back-benchers are not even listening to you.

Mr SPEAKER: Order!

Mr RANDELL: I would like honourable members opposite to listen to what I have to say.

Mr SPEAKER: Order! The Minister will continue with his statement.

Mr RANDELL: During the South Coast by-election campaign, Mr Goss announced that the Labor Party shadow Cabinet meeting on the Gold Coast had endorsed plans for a regional planning agency to control development on the tourist strip. According to the *Gold Coast Bulletin*, under the heading of "Planning agency for coast promised by Labor", Mr Goss grandly announced that this new proposed quango would "be given sufficient staff and resources to effectively discharge its crucial planning role".

Mr Goss said that the agency would have equal representation from the State Government and the Gold Coast City and Albert Shire Councils and that it would, in his words—

"Draft and implement a Gold Coast regional development strategy to integrate the interests of coast residents and tourists in two main areas—property zonings and their impact on residential and rental prices and the provision of adequate community services."

That proposal horrified the Mayor of the Gold Coast, Alderman Lex Bell, and he publicly attacked it. The Labor Party intends to override his town-planning powers.

Presumably, what is good enough for the Gold Coast in Labor's eyes is good enough for the rest of Queensland. Presuming that, under this policy, we would see the establishment of a vast network of new super planning agencies throughout Queensland.

It has been a long-standing policy objective of the Labor Party to inflict upon Australia a super council or regional government system. This was attempted by the Whitlam Government with its establishment of the ill-fated Department of Urban and Regional Development and, more recently, by the Hawke Government with its referendum attempt to restructure the very basis of existing local government by stealth. Fortunately for local government throughout Australia, both attempts were spectacular failures.

The questions must be asked: who is responsible for Labor's town-planning policy and what is it? Surely if Mr Goss and his parliamentary colleagues are determining this policy, we should have seen clear and specific reference to these proposed regional planning bodies in the Labor Party's town-planning policy. Surely, if Mr Goss and his parliamentary colleagues both endorse and are bound by the new Labor policy which says that town-planning is primarily the responsibility of local government, they have a clear obligation to explain to local government just what has happened to their regional planning agency idea.

Only two presumptions can be drawn from the Labor Party's new town-planning policy—either its definition of primary responsibility is so warped that regional planning agencies can still be established to supersede the town-planning powers now exercised by councils or Mr Goss suffered a humiliating defeat and was forced to back down from his grandstanding Gold Coast idea.

The first presumption leads naturally to the conclusion that the policy is a devious and deliberately misleading one, while the second presumption leads naturally to the conclusion that Mr Goss and his parliamentary colleagues have absolutely no influence over the drafting of important policy.

I challenge Mr Goss to reconcile—for the sake of local government in Queensland—those two clearly conflicting policy announcements and spell out what Labor policy actually is on town-planning matters.

MINISTERIAL STATEMENT

Vacancies in Paediatric Services

Hon. L. T. HARVEY (Greenslopes—Minister for Health) (10.14 a.m.), by leave: Earlier this month I announced my intention to fill a large number of vacant positions for physiotherapists, speech therapists and occupational therapists in paediatric services throughout Queensland.

It seems that the Liberal Party has picked up on this notion and is now attempting to claim credit for the move by asking that an embargo on those and other positions be lifted. Indeed, it is a favourite Liberal Party strategy to attempt to find out the initiatives that have been developed and implemented by the National Party Government and then call for them to be done. It is nothing less than a cheap political ploy which shows the desperate state that the party is in when it cannot come up with any commendable ideas of its own. It has to steal its ideas from this National Party Government.

Since being appointed to this portfolio, I have travelled extensively throughout Queensland, particularly to country areas, to see at first hand the unique problems of providing health services in remote areas. I was particularly concerned to see the stresses on therapist staff and I recognised the urgent need for people in those remote areas to have access to quality services. It has been a priority since I was appointed to the Health portfolio to fill vacancies in all areas and, in particular, to boost country services.

On 12 October—significantly before the Liberal Party decided to jump on the bandwagon for a cheap shot at glory—I announced that some 40 per cent of the vacant

positions for therapists in paediatric services would be filled. A total of 20 positions in the Divisions of Child Health, Youth Welfare and Guidance and Community Medicine are to be filled in areas from Brisbane to Cairns. The positions have been vacant for some time owing to stringent budgetary constraints and the disastrous effects of the Federal Government's refusal to provide adequate health-funding for Queensland.

However, because of the careful management and organisation of priorities and an increase of about 9 per cent in the department's segment of the Health budget, I am able to fill them. Advertising will begin immediately, and as soon as suitable staff can be recruited the positions will be filled.

If the Liberal Party thinks it is wasteful and ludicrous to take this action and advertise and interview for these positions, as the House heard yesterday, then the people of Queensland can be thankful that the Liberal Party is a long, long way from Government. It seems that the Liberal Party has a health policy of waiting to see what everyone else is doing, criticising that policy as a matter of principle and then, in the same breath, grabbing the idea for itself and claiming a major victory.

The therapists positions are in addition to the extra 700 positions for hospital workers announced in this year's Budget. I placed a high priority on filling the positions in paediatric services, as early treatment for children needing these services helps to avoid profound problems later in life. I am now carefully assessing the requirements to fill vacancies in other staffing areas and will release details as appropriate.

I can assure the House that the filling of vacant positions is a top priority and that all efforts are being made to recruit suitable staff in all areas.

QUESTIONS UPON NOTICE

1. Retirement Entitlements of Sir Joh Bjelke-Petersen

Mr BURNS asked the Premier and Treasurer and Minister for the Arts—

“With reference to a report on the weekend of 22 and 23 October that stated the publicly funded retirement package used to entice former Premier, Sir Joh Bjelke-Petersen, to resign late in 1987 was an ‘Ahern-inspired’ move and to his stated commitment to ‘openness, honesty and accountability’ in Government and as there is no estimate in the Budget papers on the cost of providing the entitlements of Sir Joh Bjelke-Petersen in 1988-89—

- (1) What specific entitlements is Sir Joh Bjelke-Petersen entitled to?
- (2) What is the cost per annum of those entitlements?
- (3) How many trips, both overseas and within Australia, is Sir Joh entitled to each financial year?
- (4) Are travelling and accommodation expenses also payable on approved trips and, if so, what trips have been taken and what were the costs?
- (5) Is Sir Joh Bjelke-Petersen entitled to a travelling allowance and accommodation expenses while he is in Brisbane?
- (6) Does the package include legal costs for continuing actions against Labor Party figures?
- (7) If so, how much has been spent for that purpose so far and how much has been budgeted for future legal costs by the former Premier?
- (8) Is Sir Joh also entitled to the cost of legal representation before the Australian Broadcasting Tribunal and the Fitzgerald Inquiry?”

Mr AHERN: (1 to 8) The honourable member has apparently overlooked the fact that on 22 December 1987 I issued a media release which detailed the retirement package for the former Premier. For the honourable member's information, I table a copy of that media release.

Whereupon the honourable member laid the document on the table.

2. Brucellosis Eradication Program

Mr STEPHAN asked the Minister for Primary Industries—

“With reference to the brucellosis control program presently being carried out in this State—

(1) Will this program soon be in a position to have part or all of the State declared a brucellosis-clean area?

(2) What are the expectations for a clean area?

(3) Are there any guidelines contemplated if this disease somehow re-emerges in an area declared clean?”

Mr HARPER: (1) As from 1 January 1989, Queensland should be in a position to join the other States as a brucellosis-free area.

(2) Ongoing destocking programs and the required testing are nearly completed. The numbers of break-downs from clean to infected status of herds are very low and should not threaten the status of Queensland once free. Since 1 January 1987 there have been only three break-downs, two of which have been resolved successfully, while a more recent break-down is under investigation.

(3) There are national guide-lines in place to handle any break-downs which may occur. Discovery of infection in a free area will not initially affect its classification. The Chief Inspector of Stock shall notify and consult the Animal Health Committee through the Commonwealth Department of Primary Industries and Energy on action being taken to eradicate the infection. The affected group or herd shall be destocked or subjected to an eradication program approved by the Animal Health Committee. If the number of infected herds remains unacceptable for longer than 12 months, area classification will be reassessed by the Animal Health Committee.

Unequivocal proof that the herd is infected will be required before destocking is considered. This will be dependent upon actually culturing the *B. abortus* organism from tissue samples at autopsy. I intend that every case will be handled on its merits; however, to maintain the credibility of the brucellosis-free status which Queensland will enjoy, to minimise the risk to neighbours, and to avoid the long period required to test herds up to clean status, destocking of groups which become infected will be the program of choice. Any destocking will be minimised and restricted, wherever possible, to the infected group, but the final outcome will depend on the management to which the herd has been subjected prior to the detection of the infection.

**3. Use of Services of Government Oenologist in Production of Wine
by Mr A. Puglisi**

Mr CASEY asked the Minister for Primary Industries—

“(1) Was the Sundown Valley Winery near Stanthorpe, owned by a Mr Angelo Puglisi, earlier in 1988 provided with a wine-maker, namely the Government oenologist, Mr Peter Scudamore-Smith, from the Government Research establishment at Hamilton to produce the 1988 Ballandean Estate wines and, if so, what amount did the Government receive for his services?

(2) Did the Government oenologist also help to market these wines following their official launch by the Honourable Premier and Treasurer, is he also committed to supervise the making of the 1989 wines for the same winery and, if so, what fee has the Government agreed to receive for his further services?

(3) Is he also aware that the Premier has recently announced that his Government will sponsor an art design contest for a new label for this winery and pay for the actual commissioning of the artist?

(4) In view of Mr Puglisi's reputation locally as a long-time supporter of the National Party and the fact that none of the other 10 wineries in the Stanthorpe region have been similarly treated, is this not proof that cronyism is still as alive and well under the Ahern National Party Government as it was under the Bjelke-Petersen National Party Government?"

Mr HARPER: (1) Mr Puglisi was not provided with a wine-maker by the Government for the 1988 vintage. Owing to the resignation of Mr Puglisi's previous wine-maker just prior to the 1988 vintage, he requested, and the Department of Primary Industries agreed to, the provision of technical assistance to help him to successfully complete the vintage. This assistance consisted of visits to the winery, laboratory analyses and advice to Mr Puglisi on wine-making.

Mr Casey: Token wine-making.

Mr HARPER: Total involvement of departmental staff was 30 days.

Perhaps the honourable member for Mackay does not want the Queensland Government to develop the wine industry——

Mr SPEAKER: Order! This is not a debate.

Mr Casey: You said, "No".

Mr HARPER: That is the honourable member's choice. As I said, total involvement of departmental staff was 30 days. Payment to the department was at the standard rate for processing assistance of \$28 per hour. The total fee for the work will be approximately \$6,000.

(2) The wines from this vintage have not yet been launched. This is a responsibility of Mr Puglisi's agent, Tucker and Company. However, part of the technical assistance included providing the agent with details on the wines produced. No commitment exists for any further assistance. If assistance will help this growing Queensland industry, I will have no hesitation in affording that assistance.

(3 and 4) The design contest for a new label for this winery is the result of negotiations between Tucker and Company and the Premier's Department. A press release in this regard was made available earlier this month by the Premier's Department.

4. Toxic Waste Dump, Kingston

Mr D'ARCY asked the Premier and Treasurer and Minister for the Arts——

"With reference to the toxic waste dump at Kingston——

(1) Is he aware that over a dozen families have reported underground explosions in the last week and is this being investigated by the council?

(2) As 15 months have passed since the problem was first raised and report after report has been commissioned, when will the Government take action on the final Sinclair, Knight Report that they have commissioned?

(3) When can the people of Kingston expect positive action to clean up the toxic waste?

(4) Does the Government accept any responsibility for the dump at Kingston?"

Mr AHERN: (1) I am aware of unconfirmed reports of explosions in the area, but there is nothing in the report from the consultant that would indicate explosive material is present.

(2 and 3) A preliminary draft report has been received from Sinclair Knight and Partners. It is currently being finalised. Following that, the matter will be fully considered by the Government, which will then be in a position to examine possible programs.

(4) The Government has made a without-prejudice offer to Logan City Council to assist with the cost of resumptions of the affected properties.

5. Sanctuary Cove Project, Sale of Crown Land to Discovery Bay Developments Pty Ltd

Mr D'ARCY asked the Minister for Land Management—

“With reference to the development taking place on Hope Island that is part of the Sanctuary Cove project and fronts the western bank of the south arm of the Coomera River—

(1) What approvals were given by his department, on what advice and on what dates, for the destruction of the tidal mangroves along the Coomera River?

(2) What advice was sought and given to his department from the Department of Primary Industries and the Department of Harbours and Marine?

(3) Has the proposed sale of 11.8 ha to Discovery Bay Developments Pty Ltd from his department taken place?

(4) Has the Gold Coast Waterways Authority had to give any approval before his department entered into agreement to sell Crown land?”

Mr GLASSON: Mr Speaker, the honourable member's question is in four parts and the reply covers 5½ pages. I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

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

(1 to 4)—

In 1986-1987, the Lands Department carried out an adjustment of water frontages to regularise boundaries by selling small strips of land to Discovery Bay Developments Pty Ltd and having Discovery Bay Developments Pty Ltd, surrender to the Crown small land parcels they intended to dredge away. An adjustment of \$105,400.00 was paid to the Crown.

However, it would appear that the present question is intended to relate to a current activity, not something that has happened in the past.

In September 1987, an application was received from Sharpe and Skehan Pty Ltd who referred to an amendment to the Sanctuary Cove Resort Act and initiated action to include certain Crown Lands in the site. Such surveyors were advised that the Lands Department was currently evaluating the status of the areas applied for, determining ownership of portion 80A and obtaining valuation. It was also suggested to them that in the interim, they apply to the Department of Harbours and Marine for reclamation of the areas sought by their client under sections 91 and 94 of the Harbours Act.

I am not aware of the outcome of their application to the Department of Harbours and Marine.

The application to the Department of Lands is still being considered. Field inspections have been made and reports obtained. The outcome of the departmental investigation was that an area of 7.5 hectares, which the company claimed was accretion, was not accretion and that generally a further area of 4.3 hectares, making a total area of 11.8 hectares, was Crown land sought to be reclaimed. Such field inspection and the report also indicated that the inspecting officer understood from previous discussions with the Department of Primary Industries' officers, whilst inspecting the adjacent Coomera Island on other matters, that the significant areas of mangroves on the subject as well as the adjoining freehold land were destroyed without a permit to destroy being granted. The Land Administration Commission has never issued any approval or permit for the destruction of mangroves in this case. The area sought was reclaimed some considerable time before the field inspection was made, and before application was made to the Department of Lands.

Views were sought by the Land Administration Commission from the Gold Coast Waterways Authority, which indicated that it has no objection to the proposal by the company of the planned accretion and reclamation areas, but that the Gold Coast Waterways Authority did require to approve all of the revetment works associated with this aspect of the Sanctuary Cove development. Views were also sought from the Albert Shire Council which indicated that it had no requirements other than compliance with the Sanctuary Cove Resort Act. Views were also sought from the Director, Fisheries Management, Department of Primary Industries which indicated that from a fisheries viewpoint, any reclamation of, or issue of tenure over either existing or former vacant tidal Crown land in this area is not supported, and such

department also expressed the viewpoint that it is questionable whether the term “accretion” can be applied to the freehold boundaries in this area.

The Department of Primary Industries’ reply also indicated that reclamation and earthworks including the unauthorised destruction and removal of mangroves specifically protected under section 71 of the Fisheries Act had occurred, and that no permits had been issued to allow this removal or destruction of mangroves from either vacant Crown land or freehold property. No views were obtained from the Department of Harbours and Marine which I believe consulted directly with the applicant or his representatives.

The proposed sale of the 11.8 hectares to Discovery Bay Developments Pty Ltd has not yet taken place. It is still being investigated and considered.

In brief, answers to the questions are as follows—

- (A) No approvals have been given by the Lands Department for the destruction of tidal mangroves along the Coomera River.
- (B) Advices from the Gold Coast Waterways Authority, Albert Shire Council, and the Department of Primary Industries are as set out above. It is believed that the applicant took up matters directly with the Department of Harbours and Marine.
- (C) The proposed sale of 11.8 hectares to Discovery Bay Developments Pty Ltd is still being investigated and considered and has not yet taken place. There is an argument over whether land is accreted, in which event no money is payable to the Crown, or whether a sale of Crown land is involved, in which event purchase money is payable to the Crown. The relevant land was apparently in advanced stages of reclamation before application was made to the Land Administration Commission.
- (D) The Gold Coast Waterways Authority’s views were sought and were as set out above.

Included in the application was a proposed road closure in which case the road was closed and the land included therein had been paid for.

Within the last week, representatives of the company had an interview with the Land Administration Commission when they sought to indicate that an area of 7.5 hectares claimed accretion was in fact accretion.

They were told that the departmental investigations revealed that it is not accreted land, but that if they wished to make any written submissions in support of their claim, such submission would be looked at. No such submission has yet been received.

6. Upgrading and Realignment of Railway Line between Eumundi and Cooroy

Mr SIMPSON asked the Minister for Transport—

“(1) What was the cost of the new grade and alignment of the railway line between Eumundi and Cooroy?

(2) What was the cost of the land acquisition?

(3) What was the cost of construction of the permanent way earthworks and bridges?

(4) What was the cost of the new railway line’s sleepers, ballast and laying?

(5) What is the cost of the rehabilitation and landscaping of the new line escarpments and cuttings?

(6) Was the new construction cost above or below the Budget estimate?

(7) With reference to the old railway line between Eumundi and Cooroy, what inquiries from persons to run historical trains on the old line have been received and what advice have they been given?

(8) With reference to the old Eumundi Railway Station and town property, are the shop leases, Eumundi Historical Society and Country Women’s Association leases secure and will they not be sold out from under them?

(9) Will the Maroochy shire and local representatives and organisations be consulted before the balance of the unleased railway station land is either leased or sold?

(10) When will the magnificent engineering and construction feat of the new grade and alignment, with considerable investment by the taxpayer, be officially opened so that suitable record and acknowledgement can be made?"

Mr I. J. GIBBS: (1) The cost of constructing the new section of railway between Eumundi and Cooroy was \$20m, excluding overhead wiring, signalling, engineering and miscellaneous infrastructure costs associated with the electrification project.

(2) The estimated cost of land acquisition is \$1.4m, with some settlements yet to be finalised.

(3) Permanent way, earthworks and bridges cost \$15.8m to construct.

(4) Track construction, including materials, cost \$2.8m.

(5) \$70,000 is budgeted for landscaping the new formation and surrounding areas.

(6) The actual cost of construction was within the original budget estimate. The Railway Department and consultants associated with the railway deviation are to be congratulated on achieving completion of construction within the original budget.

(7) The Eumundi Railway Society made a proposal to operate an historical railway on the old line between Eumundi and Cooroy. The proposal was carefully considered by Cabinet, taking into account the historical nature of the railway in the Eumundi district, tourist potential and associated commercial benefits. However, because of the significant disadvantages including the significant cost to the Government, inability to recover and reuse the old track materials elsewhere, and operating and maintenance problems, the Railway Society was advised that it had been decided not to retain any portion of the old line as an historical railway.

It is worth noting that, although the proposal had the verbal support of many local people, there was little financial support for it. Also, preliminary investigations into the financial feasibility of operating an historical railway were carried out by the Noosa Shire Council in 1986, with negative results. A proposal was put to the Historical Society that it could purchase the old route and track materials, estimated in value at \$750,000. However, the deadline for this proposal has now expired without its being taken up.

(8) All leases within the old Eumundi Railway Station area are secure within the existing tenure of the leases. Any decision on extending or not extending existing leases will be made in consideration of the best interest of the State as a whole.

(9) The Railway Department has been, and is continuing to be, involved in consultation with the Maroochy Shire Council and local representatives and organisations as to the future of the old Eumundi Railway Station land.

7. Education Department's Resources Catalogue

Mr SHERLOCK asked the Minister for Education, Youth and Sport—

"With reference to the Education Department's resources catalogue that lists audio-visual and other equipment that may be purchased by schools' parents and citizens associations—

(1) At what intervals is this catalogue updated?

(2) When was the date of the last updating?

(3) Has it become common practice for schools to phone his department each time they wish to make a purchase of this type of equipment?"

Mr LITTLEPROUD: (1) Since 1986, the catalogue has been split into four parts, allowing contracts to be called separately to stagger the workload of the preparation and evaluation of tenders. The present arrangement for contracts, other than for computers and peripherals, is on a 24-month basis. The catalogue reflects that cycle.

(2) The part of the new catalogue relating to computers and peripherals was issued in February 1988. Parts relating to other equipment categories are presently being prepared and will be issued progressively.

(3) Currently, some schools and parents and citizens associations do phone the Department of Education when they require information and assistance. Many of these calls are related to technical matters and queries about items not on contract. In the main, however, information, including full evaluation reports, is currently obtained by return mail. With the distribution of the updated price list and subsequent updates, there should be a marked decrease in the number of calls which users need to make to this department.

8. Ministerial Advisory Committee on First-aid Training

Mr SHERLOCK asked the Minister for Health—

“With reference to reported Cabinet approval to establish a ministerial advisory committee on first aid training in Queensland which would promote, co-ordinate and maintain standards of first aid training—

(1) Has that advisory committee been appointed and, if not, when does she expect it to be appointed?

(2) What are the terms of reference of this committee?”

Mrs HARVEY: (1) The advisory committee on first-aid training in Queensland is currently in the process of being established. Nominations have been received from designated organisations and it is hoped the committee will be formally established very shortly.

(2) The terms of reference of the advisory committee are to provide advice to the Minister for Health, through the Director-General of Health and Medical Services, on—

- organisations that should be approved to teach first aid;
- minimal standards to be attained for certification as an approved first-aid instructor;
- organisations that should be permitted to undertake certification and re-examination of instructors, and the frequency with which such re-examination should be required;
- methods of promoting the value of expanding first-aid training widely through the community, including industry and the public service; and
- the publication of brochures and literature and the conducting of education programs on first-aid training.

The committee would not be involved in the direct management and provision of first-aid teaching, but would provide advice to the Minister for Health and to involved groups attempting to improve currently taught first-aid techniques.

9. Fitzgerald Commission of Inquiry, Evidence Concerning Superintendent G. Early

Mr DAVIS asked the Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police—

“With reference to his direct responsibility to ensure appropriate standards of behaviour by members of the Police Force, particularly senior officers, and to evidence that Superintendent Greg Early, the former Personal Assistant to stood-down Commissioner Lewis, visited Lewis on 13 September 1987 and informed him former Assistant Commissioner Parker had ‘rolled over’ and to the fact that 13 September 1987 was a Sunday and it was not until the following Wednesday, 16 September, that Parker gave private evidence to the Fitzgerald Inquiry and only publicly admitted his corruption the following day, Thursday, 17 September 1987—

(1) Has he asked Superintendent Early, still a senior serving officer, how he knew Parker had ‘rolled over’?

(2) Does he have full confidence in Early?

(3) Will he assure the House and the people of Queensland that the information Early had about Parker was not given to him from any leak or mole within the Inquiry?"

Mr GUNN: (1 and 2) As these issues relate to evidence before the commission of inquiry of Mr Fitzgerald, QC, this Government does not propose to comment on them.

(3) I answer this part of the question in more detail only because of its potential to damage the commission of inquiry. There is no doubt in my mind that the ALP was, and is still, against the Fitzgerald commission of inquiry. This question emphasises that fact. It was only when the inquiry proved to be successful that the ALP started its cry, "Me, too." There is not the slightest basis for any suggestion that any information of this nature has leaked from the commission of inquiry.

10. Toondah Harbour Development

Mr DAVIS asked the Premier and Treasurer and Minister for the Arts—

"(1) Has his Government granted any type of lease or authority to investigate development in the area of Cleveland known as Toondah Harbour?

(2) If so, from which departments has advice been sought?

(3) What is the condition of the lease or the authority?

(4) Which company, companies or persons have been given the lease or authority?

(5) What agreements, if any, have taken place with the Redland Shire Council and his Government regarding the granting of any authority or lease?"

Mr AHERN: (1) Executive Council has approved that a joint special lease be issued to Brisbane Shores Pty Ltd over 312 hectares of land and water at Toondah Harbour, Cleveland. The lease is for a period of 18 months from 8 September 1988, to enable the proponent to undertake detailed investigations, seek all statutory approvals and conclude financial arrangements.

(2) The proposal was reviewed by the Land Administration Commission, the Department of Harbours and Marine, the Department of Local Government, the Premier's Department, the Treasury Department, the Department of Primary Industries, the Queensland Tourist and Travel Corporation, the Port of Brisbane Authority and the Redland Shire Council.

(3) I will table details of the lease conditions.

(4) Brisbane Shores Pty Ltd, which is a consortium of Hooker Rex, the Raptis group of companies, Coast Securities, EIS Pty Ltd and Property Trust No. 5.

(5) The Redland Shire Council was one of the parties consulted in assessing the development proposal. Special condition 5 (b) of the lease requires the developer to ensure that the use and development of the land will conform to the town-planning scheme, by-laws and requirements of the local authority.

However, I would add that the investigation lease is currently the subject of negotiations between myself, the Minister for Land Management, the Minister for Justice and Attorney-General—the member for Redlands—and the developers.

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

11. Discovery of Body in Grounds of Wolston Park Hospital

Mr PALASZCZUK asked the Minister for Health—

"With reference to the recent search and subsequent discovery of the body of a 13-year-old aboriginal girl in the grounds of the Wolston Park Hospital—

(1) During the search was another body or bodies found?

(2) If so, were they the bodies of patients from Wolston Park Hospital?

(3) What security measures are in train at present to protect patients to prevent further incidents of this nature occurring?"

Mrs HARVEY: (1 to 3) The 13-year-old girl was a patient not of the Wolston Park Hospital but of the Basil Stafford Centre—Intellectual Handicap Services—which comes under the jurisdiction of my colleague the Honourable P. R. McKechnie, MLA, Minister for Family Services and Welfare Housing. I therefore suggest that the honourable member direct his question to him.

12. Deaths on Railway Lines

Mr PALASZCZUK asked the Minister for Transport—

“With reference to the number of people killed on railway lines in Queensland—

(1) What are the Queensland figures for deaths as a result of people being struck by trains over the past five years?

(2) What are the figures for people struck by trains along the section of track commonly known as ‘the suicide strip’ between Gailes and Wacol over the past five years?

(3) How many of these were patients of the Wolston Park Hospital complex?

(4) Has the department any course of action in place or planned to attempt to arrest this carnage?

(5) How many train drivers have gone off on stress-related leave as a result of being directly involved in these accidents?"

Mr I. J. GIBBS: (1) 65 from 1 October 1983.

(2) Four.

(3) All four.

(4) A man-proof fence has been erected from 19.4 kilometres to 21.3 kilometres on the Gailes to Goodna section on the down side.

(5) Twenty-five drivers have ceased duty for short periods as a result of being involved in accidents in which a train has struck and killed a person. It is the usual practice for drivers to cease duty in such circumstances for approximately three days during which time they receive workers' compensation payment. They also have access to the departmental occupational health medical officer who has expertise in assisting them in these circumstances.

QUESTIONS WITHOUT NOTICE

Mr Justice Vasta

Mr GOSS: In directing a question to the Premier, I refer to a recent announcement by this Government and various media reports relating to the position of Mr Justice Vasta of the Supreme Court, and I ask: what is the latest position in terms of any communication between the Premier and His Honour? If the Premier has received a communication from His Honour, what is the response of the judge and what request, if any, has he made of the Premier and the Government?

Mr AHERN: I draw the attention of the honourable member to the ministerial statement made by my colleague the Minister for Justice and Attorney-General in relation to this matter. That statement puts the whole issue into its proper context. It was a deliberative statement made after——

Mr Goss: What is the latest position? What has happened today?

Mr AHERN: The honourable member wants me to indicate the latest position.

There have been a number of communications from Mr Justice Vasta. He has written to me on three occasions. One letter was handed to me this morning during

question-time. I understand that the gentleman has arranged for wide circulation of his statements to the media. In recent times it has been his usual practice to back copy letters to the Leader of the Opposition.

This is a matter of some considerable complexity; it is almost without precedent in Australia's history. It requires very careful study. The Government does not intend to be stampeded in its consideration of any of the issues. The names of a number of citizens, politicians, policemen and judges—I use the plural—have been raised in evidence before the Fitzgerald inquiry.

There is no question other than that the Government must act after taking advice. To date, the Government has proceeded very carefully on this matter. The Government will make the right decisions being fully aware of all the consequences—the costs and the staffing implications. In due course, all of those matters will be announced publicly and put in place in a way in which they will work in the interests of everybody. There is nothing to be gained from acting precipitately to meet somebody's concern that his particular part in this overall inquiry needs to be settled without delay. We in the Government would like the whole issued settled without delay, but it is quite clear that it cannot be settled quickly. If the issue is to be settled for the next generation, we need to make certain that everything is properly done.

Mr Goss: You have bungled the Vasta thing.

Mr AHERN: The honourable Leader of the Opposition is interested only in party politics; this Government is interested in what happens in this State for the purposes of the next generation. Despite the efforts of the Leader of the Opposition to subvert us by saying that we have bungled this issue, so far none of his assertions have been able to be demonstrated in fact. Everything that has been done has been done properly.

Mr Goss: Just stand and tell the House what Vasta has said.

Mr AHERN: I have no doubt that that issue will become public property—but not from me. All of the other communications from him have made the evening current affairs television programs, so I expect that that will be the case with the latest communication.

I assure the House that I have already referred that matter to my advisers for a response. It is not my intention to put my responses on television programs. In fact, I believe it is demeaning.

Mr Goss: I am asking you to tell the Parliament, not the media.

Mr AHERN: I believe that it is demeaning that those consultations that have gone on between us have been released to the media. That does not befit the office of the gentleman concerned, and I do not think it suits His Honour's place within the community to be carrying on with this media campaign. That will not settle the issue in the long run. This Government will not be deterred. It will proceed with due advice and get it right in the long run. That is the only thing that the people of Queensland should expect of the Government. This whole process is not being run by "commissioner" Goss; it is being run by Premier Ahern and Commissioner Fitzgerald, and that is as it should be.

Mr GOSS: I wish we had Mr Callinan down here. Then we would get the answers from the boss.

Mr SPEAKER: Order!

Westminster System of Ministerial Responsibility

Mr GOSS: My second question to the Premier and Treasurer is in two parts, and he should be capable of giving a fairly short answer. I ask: does the Premier accept the basic tenet of the Westminster system of parliamentary democracy that, if a Minister has a fundamental objection on principle to a Government decision or policy, the proper course of action for him is to resign from Cabinet?

In his eight years in Cabinet, has he ever objected so strongly to a Government decision or policy that he seriously considered resigning as a Minister?

Mr AHERN: The question is delightfully hypothetical. It is a leading question, if ever there was one. I have been proud to serve in the Cabinet of this State for eight years; I have served in this House for 20 years.

Mr Goss: Do you agree with the principle? It is a simple question.

Mr AHERN: The answer is one of complexity and I will reply in my own way.

Down through those 20 years I have stood in this place and I have supported the Government. I have been critical of it from time to time. In the Cabinet I have discussed issues relating to the portfolio that I held at the time. Some of those arguments have been strong; on some days there has been complete agreement—just as there is in every Cabinet in the nation or any Cabinet anywhere. Some issues are the subject of strong debate, as they are in my Cabinet, and that is as it should be. I would not have it any other way.

Mr Goss: Do you accept the principle?

Mr AHERN: I certainly accept the principle. If there are any issues upon which collective responsibility cannot be accepted, the right course is to resign. I have not resigned and, therefore, I have always accepted collective responsibility for Cabinet decisions. That is how it is here and that is how it is in every other State of Australia. I have never asserted otherwise. That is not to say that, from time to time, there have not been issues of strong disagreement, issues upon which I may have not completely agreed. However, that is my position; it has never been any different. The honourable member knows that is so. I have been proud to serve in the Cabinet. That is how it should be, and will always be. I accept my responsibilities fully.

Escape of Prisoners from Wacol Gaol

Mr FITZGERALD: I ask the Minister for Corrective Services: could he indicate if the information supplied yesterday so dramatically to the House by the member for Sherwood and Leader of the Liberal Party, namely, that two prisoners had escaped from Wacol gaol, is correct? If so, what are the details?

Mr COOPER: The short answer to the question is that there were no escapes from Wacol Prison. The honourable member for Sherwood is either indulging in fantasy or is confusing some of the institutions. He has been indulging in sneaky practices. He listens either to car phones or police radios and then attempts to trip people up. On this occasion he fell flat on his face. The reason why the honourable member indulges in these sneaky practices is that he is utterly consumed by hatred for Government members. His mind is bent, warped and twisted and he is completely unable——

Opposition members interjected.

Mr SPEAKER: Order! The Minister's remarks are unparliamentary. He should withdraw them.

Mr COOPER: I withdraw. The honourable member should raise matters that are in the public interest. If he has information that is in the public interest, he should refer it to the Ministers concerned. If he wishes, I am prepared to make representations to the Minister for Police to have departmental officers wait upon him and interview him. He can then divulge the information he has. On the other hand, as Minister for Corrective Services, I am prepared to have officers wait upon him and interview him. In that case, he may divulge his information in the public interest. However, in the public interest I would rather he stick to the facts than waste the Parliament's time by indulging in fantasy.

Townsville General Hospital Psychiatric Unit

Mr FITZGERALD: I ask the Minister for Health: will she outline the staffing arrangements at Ward 10B, the psychiatric unit, at the Townsville General Hospital?

Mrs HARVEY: The entire administrative structure for Ward 10B, the psychiatric unit, at the Townsville General Hospital, has been reviewed and reorganised. Staff have been transferred from that ward to other parts of the hospital. Some staff were encouraged to leave and take up positions in which their talents would be better utilised. New positions were also created.

The Opposition spokesman on Health has spent considerable time on the radio trying to convince people that staffing arrangements at the Townsville General Hospital are unsatisfactory. Even though he was finally forced to admit that staffing arrangements were going well in Townsville, he ultimately latched onto the idea that there could not possibly be enough staff. He is totally wrong.

The staff allocation has been increased to cater for a 25-bed unit. The staffing arrangements at Townsville are more than adequate; in fact, they are the best that we have. The original staff consisted of three registrars, a full complement of nursing staff, three occupational therapists, one recreation officer, two social workers and one psychologist. As a result of the review, new positions have been created. At present, positions are being advertised for a director and associate professor and for a full-time staff psychiatrist. At the same time, locum psychiatrists and senior medical officers are assisting the unit where necessary. Two additional staff have recently been provided from the departmental community psychiatry service, which operates in support of the psychiatric unit.

Overall, that 25-bed unit has a good staffing establishment. What is more, one nurse has been rotating through the Townsville community psychiatry service, which is a new development, and a new charge nurse has been appointed to the unit, which is having no difficulty in attracting properly qualified staff.

The discussion this morning on the radio about understaffing and the implication that the hospital has been limping along in a crippled fashion owing to lack of staff was totally inaccurate. All the staffing positions that are vacant—two in number—are new positions additional to the original complement. They have been created to provide a higher standard of service. When those positions have been filled, the Townsville General Hospital will have the most advanced psychiatric unit in Queensland.

Sir Edward Lyons

Mr Warburton: In directing a question to the Premier, I refer to the fact that in 1981, as a Minister in Cabinet, he supported the appointment of Sir Edward Lyons as TAB Chairman, to the fact that in 1984 he, as a Cabinet Minister, supported the special legislation to extend Lyons' term as TAB Chairman past the mandatory retirement age, and also to the fact that in 1984 he, as a Cabinet Minister, supported the appointment of Lyons to the Mortgage Secondary Market Board.

Accepting that the Premier claims to have some legal advice that leads him to believe that Lyons cannot be sacked, I ask: in the interests of consistency, and because of his stated intention not to provide special treatment for anyone named in evidence at the Fitzgerald inquiry, why has he not moved to stand Lyons aside from his duties with the State Government appointed Mortgage Secondary Market Board, bearing in mind that there is nothing to prevent such a step from being taken?

Mr AHERN: Last week-end I had cause to refer to ALP cowboy lawyers. I am reminded of that today.

In respect of this whole issue, I can indicate to the House that the Government has proceeded after receiving careful advice. For very good reason, advice was received in respect of this matter. Research was carefully carried out in respect of a generality of issues. The advice is quite clear: in terms of precedent and practice throughout the legal

system, in a situation such as this, one cannot be stood aside from a statutory position which is held unless the allegation——

Mr Warburton: Will you table the advice?

Mr AHERN: Is the honourable member listening?

Mr Warburton: Will you table it?

Mr AHERN: I am trying to answer the honourable member's question. I think he should listen.

Mr Warburton: You table it.

Mr SPEAKER: Order! The member for Sandgate!

Mr AHERN: The honourable member's leader will concur with the advice when it is given.

Mr Goss: Table it.

Mr AHERN: I indicate to the honourable Leader of the Opposition that I have no doubt that he would agree with the advice that has been given.

As I have indicated, when an allegation has been made against someone holding a statutory position, prior to the determination of whether any illegality has occurred or whether there is some issue in relation to criminality, that person cannot sensibly be stood aside from his position unless the allegation relates directly to his duties in that statutory position.

In respect of the Mortgage Secondary Market Board—no allegation of impropriety has been directed at Sir Edward Lyons relating to his activities on the Mortgage Secondary Market Board, so the issue——

Mr Wells: So he would still make a good company director? Doesn't that follow from your argument?

Mr SPEAKER: Order! The member for Murrumbidgee!

Mr AHERN: It certainly does not.

The issue is quite clear. Legal advice has been taken in respect of that matter, and the Government is totally right in terms of precedent and accepted practice.

The honourable member asks me about the issues that were raised in relation to Sir Edward Lyons' appointment. I was certainly a member of the Cabinet at that time, and I accept collective responsibility for the appointments, as I obviously have to. Everyone in Queensland knows that. However, these issues have been raised later, and they have not yet reached finality. Until such time as finality is reached in respect of all of these issues, the Government cannot draw any conclusion beyond a reasonable doubt in respect of criminality, breach of reasonable practice or anything else.

People have a right to respond; they have a right to cross-examine; and they have a right of reply in this place. That will always be so, and it ought to be so in every community since Magna Carta. That is how it should be.

The Government has no regrets. At all times it has proceeded carefully, and the people of Queensland would want it that way.

Suppression of Information by District Court Registry

Mr WARBURTON: I direct a question to the Minister for Justice and Attorney-General. Yesterday I had an inquiry directed to the District Court. The Deputy Sheriff was asked to advise whether the public record showed that Judge Pratt was the judge who refused an application for bail for Constable Lorelle Saunders in May 1983. That was the simple inquiry. I refer the Minister to the Deputy Sheriff's advice that the

Registrar had told him to say that all queries had to be passed through the Under Secretary of the Department of Justice.

I ask: is he, as Minister, responsible for this deliberate suppression of information, which should be freely available to parliamentarians and the public? If not, what action is the Minister prepared to take to stop this suppression of information?

Mr CLAUSON: In answer to the honourable member's question—I have no personal knowledge whatever of the matter. It is certainly not a direction of mine. Obviously, the Registrar of the District Court has decided that that is the appropriate manner in which to deal with inquiries. However, as I understand it, he has not suggested for one minute that the information should not be made available. Just what the honourable member is trying to suggest, I have no idea. Perhaps he is trying to suggest some dreadful cover-up on my part. Is that what he is trying to suggest?

Mr Warburton: You should know what is happening in your department.

Mr CLAUSON: How unreasonable! The honourable member for Sandgate expects a Minister of the Crown to listen to and to know absolutely every minute detail of what occurs in a department and what occurs in every court from here to Cooktown and out west. The honourable member would not know whether it was morning.

Mr SPEAKER: Order! The time allowed for questions has elapsed.

PERSONAL EXPLANATION

Mr INNES (Sherwood—Leader of the Liberal Party) (11 a.m.), by leave: This morning in question-time, the Minister for Corrective Services imputed bad motives to me in asking a question. I draw the attention of the House to the fact that I am the member for Sherwood, that my electorate adjoins a suburb which is in the electorate of the member for Wolston and which is the most densely settled suburb that adjoins the prison farm at Wacol, and that my electorate is close to the new medium security prison that is being built at Wacol. At 2.30 yesterday morning I was awakened by a telephone call. I was told that the police were searching for two prisoners who had escaped from Wacol gaol and taken a car to Chermside. At 6.15 in the morning I received another phone call repeating the same information.

As the matter is a subject of sensitivity to my constituents who live close to an existing gaol and a gaol that is being built, I used properly the forum of this Parliament to put on the record the information that was given to me. I asked a type of question that was designed to elicit an answer that would either confirm or dismiss the fears of my constituents.

Mr SPEAKER: Order! The member has made his personal explanation.

At 11.02 a.m.,

In accordance with the provisions of the Sessional Order, the House went into Committee of Supply.

SUPPLY

Estimates—Twelfth Allotted Day

Estimates-in-Chief, 1988-89

Corrective Services and Administrative Services

Department of Corrective Services and Administrative Services

Debate resumed from 26 October (see p. 1960).

Mr VEIVERS (Southport) (11.03 a.m.): I am honoured to rise in support of the Minister in his presentation of the Estimates for the Department of Corrective Services

and Administrative Services. It is a very difficult portfolio, composed of seven, in the main, quite different areas of activity.

Yesterday, it was very interesting to listen to the remarks by the member for Fassifern, Mr Kev Lingard, about the Aboriginal and Islander people and how, hopefully, the Minister is going to look after them. Mr Lingard's remarks that those people do not take too kindly to being locked up on their own should be seen in a very good light because the Aboriginal and Islander people have a culture that is different from that of other Australians. I think that the honourable member for Fassifern made a very good point. The Minister for Corrective Services would be well advised to put some of Mr Lingard's ideas into action.

In particular, I should mention the responsibilities related to prisons, which I am sure all members would agree are onerous indeed, and draw very little kudos—as honourable members would have seen from this morning's question-time—from some sections of the community and some members of this Assembly. A move to improve the lot of prisoners will be acclaimed by some people who will say that it is long overdue and still not enough, whilst others will complain that the Government is going soft on criminals.

Balance is required in ensuring that, on the one hand, society is adequately protected by the proper confinement of those who offend against our laws, whilst, on the other, prisoners are treated in a humane way and offered meaningful opportunities for rehabilitation that will break the vicious circle in which so many find themselves during the course of a major part of their lives.

The Ahern Government has, I believe, actively sought, and will achieve the means, to strike this balance through the review which was instituted into corrective services. With the Government's acceptance of the commission's recommendations, the stage is now set for a brand new era for corrective services in Queensland. Much resolve will be needed to press home the initiatives, which will lead to the goals being achieved; but with the leadership of such experienced people as Jim Kennedy and the support which this Government has now committed itself to providing, success is assured. All members should commend Mr Kennedy for the work that he has done. I reiterate that he is carrying out that work at no cost to the Government, because he is very interested in the future of this State.

The Minister has announced the forthcoming commissioning of two new prisons, with a third only a year away. This fits neatly into the package by providing the means to alleviate overcrowding and opportunities for proper classification and segregation of prisoners, which in turn makes possible a planned process of rehabilitation. In fact, the Kennedy report anticipates that the use of private-sector involvement will enable substantial improvements of efficiency and economy to be achieved in the corrective services operations.

These improvements will be achieved both in the provision of specific services and also in the provision of a whole range of correctional facilities which overlap with, compete with, supplement and complement those provided by the Government through the Queensland Corrective Services Commission. I think that it is worth while spending a few minutes detailing some specific areas which have been identified for private-sector involvement.

Mr R. J. Gibbs: If you do the catering at Wacol, I will go back there for a feed.

Mr VEIVERS: If I did the catering, I am sure that everyone would be very pleased with it. Unfortunately, the Opposition would class that as cronyism and I would be down the chute in a flash.

The areas identified for private-sector involvement are prison industries, training of correctional staff, program services, security services and the Home Detention Program.

The development of prison industries has, up till now, been dependent on developing contracts in which there is no identified private-sector competition. This is a result of

a former Cabinet decision that prisons should not be allowed to compete with private enterprise. That report argues that the provision of work is an essential element in a prisoner's correctional program, and that prison industries should be allowed to develop and compete with the private sector, subject to reasonable guide-lines. The recommendation is made that Cabinet should rescind its earlier decision and allow prison industries to tender for work contracts. I agree totally with that. It is quite ridiculous to suggest otherwise.

Significant areas of training that are of a non-custodial or correctional nature should be contracted or tendered. Management development and professional development are two such cases. The report recognises that it is essential to retain a core of professional program staff at each institution to maintain a knowledge base of correctional treatment, provide direct service to individual prisoners and co-ordinate and monitor externally contracted services.

However, development and enhancement of those core services should be done solely by fee-for-service or contract sources. In the medium term, once assessment and case-management systems are in place, contract services should be seen as the primary agents for future program delivery in both prisons and community corrections.

Elsewhere in the report a recommendation is made that the uniformed operations of prisons be divided into security officers and supervisory correctional officers. Such a division would enable part or all of the security arm to be operated by the private sector. Areas of operation that could be handled by the private sector include perimeter security, control rooms, gates, escorts to courts and hospitals and between prisons. Such a change would enable prison officers to be utilised in areas which would benefit more from their particular training, avoid security problems attached to the overfamiliarisation that inevitably develops between staff and prisoners, and result in significant cost economies. The problem is that prison officers have to watch the prisoners. Some people say that, in the old days, the staff were just as badly off as the prisoners were. There is probably some truth in that assertion.

The report identifies the need for improvement in the Home Detention Program and strongly recommends that the scheme should be operated by the private sector. It also recommends the introduction of modern electronic methods of surveillance.

Mr R. J. Gibbs: What about the old sniffer dogs?

Mr VEIVERS: Although it would be quite interesting to do so, I cannot take the honourable member's interjection, because he is not sitting in his correct seat.

The report emphasises that for the QCSC to be efficient, it must conscientiously question whether any area of service needed by the commission might not be better purchased in the market-place, or whether it would be better to use its own resources of labour and management. The report anticipates that in a number of areas the private sector will be able to provide a more competitive service than the QCSC is able to provide. Obvious examples include education programs for prisoners; health-care services and especially general-practice services; audits of management and operations; legal services; consultancy services including computers, industrial relations, and management advice; psychological assessments and counselling; and staff recruitment and training. Obviously the commission has gone very deeply into the new processes that this Government wishes to follow.

Three new prisons are currently under construction with the intention that they should be owned and operated by the Queensland Government. The Kennedy report argues that there is still time to reconsider how at least one of those prisons, namely, Borallon, is to be operated. It recommends that immediate discussions should start with suitable companies in the private sector, seeking expressions of interest in providing the entire operation of corrective services at Borallon. This should only be done, however,

if Borallon is made a medium to low-security prison. Consideration advantages would accrue from such a move, including—

- the problem of finding adequate good staff from within the system would be solved;
- there would be an important element of competition for correctional officers, which would ultimately lift their status, pay, conditions and career prospects; and
- for the first time there would be competition providing a real measure against which to test the performance and costs of the Queensland Corrective Services Department.

A number of community groups already provide community-based correctional facilities, half-way houses, hostels, etc. The report foresees a considerable expansion of activity in that field. In particular, it suggests that programs be approved in a pilot stage and accredited and funded on a per-prisoner per-day basis. The level of private-sector involvement in the corrective services system at present is practically nil.

As can be seen from the wide range of options that I have outlined—all of which have been recommended in the final report—it is fully anticipated that the situation will markedly change and that in future, the private sector will have a major involvement in the corrective services system in Queensland.

Mr R. J. Gibbs: This sounds like a Billy J. Smith brief.

Mr VEIVERS: The demolition of Boggo Road and the construction of a pre-trial centre will see other significant parts of the program fall into place.

In answer to the honourable member's interjection—as long as it was not like the Rothmans Gold Medal Award, I would be quite happy.

Combining the Probation and Parole Service with the Prisons Department is a logical move. Community correction—supervision of offenders on parole or probation and those performing community service—is an extremely important part of our criminal justice system. It enables offenders to repay their debt to society whilst still providing support for their families and themselves through being able to engage in employment. Soon to be added to this side of the corrections picture is the Home Detention Program, which has been operated so successfully by the Prisons Department in the brief period since its introduction in 1987.

1 July this year was a significant day for two of the organisations under the umbrella of Administrative Services. On that day, the Government Printing Office and the Government Motor Garage converted to a full commercial footing.

Mr Vaughan: This is all in the Minister's speech.

Mr VEIVERS: Just listen to it again.

Those changes resulted from an earlier examination by the expenditure review committee of a number of functions presently being performed, which could be either privatised or commercialised. Both the Government Printing Office and the Government Motor Garage have negotiated the transition to a commercial operation quite well indeed.

Mr Vaughan: Why don't you cut and paste it onto the Minister's speech?

Mr VEIVERS: If, during his term as a member of Parliament, the honourable member's actions are as good as those of this Minister, he will be doing all right. However, I doubt that he will be able to make the grade.

The Government Printing Office and the Government Motor Garage depend for their existence on work drawn from Government departments and agencies. They do not compete for business from within the private sector. To some extent this makes their survival more difficult even though they are preferred suppliers for Government business. By saying that, I do not mean that they are given any more preferential

treatment than others who apply to do a particular job; it just means that the Government leans towards those operations in order to keep their officers employed.

However, as I have just explained, they remain competitive and standards of service and product are being maintained at a high level. Prospects for the future are extremely bright.

The organisation which receives little of the limelight but yet is a very important cog in the wheel of Government is State Stores. Many millions of dollars are saved by State Stores in its role as the central purchasing authority for Government departments and agencies in Queensland. This organisation is yet another which is about to undergo review. It is expected that the outcome of this review will lead to a further enhancement of the cost-effectiveness of State Stores, with a devolution of control over any aspects of purchasing where it is found that particular departments would be better served by having such authority.

In the mean time, management of State Stores has introduced a substantial number of efficiency measures. Several functions have been found to be particularly suitable to computer application and the necessary changes have been implemented with considerable benefit to clients within both the Government and private sectors.

I take this opportunity to congratulate the Minister on his total overhaul of the prison system, his application to his new—what shall I say——

Mr R. J. Gibbs: His dedication to his work.

Mr VEIVERS: I feel that he is doing a good job. I think Opposition members are rather jealous that they do not have too many people in their ranks who could do the job that the Minister is doing. As we all know, jealousy is a bit of a curse. I know that many sayings could be used to describe members opposite, such as useful as an ashtray on a motor bike, or useful as glands on a boar pig. Those sayings apply to Opposition members very well indeed.

I congratulate the Minister and his staff. They have worked very hard. Once again, I congratulate Mr Jim Kennedy. He is doing a marvellous job. The Minister is working very well with him.

Mr SHAW (Manly) (11.19 a.m.): The debate over prison reform has been constant for many years, and it recently has increased in intensity. Unfortunately, most of the debate has been misinformed and has surrounded arguments as to whether criminals should enjoy motel accommodation or endure punishment.

In fact, there is little public support for the idea of prison reform at all, because that term immediately conjures up in the public's mind images of softer treatment for hardened criminals in prison. The problems surrounding the charging of suspects, trial, imprisonment, parole and treatment of persons convicted of offences, which have already clearly been indentified, should be urgently reviewed and appropriate action taken.

This is acknowledged in the reports from the Chief Probation and Parole Officer; it has been acknowledged by Mr Kennedy from his investigations into the prison system; and it has been acknowledged by almost every thinking person who has given thought to the conditions in our prisons. It is just as clear to any thinking person that, if solutions are to be found, a review must begin into the conduct of police. By that I mean the way in which they gather evidence and place it before the court, and their attitude to gaining convictions.

I find it disgusting to hear senior police, when commenting on a possible mistake they may have made or may be making in gaining a conviction, say that it does not really matter because, "If the offender was innocent of this offence, it will only square up for something else that he has done in his life-time and got away with." I have heard this comment not once but several times from senior detectives, and once from a person of the rank of inspector.

The conduct of court cases and our entire judicial system also needs to be reviewed. Our judicial system is not infallible and any review of corrective services, which, of course, must include consideration of conditions of parole and associated matters, must keep in mind the fact that the courts will never be perfect and will continue to make mistakes. I believe that far too many mistakes are made by our courts at the present time, and it concerns me that the elimination, so far as is possible, of mistakes is not a subject that appears to be exercising the minds of those people involved in dispensing justice and protecting innocent people.

Lastly, a review must consider the treatment of those prisoners who need to be confined for lengthy periods, quite possibly their entire lives, for the benefit and protection of society. I have said before that I do not believe that public opinion has a large part to play in any Government's approach to these problems. Friends of victims, quite naturally, want revenge, and perhaps this is sometimes appropriate. However, Governments and those dispensing justice must retain a professional detachment. The biggest problem with public opinion is that it is misinformed and highly emotional. It is impossible to have a full and proper debate unless all information is available. Regrettably, not only is the public uninformed, but also so often are the members of this Chamber.

Perusals of the reports by the Chief Probation and Parole Officer and the Parole Board do not provide as much information as I would like. In the case of the Parole Board, we are told the number of life offenders and first offenders who have been refused or granted parole, but we are not told why. The Parole Board gives us no indication as to how it has reached its decisions.

I make no secret of the fact that I have, on behalf of a constituent, requested the Parole Board to consider parole for a particular prisoner in a case in which it seemed to me that reasonable grounds existed. The Parole Board refused this application and gave no explanation as to why it did so. I do not argue with the fact that the Parole Board refused the application, but I think it would be advantageous if the board gave a reason why it refused it.

Mr Cooper: That is being addressed in the legislation.

Mr SHAW: I thank the Minister for that comment.

In fact, the attitude of those people speaking on behalf of the board appeared to me to indicate that they were uninterested in any outside input into their deliberations, sometimes to the point of arrogance. The Parole Board—perhaps more than most Government authorities—needs to be accountable. Its policies and methods must be clearly explained and fully understood.

In the first paragraph of his report, the Chief Probation and Parole Officer appears to be pointing to the same problems and expressing a desire to move in similar directions as I am advancing at present to the Committee. He seems to be saying that there must be a shift away from imprisonment for many offenders, greater recognition and use of community service sentences and an extension of the scope of community service. If that is what he is advocating, I wish he had said so a little more clearly, although I must also say that I support those aims. Mr Kennedy has also expressed the same views. The most frustrating question is: if all of the experts recognise the need and it is so clear, why is more action not being taken? I acknowledge that the Government has publicly recognised the need for changes and that it did commission the Kennedy inquiry. However, it must not be allowed to rest on its laurels or take the easy option. Much more needs to be done.

I believe that, in any debate on prisons and appropriate penalties, the most important point to be considered is why people are in gaol. By that I mean: was the crime committed one which would be best punished by a term of imprisonment or one which requires imprisonment to protect the general community from the offender? At the present time, the most frequent answer to this question is, "No." If members of the public were better informed, they would be asking why Queenslanders continue to pay \$30,000 per year,

plus social welfare, plus the cost of lost production, to imprison people who are not a threat to the community? The answer is that that is what has been done in the past and no-one in authority has displayed sufficient energy to force changes.

Ms Warner: They have not woken up to the idea that prisons just don't work.

Mr SHAW: I think that the first step along the road has been taken and that the Government is beginning to recognise that fact. I welcome that recognition, but I am suggesting that perhaps the changes should be made a little faster.

I became interested in this subject because of the number of calls to my office from people who had relatives in gaol and whose families were consequently suffering inappropriately and unnecessarily. There have been so many glaringly unfair instances in the judicial system that have been brought to my attention that I felt obliged to make a submission to the Kennedy commission. I now wish to take this opportunity to pursue the matter further in Parliament.

I will take as an example one case that came to my attention. A man was convicted days after being charged with dangerous driving. He was effectively prevented from funding an appeal because at his trial he had pleaded guilty—following obviously bad advice from his legal adviser. This man was incarcerated along with hardened criminals for a term of three years on charges resulting from a traffic accident. I understand that it costs the community in the order of \$30,000 per year to house and feed him. In the mean time, he has lost his job and social security is forced to support his family at a cost in excess of \$10,000 per year—plus an additional amount for medical, pharmaceutical and transport benefits, conservatively estimated at \$2,000 per year. No doubt the medical and pharmaceutical costs in this case are exacerbated by the fact that, understandably, the wife's health has suffered considerably as a result of having the strain of sole care of their three young children while the husband is in gaol. She is enduring far greater punishment than her husband who was convicted of the offence.

Incidentally, it seems incongruous to me that the child-care support which she was able to receive for a short period has been withdrawn as the place was required by a working parent. It is difficult to understand the reasoning that causes this family to be denied child care, simply because the mother was not going out to work but was trying to care for her young family without the support of her husband. This is one of the nonsenses created by the lobbying of the equal rights movement—that a woman who is working can get priority for child care ahead of another who is sick. I have no sympathy for this policy, which caused a struggling mother to be rejected from a family day care scheme to make a place for a career woman. Those concerned should look again at this achievement instead of congratulating themselves on great leaps forward in having newspaper advertisements offer positions for “forepersons”.

To return to the case of this woman's husband—it seems that the community would be much better served by insisting that such offenders are forced to not only support their own family, but also pay their financial debt to society. The imprisonment of people is an option which is costing the community dearly. In this case, in excess of \$42,000 per year of tax-payers' funds is being paid to keep him in gaol when he could be and should be working at his job, maintaining his own family and paying taxes. I am not suggesting that he should not be punished; rather that use of community service orders and perhaps restriction of leisure activities would obviously be more appropriate and less costly to the tax-payer.

Of even greater concern is the number of people who find themselves in gaol because they have been wrongfully convicted. A great deal of publicity has been given lately to this occurring as a result of police fabricating evidence. Honourable members will recall my raising in the House the case in New South Wales that occurred as a result of the Bathurst riots, in which I have no doubt the young man was wrongly convicted because police faked evidence, and the judicial system failed to ensure justice. It comes as a shock to learn that wrongful conviction occurs all too frequently.

Today I want to raise one apparently well-established practice which could lead to wrongful imprisonment and which could be easily changed. I have not always had a great deal of enthusiasm for making speeches during these debates and have felt that the public have had good reason to be dissatisfied sometimes with honourable members' efforts. The debate frequently occupies the time of Government members in praising the Government's record. Some Opposition members, of course, spend the time available to them knocking the Government's efforts, while others take the time of the Parliament to raise with the Minister the need for the school septic tank to be repaired. It leads many of us to believe that the debate is not important, and I have often felt that, because no-one would listen, there was no point in raising something. I now believe that assumption to be wrong. It is the back-bencher's role to make the statements; whether the members of the Government listen or not is up to them. The member should still continue to make the statement and hope that someone will listen. I feel that, today, I have an important matter to raise, and one which I am sure will shock Queenslanders—and perhaps some members of the Government—and, hopefully, lead to the correction of an appalling situation.

As a result of my interest in the Bathurst case, I have learnt more about the judicial procedures. I have been shocked to find that the system of democratic justice, of which we are so proud and which most of us who never have any involvement with courts believe operates fairly and with few mistakes, has many intolerable flaws. What happens in Queensland's courts is sometimes unbelievable to the layman. I hope that, if members of the public in Queensland can be told just what is occurring, they will demand that all concerned improve the standard. There can be no greater injustice than an innocent person serving a term of imprisonment after being wrongly convicted. Honourable members must not be prepared to tolerate any obvious imperfections in the system that may detract from an accused person's entitlement to a fair trial; yet, for some time, the legal fraternity has been prepared to tolerate just such an imperfection.

I am referring to the well-established practice of judges rewriting the transcript of their directions to the jury after the court case is finished and before a subsequent appeal is heard. I ask honourable members to remember that a judge's conduct of a trial and direction to a jury, in particular, are the most important points of the trial and certainly the most frequent considerations under appeal. The correctness of these directions is vital if justice is to be assured. The absolute accuracy of the record of what was said is equally vital.

I referred earlier to a trial at Penrith. Members will recall that I had been shocked at the conduct of that judge, his direction to the jury and his biased statements during proceedings. More than one of the barristers associated with that case assured me that any competent court would quash the conviction on appeal, because of this unacceptable conduct. Subsequently I learned that this judge would have the opportunity to rewrite the record of what he had said and done. On further investigation I found that this, indeed, is the procedure accepted by the legal fraternity here in Queensland and elsewhere. It leaves one with the belief that justice is too important to be left in the hands of the legal fraternity alone.

While judges may argue that all they will do is correct minor grammatical errors or, perhaps, an obvious slip of the tongue, what it really means is that the judicial system permits the most important evidence presented to an appeal court to be tampered with. I am not accusing the judge in the Bathurst trial of doing this. I have not even seen the transcript of that case. However, I am certainly saying that no judge should be given the opportunity to improve the official record of his own performance. If grammatical or similar minor corrections are made, then the original words should also be recorded so that any changes and the extent of any changes are clearly available to all.

I am told that overseas and in other States there have been well-documented instances of judges succumbing to the temptation to alter the record so as to correct a mistake that they might have made at the trial. In some cases several entire pages have been removed from the record of a trial.

Mr Ardill: It sounds like verballing.

Mr SHAW: It is much worse than verballing, because it is done legally.

Here in Queensland the Fitzgerald inquiry has been told that police have used influence to have their choice of judge appointed. It is obvious that the performance of judges should be completely open to scrutiny so that the system can correct its own mistakes and, more importantly, so that there is no question as to the accuracy of the court record. I would not be surprised if ordinary members of the public shake their heads in disbelief and say that it could not be correct that judges may alter the record, but I have been assured that it is true. Personally I believe without doubt that it is true.

This unacceptable practice is not isolated to any one State; in varying degrees, it is apparently occurring throughout the nation. If a judge alters the transcript of a court case, he is possibly changing the record of what occurred at the trial and effectively is falsifying evidence for the appeal. It is not only police interviews which need to be videotaped, but also the conduct of the court cases. There are problems not only in the police stations. Our judges also, I regret to say, have the opportunity to falsify the records in order to protect their own egos.

Mr Davis: And some of those magistrates, too.

Mr SHAW: And no doubt magistrates as well.

While our judges will probably maintain that they are too professional to seriously alter records, they do have the opportunity to do so. I believe that they should not have that opportunity. Modern technology can easily cope with providing an accurate recording of events, and the record of a trial must be above question or doubt. As someone once said, "Justice must not only be done; it must be seen to be done." This is only one reason why I say that there should be a complete review of the Queensland judicial system, beginning with arrests and covering the complete system through to the final release of prisoners. It is up to the members of this Parliament to consider this problem. This should be done urgently. There should either be a joint party committee of the Parliament or, if the Minister's committee can initiate an innovative approach, then it should do so; but the work needs to begin, and begin immediately.

Prison overcrowding is made worse because the biggest percentage of prisoners do not need to be there. Some are there because of the inadequate legal representations they received. Governments have attempted to address this problem in the past, but there is still a long way to go. Others are there because they have acted unlawfully, but have not really committed a crime which warrants a gaol sentence. Those imposing the sentences say that they have no other options and they lack the power to change the system to provide other options. A study of the restrictions imposed on people on bail suggests to me there is scope for imposing punishment on those guilty of lesser crimes by restricting their freedom of movement, and this could be done without expensive electronic security. A traffic offender who is restricted from leaving the city in which he works and who must report regularly to some authority is surely being punished more effectively and with less cost to the community than by being imprisoned.

There appear to be three categories which merit immediate investigation—

- (1) those who are in gaol because of unsatisfactory legal representation;
- (2) those who have done wrong, but do not deserve to be in gaol; and
- (3) those who have been found guilty but did not receive a fair trial or who were framed.

Honourable members can complain about the police, lawyers, judges, prison and parole officers, but this Parliament and the Government, in particular, have the responsibility and the power to identify the faults and progressively eliminate as many as possible. I believe these issues should be urgently addressed. It is not benefiting either society or the people involved to keep minor offenders in gaol, at a cost of \$30,000 per

year, where the only effective instruction they receive is in how to become skilled criminals.

I congratulate this Government on making a start towards addressing some of these problems, but there needs to be a sense of urgency about the changes that are required. I urge the Government to broaden the inquiries that are already under way and the reforms that have been announced. I ask the Minister in his reply not to say to me that many of the things that I have raised are outside his area of responsibility. I know that to be true, but the problems that I have outlined are all connected and are the responsibility of a number of Ministers. Certainly they are all the responsibility of this Government. I have raised them in this Chamber and I hope that the problems will be seriously addressed.

Mr FRASER (Springwood) (11.38 a.m.): It is with pleasure that I join in the debate on the Estimates for the Corrective Services and Administrative Services portfolio. I wish to speak on two sections of the Minister's responsibility, fire services and the Rural Fires Board.

Mr Beard: You must have lost the draw getting those two.

Mr FRASER: Yes, but they are two very important sections. As the member for Mount Isa, he should fully realise the significance and the great contribution made by the Rural Fires Board. Many of his constituents would be volunteer fire-fighters serving the Rural Fires Board.

I compliment the Honourable Minister for Administrative Services and Corrective Services on the interest that he has taken in the organisation and management of the State's fire services since taking over the portfolio. The initiatives that he has put in train will be welcomed by members of the fire services and the public alike.

As I have served for two years as a member of the South Coast Fire Brigades Board, I wish to place on record that board's very deep appreciation of the work of senior departmental officers and the Minister to remedy budgetary problems within Queensland's fire services.

The introduction of the Toxichem hazardous chemicals computer database into the fire services is a significant step towards improving the safety of the public and fire-fighters. This Australian designed and developed database is equal to any in the world and will greatly assist fire-fighters in deciding appropriate courses of action at the scene of incidents involving chemicals.

The introduction of placarding regulations, which require that properties holding certain amounts of dangerous substances must display hazardous chemical signs, will link well with the Toxichem computer database. The information contained on the hazardous chemical signs that will be displayed on properties will provide immediate response information for fire-fighters. They will then be able to supplement this information by reference to the Toxichem computer database.

It is also pleasing to see that standardisation in training is being achieved throughout the State. The introduction of a standard recruit course for all new employees entering the service as fire-fighters will do much to enhance the operational procedures of brigades throughout the State. It will also ensure that fire-fighters joining the service have an increased opportunity to pursue their career by transferring between the various brigades throughout the State. Standardised training will increase the promotional opportunities for fire-fighters and fire officers.

The move towards providing increased training support for auxiliary fire brigades is also a significant initiative. More than half of the brigades throughout Queensland rely totally on auxiliary fire-fighters. That speaks well of the citizens of Queensland. These volunteers give freely of their time to undertake training activities and to fight fires. It is important that they be provided with whatever assistance and support is necessary. Our auxiliary fire-fighters deserve and need the support of experienced training officers. I am pleased that that need has been recognised and acted upon by the Minister.

I am also pleased to note that, over the past three years, there has been a substantial increase in fire services involvement in fire-safety education and fire-prevention activities. Although it is necessary to have the equipment and training facilities to enable people to fight fires, it is much better if people are educated to ensure that fires do not start in the first place. As the Minister comes from western Queensland, he would be aware that, with the sparse populations in those areas, the only way for the Rural Fires Board and the land-holders to put out a bush fire is to fight fire with fire. Sometimes a property has to be wasted by deliberately lighting a fire and back-burning towards the original fire. I am pleased that a number of brigades are increasing their involvement in fire prevention. That is particularly important in reducing the number and occurrence of fires and also the number of injuries and deaths that, sadly, each year occur as a result of fires.

Mr Davis: Can I ask you one question?

Mr FRASER: Yes.

Mr Davis: Did Mr Cooper or any member of his staff give you that brief?

Mr FRASER: The honourable member for Brisbane Central always asks that question. I think he does so to fill in time for me, but today I do not need him to fill in time.

Mr Milliner: The simple answer is "Yes".

Mr Prest: That is all we wanted.

Mr FRASER: I did not give the honourable member for Port Curtis an answer.

Mr Prest: Once you get away from your brief, you get lost.

Mr FRASER: No, I do not.

Mr Prest: Stick to the brief.

Mr FRASER: I ask the honourable member not to worry about the brief. We get briefing notes and we work off them.

Mention should also be made of the involvement of the print and electronic media in supporting the fire-safety and fire-prevention activities of the fire services. Many newspapers and radio and television stations throughout Queensland have carried articles and photographs promoting fire safety. They have also run community service announcements in an attempt to educate the public on fire prevention.

No matter how effective any organisation is, a good manager will always look at ways to improve performance and efficiency. The Minister is to be complimented on his recent announcement of a commission to conduct a review into the fire services system in Queensland. Such a review will provide the opportunity for all members of the fire services, house-holders, industry and commerce and other industry organisations to make comments and put forward suggestions on how the Queensland fire services can be made even more effective. I commend the review to the Committee and I hope that all members of this place will encourage interested persons within their electorates to make full and frank submissions to the commissioner.

Fire services in Queensland are about to enter an interesting and exciting era. The leadership challenge by the Minister will ensure that fire services enter into the 1990s with the most effective and efficient organisation possible and with a definite development plan.

I now turn to the Rural Fires Board, which I have already mentioned briefly. The Honourable Minister for Corrective Services and Administrative Services has spoken on his goals for the planned future development of the board. This is truly a community-based organisation doing a tremendous job.

The Rural Fires Board is composed of seven members, four of whom are nominated by organisations representing various primary industry bodies. Two members come from Queensland Government sources and one member comes from the Local Government Association. Those apportionments are appropriate to the democratic principle that the main purpose of the Rural Fires Act—preventing and controlling bush fires—should rest in the hands of the local volunteers.

In fact, at present there are almost 40 000 bush fire brigade volunteers serving the whole of rural Queensland through a system of 1 500 rural fire brigades. Every one of those volunteers and the small full-time staff which co-ordinates the brigades—there are only seven co-ordinators scattered throughout western Queensland—are under the direction of the Rural Fires Board. They deserve our congratulations and thanks for the commitment and effort which they have given to the community so unstintingly.

The main duties of the board are to administer the Act, to organise the prevention and suppression of bush fires, to investigate the use of rural fire, to provide for public education and to collect fire-related statistics.

Mr R. J. Gibbs: They reckon they have seen you in the bush a few times.

Mr FRASER: I have been in the bush a few times. I have also been a Rural Fires Board warden. That is a thankless task, but it must be performed.

Mr R. J. Gibbs interjected.

Mr Davis: I didn't know you were a man of the land.

Mr FRASER: I am a man of many parts.

The CHAIRMAN: Order! I cannot allow three or four people to talk at once in the Chamber.

Mr R. J. Gibbs: It is true, though. They reckon when they saw you in the bush you were running hot.

The CHAIRMAN: Order! The honourable member heard what I have just said.

Mr FRASER: In answer to the member for Wolston—I might have been near a bush fire at that time when I was running hot.

In addition to an administrative staff located in Brisbane, the board provides liaison facilities in rural areas through a senior inspector in Brisbane and district inspectors located in Cairns, Charters Towers, Mackay, Rockhampton, Bundaberg, Barcaldine, Roma and Brisbane. An executive officer and secretary is responsible to the board for the efficient management of the administrative staff and inspectors.

Although provision is made in the Act for inspectors to take charge of fire-fighting during emergencies, such action has rarely taken place. Members may not know that a fire warden has control of the fire-prevention and other fire-related activities in his area until the fire starts, at which time he loses control to the chief officer of the local rural fires brigade.

Mr Prest: He is in charge before they start a fire?

Mr FRASER: That is right. The rural fire warden issues permits and makes decisions. However, once the fire actually starts, the chief officer of the local volunteer fire brigade is then in charge.

Mr Prest: Why do they start the fire?

Mr FRASER: As Mr Prest would know, in rural areas fire is started by an act of God—by lightning in most cases.

Mr Prest: If it is done by lightning, who issues the permit for the lightning to start the fire?

Mr FRASER: The good fellow above, as the honourable member would well know.

Mr Prest: You issue a permit to start a fire, but the fire is started by lightning.

Mr FRASER: If safeguards are provided, a permit may be issued.

Mr Prest: You are burning fire-breaks.

Mr FRASER: A very small percentage of those fires get out of hand.

Mr Prest: You have never been in the west; you can see that.

Mr FRASER: I could take the honourable member out west on any sort of a day, sunny or cloudy, and lose him. He would need a big water-bottle to get out of the paddock.

Mr Berghofer: Turn him around three times and he would be lost.

Mr FRASER: He would only have to be turned twice, and he would be lost. If he were in a mulga paddock, he would need five dogs to get him out of it.

Mr Davis: When did you resign as a fire warden?

Mr FRASER: I resigned as a fire warden when I moved to Brisbane in 1983.

Apart from liaison with wardens in matters pertaining to the control of fires lit for useful purposes, making assessments of fuel conditions and conducting a continuous program of public education, the main role of inspectors is to encourage the formation of bush fire brigades and to support their equipment and training needs.

I briefly mentioned that one of the Rural Fires Board's duties is to organise the prevention and suppression of bush fires. One of the main ways in which that can be achieved is by aerial ignition. That type of fire-control measure was initially introduced to Queensland in 1985, after preparatory work and the training of selected Rural Fires Board inspectors. Aerial ignition objectives are to provide a framework of strategically placed burns so as to establish an effective break system capable of limiting the spread of wildfire or to provide for more effective control of routine land management burns.

Mr Davis: Why didn't you aim to be an inspector instead of seeking to be a fire warden?

Mr FRASER: An inspector is a paid officer of the Rural Fires Board; a warden is a volunteer for the board.

Mr Davis: You never aimed to be one.

Mr FRASER: I never aimed to be one. I did not need the salary and I did not want to take it.

The burning of areas described as high hazard and low accessibility commenced in the Cape York Peninsula and gulf areas, employing two Rural Fires Board inspectors. The cost of that project to the individual land-holder was 33c per square kilometre benefited. That amount reflects the land-holders' share of aircraft hire, which is subsidised on a dollar-for-dollar basis with all land-holders who participate in a particular series of burns in an area.

Since the initial burn in 1985, the Rural Fires Board has carried out aerial ignition on a yearly basis with resounding success. Responsibilities associated with aerial ignition programs are divided between the land-holder and the Rural Fires Board. Briefly, the land-holder is responsible for providing the resources to construct fire-breaks where necessary to control the fire on the ground; for obtaining a permit to burn from the relevant fire warden or chief fire warden—I hope that Mr Davis and Mr Prest are listening, because those volunteers have a role to play—and for the payment of aircraft hire on a dollar-for-dollar basis with the Rural Fires Board.

Mr Davis: Were you ever a chief?

Mr FRASER: No, I was never a chief fire warden; I was just an ordinary fire warden. I did not aspire to reach the lofty places that Mr Davis or Mr Prest would have aspired to reach.

Mr Gately: They wouldn't go out to Longreach.

Mr FRASER: I do not think Mr Prest would have got past the Thomson River. He would have died of thirst if he did. In the early days when I was a jackaroo out in Winton, the honourable member would not have been able to carry a water-bag big enough to quench his thirst.

The land-holder is responsible also for payment of aircraft hire on a dollar-for-dollar basis with the Rural Fires Board and provision of a navigator to direct burning operations on his or her property, bearing in mind that the pilot has final authority and overall responsibility for the safety of the aircraft and all persons on board.

For its part in these aerial ignitions, the Rural Fires Board provides the aerial incendiary priming and ejection machine; an operator trained—or capable of instructing other persons—in the correct and safe use of the machine; board staff on site as advisers; the necessary materials, that is, the capsules and glycol, to carry out the aerial burn; and assistance in planning future aerial ignition programs in a particular area. Land-holders understand that a planned approach to any such program is necessary in order to maximise its cost-effectiveness. An ad hoc approach is neither desirable nor economical.

I am sure that I do not need to emphasise the potential for losses to this State's economy through uncontrolled bush fires. Honourable members who have been caught in a bush fire would know the damage that they cause.

The Minister and Mr Prest would know that years ago, after putting out a bush fire, land-holders would produce a special brand of rum. Honourable members would be aware that when it rains after a bush fire, it is very hard to get one's bearings, particularly if the weather is a bit cloudy. I remember on one occasion, after imbibing the various brands of rum fairly freely, a group I was in were going round trying to find on which side of the trees the kangaroos slept, because one of the more-enlightened members of our party said that they always sleep on the south side of the trees. That is how we found our way out of the fire area. I pay tribute to the people on the land in this State. They are very innovative and they are very quick to catch onto new ideas.

The potential losses to this State's economy through uncontrolled bush fires is enormous. Advocating the sensible use of fire for land management and the reduction of potentially flammable fuel lies at the very heart of the philosophy and policy of the Rural Fires Board.

The growth of rural residential properties is causing a tremendous number of problems. They place considerable strains on bush fire brigades because they are outside the normal fire services area and, to a large extent, residents in these areas tend not to be as aware of the dangers of bush fires as those who obtain a living from the land and who live in an area prone to bush fires. That is a problem that the Rural Fires Board will have to address very quickly.

In the fast-developing areas of south-east Queensland, people are living on 5-acre or 10-acre blocks and do not realise the danger posed by bush fires. It is nothing for a bush fire, with enough wind behind it and enough force in the fire, to jump a break 500 to 600 metres wide. As people who live in the Adelaide hills would know, it is a devastating experience to be caught in one of these fires, and it is life-endangering.

I know that the Minister will concur that it does not matter how wide a break one creates, there is no way in the world anyone can stop a fire jumping a break. Fires will jump a break by the tree-tops. There is no way in the world anyone can stop a fire. I believe that the only way in which a fire can be stopped is by burning back.

Mr Lee: They actually have heat explosions in front of the fire.

Mr FRASER: That is correct. The trees explode.

I remember one night when, as a young grazier, I made a decision to waste 60 000 acres of my property because it was the only way I could prevent a fire from getting out of control. It is a decision that had to be made. It was probably better to lose 60 000 acres than to lose 120 000 acres and the stock along with it.

Mr Davis: That is where you were lucky being a warden; you got that experience.

Mr FRASER: No, I was not in charge of fighting fires. I was only an owner. I have already said that the chief officer is in charge when a fire breaks out. That was when I learned that the warden does not have any control over the fire——

Time expired.

Mr SMITH (Townsville East) (11.58 a.m.): Quite a deal of interest has been shown by honourable members in this debate. I do not think the Minister has been taken to task too severely. I believe genuine concern is held by all honourable members in regard to gaols. Apart from criticism in regard to recent escapes, I believe the Minister has escaped any severe criticism. Nevertheless, a few matters need to be raised.

Honourable members are debating the Estimates of a department that absorbs \$55m per year. That is certainly not an insignificant sum. The Budget allocations of some other departments are dwarfed by that expenditure.

In preparation for this debate, I looked back to find when these Estimates were last debated. In fact it was in 1983. It is remarkable that there could be a passage of five years before a department involving that type of expenditure and coming under such close scrutiny in the Parliament——

Mr Davis: Was Terry White the Minister?

Mr SMITH: Yes, he would have been the Minister in 1983.

I hope these Estimates will be debated again in the Parliament before 1993. I am receiving some nods of assurance from the Minister.

Interest in these Estimates has been expressed by members of all parties. Terry White's name has been mentioned. He is a former Minister in charge of the department. I notice that he is on the list of speakers. Several other honourable members have also spoken, or intend to speak——

Mr Davis: He didn't do much when he was there. He was a nice bloke, but he didn't do anything.

Mr SMITH: No. He was a bit of a "gonna". I think he is still going to do something.

The present Minister, Mr Cooper, is the fourth National Party Minister since Mr White held the portfolio. I wish him well. He knows that. I think he recognises that generally all members on the Opposition side share that view. At this stage it is difficult to comment on his performance. Members can certainly look at his intentions. However, the Minister has only just started down the track.

If it is five years before members have an opportunity to look again, maybe that is the time when we will have to judge the Minister. The Opposition certainly believes that the Minister is entitled to have a go. Some evidence of commitment has been shown. I hope that the Minister will retain his will to pursue some of the initiatives that he has started. Opposition members can reasonably be somewhat cynical about claims by the Government or anyone else who says that he will reform the system.

In 1986, out of desperation to get something before the Committee, I spoke extensively in the Budget debate and referred to prisons and fire levies. I have referred some of the statements that I made at that time. Not a great deal of movement has taken place since then. At the time, the Minister started off by saying that Queensland had the best prison system in Australia and he graduated to the extent of saying that it was the best in the world. Of course, the Government was giving Opposition members the works because of what was occurring in New South Wales. Since then the Queensland

Government has had its own problems. The Queensland Government has had the matter of the Commissioner of Police; the Labor Party had the subject of Rex Jackson. I have noticed that since that time there has been nowhere near the usual amount of noise coming from Government members.

Because the Minister has received the Kennedy report and is acting on it, I hope that he will not think that all the problems will go away. Progressive systems and regressive systems can be found throughout the world. I do not think there is one nation that does not have major problems with its prison system. The reality is that Governments must minimise those problems and generally come to terms with their own society. It must be recognised that Australian society has its individual characteristics outside the walls of prisons. It is a fact that the attitudes in Australia to prisons mirror the attitudes that exist in other parts of the world. It could hardly be anything else.

I heard a previous speaker say that in some areas prisoners do not receive very much public sympathy. It is a tremendous tragedy for a family to have one of their number, such as a son, a daughter or a husband—or someone whom they know—in prison. From time to time members of Parliament receive representations. For that reason alone, members of Parliament have a fairly good idea of what is happening in society. They come face to face with the human tragedy and suffering that occurs.

Mr Gately: It must be a good establishment, though, because there is such a high return rate.

Mr SMITH: Unfortunately, that is a fact. I was particularly interested to see whether any changes have occurred. Approximately 57 per cent of Queensland prisoners are return customers. I do not say that in jest, because it is very sad. The biggest percentage of those people are in the 20 to 24-year age group. If the Government examines the position clearly, it will see that Queensland is losing some of its most productive people while they are inside. Those young people in prison could be outside doing valuable work in the community.

To return to the matter raised by Mr Gately—one of the reasons for the high number of “recidival” offenders, as they are known technically, is that once they leave prison they receive very little support. Very few people are working in the welfare area to assist prisoners who have recently been released. Very often, prisoners who, on their release from prison, try to do the right thing do not receive a fair go. A released prisoner might have a couple of hundred dollars in his pocket, but he is shunned by society. Where does he go?

Mr Gately: That’s the very reason why last night I was talking about parole and probation.

Mr SMITH: The honourable member has had his turn. I was not in the Chamber to hear what he said. However, I would not necessarily disagree with him.

In 1986 we were talking about the desirability of home detention, the extension of pre-release schemes, and all of those issues were most relevant.

Mr Gately: You would agree with me——

Mr SMITH: Give it a break! We have heard enough from the honourable member.

In 1986 I referred to the expense to the Government of keeping people in prison. I wonder whether, if the State Government had to meet some of the social service costs incurred when a prisoner is released and is unemployed, there should not be some greater will to keep those people out of prison in the first place. Some years ago, reference was made to the cost of keeping people in prison as being \$20,000 a year. Even then, that sum would represent only the direct cost. If a business operation looked at it, it would take into account the forgone interest and the non-return of that person rather than only the direct cost. The real cost could well be \$40,000 or \$50,000 a year. The estimate of \$20,000 was made some years ago. People are still talking about that figure.

When I had a direct responsibility in the prisons area three or four years ago, my information was that the cost was closer to \$30,000 than \$20,000. I do not know whether the Minister has made any recent statements about that. However, I would like to know the current cost. Even if the cost is not as high as I might suggest, obviously it is many times the sum that might be spent on keeping people outside prison and in full-time employment.

An extremely Right Wing attitude existed under the previous Government of Sir Joh Bjelke-Petersen. He was not very keen on throwing money around. I cannot understand why he was not astute enough to realise the huge costs involved through non-production by people while in prison. Nor can I understand why at that time his Government was not prepared to put more money into its parole service and to support mechanisms that would have gone such a long way towards keeping people outside the prison system. That is still very much the nitty-gritty of the whole issue.

I say very sincerely to the Minister: regardless of how well he performs, how conscientious he might be and how well Mr Kennedy's ideas might work out, unless he has a commitment from his Government to recognise the wider scene and the overall social problems—the strains on the fabric of society—quite frankly, with the best will in the world he will get nowhere. I say to him: the best of British luck.

One thing that I have a very vivid memory of during my period as shadow Minister for Corrective Services—and I am sure that other shadow Ministers would have the very same memories—is visiting gaols and seeing the tragedy of many people who are there by accident or misadventure rather than by design. In many cases the misadventure factor is probably 80 per cent.

I turn now to training opportunities in our prisons. Although the situation is not too bad at prison farms, prisons such as Boggo Road provide so few opportunities for serious training that the result of a person's imprisonment is still the same as it has been over the years. A more enlightened view must be taken of that problem. The qualifications that are gained by people who are in prison for a long time and who receive proper and professional training should be recognised outside in the community; otherwise that training is a waste of Government money.

Many dedicated officers work in the prison system. Nelson Glindemann is one; Bill Kennedy is another. I have a great respect for those two gentlemen. I am aware of Mr Kennedy's case-load while he was in Townsville, and I have great confidence in him. However, though I might not be very popular for saying this, some of the other officers at senior levels could be described as nothing more or less than screws. That is all they are.

The wages of prison officers have been mentioned. I would not have thought that the wage level in our prison system is so woefully behind other sectors in the community. I hope that the Government will identify career structures in a better way than they are identified at present and ensure that prison staff are properly trained; that once they enter the system they are not forgotten for ever. As well as the experience that they gain while they are there, prison staff should be given the opportunity to periodically update their skills and assess where they are heading.

Mr GATELY: I rise to a point of order. On a consideration of the words that were used a moment ago by the honourable member in relation to prison officers—I believe that the term “screws” is unparliamentary.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I rule that the honourable member for Townsville may proceed with his speech.

Mr SMITH: I am amazed that Mr Gately would take offence at that particular remark. He might have thought that that term might have fitted him in one of his previous occupations. He may be particularly sensitive.

Mr GATELY: I rise to a further point of order. I find the words that the honourable member used in relation to my previous employment offensive and I ask that they be withdrawn.

The TEMPORARY CHAIRMAN: Order! Under Standing Order 120, the honourable member will withdraw the comment.

Mr SMITH: I withdraw it. I know that the honourable member is a very sensitive man. I do not want to hurt his feelings.

Psychological testing to determine suitability of staff is used in many sectors. I know that the armed forces use that system of recruitment. This Government should give serious consideration to using that method in our prison system, which Mr Kennedy referred to in his report. I urge the Minister to give that matter very serious consideration.

In recent years the administration of our prison system has been in the Dark Ages. Even in this Parliament House, computers keep a record of the meals that members eat. I am absolutely amazed that very little use is made of modern technology in our prison community of about 2 500 people to keep records and facilitate the transfer of information and communication. I would have thought that the system that is in operation in our prisons had disappeared 30 years ago. The system will not change overnight. It is not possible to suddenly change administrative thinking from the pen-and-quill days to being computer literate.

In the presentation of his Estimates, the Minister spoke about an additional \$5m. That is a joke. Bearing in mind the sorts of things that the Minister is hoping to do with that \$5m, he will not even see where it goes. The Minister failed to mention whether that was \$5m in real terms or in money terms. If it is \$5m in money terms, in real terms it is a lot less.

Mr Cooper: Today's terms.

Mr SMITH: That is fair enough.

I turn now to the absolute necessity to separate first-time offenders and young people from the old lags in the prison system. The stage has been reached at which prison rape is a fact of life. If young guys who enter prison do not submit, they are knocked head over turkey. That is the way that the system has been running for some years. The community has become aware of that.

I want to relate to the Committee the case of a young man from my own town. It involves events that happened about two years ago. Hopefully, from what I am about to say, he will not be able to be identified. He got into some strife over a motor bike and he was banned from riding a motor bike for a couple of years. He was an apprentice. He was a good lad. He reformed himself fairly well. In fact, he became engaged to be married. During a period of two years he carried out work on his motor bike, bringing it to an immaculate condition.

Quite foolishly, about six weeks before he was due to reapply for his licence, he decided to take the motor bike for a test run down his street. I guess that many people do that sort of thing. Some may test an unregistered vehicle on their own street because they think that the likelihood of accident or apprehension is minimal. In fact, the police saw this young man and recognised him. They chased him. As he was riding a fairly fast motor bike, he managed to elude them. He dumped the motor bike and he shot through.

His father came to see me about the matter. The young man's first stop was New South Wales. For some days no-one knew where he was. That lad knew quite well, because the police had told him, that, if he was apprehended in respect of the motor cycle, he would go to gaol. He was 17½ or 18 years old. He knew damned well what would happen to him. He made the decision that he would shoot through, blow his apprenticeship and accept all the disruption that would occur to his life rather than take the risk of going into prison.

I suggest that many lads who might otherwise be described as decent lads, but who would fear that that sort of thing could happen to them, might take the same sort of action. All of us should ask ourselves what we would do in similar circumstances.

Mr Lee: Most of them get caught, though.

Mr SMITH: Yes, I suppose so.

Much discussion has taken place about the desirability of the demolition of Boggo Road gaol. I know that that will happen. However, I remind the Minister that in Queensland there are two other prisons that are just as bad as, if not worse than, Boggo Road. I am not talking about the entire prison complexes themselves; I am talking about the old section in Townsville and the old section in Rockhampton. I can speak with local knowledge about the prison at Townsville. It is every bit as bad as the prison at Boggo Road. There is no way in which the Government can countenance the continued operation of those sections. I refer to what I said in 1986, when I indicated that the Prisons Department report of 1984 found that some sections of the prisons in Queensland—and Townsville was one of them—were below the minimum standards of prisons set by the United Nations and the Australian Institute of Criminology.

Time expired.

Mr GILMORE (Tablelands) (12.18 p.m.): I am very happy indeed to support the Minister in the presentation of the Estimates of his department. In taking the opportunity to speak in this debate, I would like to concentrate on Queensland's prisons. My parliamentary colleague who spoke earlier has spoken about the three new prisons and the security measures to be adopted. I have a very strong personal interest in this topic as one of the new institutions is located in my electorate. I will elaborate on the management techniques and staffing arrangements for the new prisons. However, before I do so, I take this opportunity to congratulate the Minister, his staff and, indeed, the commissioner, Jim Kennedy, on the moves that they have made to restructure corrective services in Queensland.

I take the point that has just been made by the honourable member for Townsville East about the difficulties faced by young people who are placed into corrective services. Previously such people have been condemned to turn-of-the-century or Victorian institutions—and, indeed, to Victorian attitudes in those institutions. It has taken a great deal of courage on the part of the Minister to tackle this great problem and to turn the system inside out. It is hoped that the prison system will become a system of corrective institutions that will be the model not only for Australia but also for the Western World. It is my understanding that, once the process of demolishing old prisons and building new ones has been completed, Queensland will have the most modern prison system in Australia and, God willing, in a prevailing wind, it will also have the most modern attitude and methods in corrective services in Australia.

Traditionally, our prisons have operated within very flexible guide-lines, which have not in any way assisted with the effective management of prisoners. For our new prisons, a senior and middle-management structure is being developed, which clearly assigns responsibility, authority and accountability to the most appropriate level. A unit-management concept for staff deployment is also being developed to enhance the ability of individual officers to display knowledge, proficiency, responsibility and accountability in the execution of their duties.

Unit management is based on greater interaction between officers and prisoners. Basically, the prisoner population will be broken down into separate units comprising a manageable number of prisoners. Officers will be rostered to each of these units and will be responsible for controlling prisoners by keeping negative behaviour to a minimum, reducing tension and encouraging positive behaviour.

The size of each unit will vary depending on the physical make-up of the prison, for example, the number of cells in each block and the security-rating of the block. The

maximum-security unit in Wacol 2, for example, will house 14 prisoners, while the medium-security units will contain 24 prisoners.

Prison management and the programs teams will work to create an environment within the units that will give prison officers greater decision-making powers and allow them to become more involved in the management of the unit and in minor welfare and program activities.

Mr Davis: How long before you spoke did the Minister give you this brief?

Mr GILMORE: Before I spoke in this debate I chose to make comprehensive notes. The honourable member would respect that I have done that to ensure that I say the things that I intended to say in this debate.

By becoming more knowledgeable about the prisoners in the unit, officers will be better able to exercise pro-active control, that is, predict behaviour and identify potential problems before they arise. Overall, a unit management system will create an environment which will encourage staff to use a wide range of skills. This in turn will lead to greater job satisfaction and a more stable prison operation with benefits for administrators, officers and prisoners.

A system of case management will also be in operation by the time Queensland's new prisons come on line. Case management is an individualised approach to prisoner management. The procedure involves collecting accurate information, identifying prisoner needs and regularly reviewing a prisoner's progress. It is a system in which a sentence plan is formulated to take a prisoner from admission, through the period of incarceration, to and beyond release. In other words, in future when a person is admitted to the prison system, that person will sit down with correctional officers and work out just how he or she can best spend his or her time in prison. The plan will take into consideration factors such as security rating, length of sentence, prisoner needs, psychological history etc.

A system of case management will shorten the settling-in period for prisoners after admission, address their assessed needs, provide them with purpose and direction during their sentence, enhance acceptable prisoner behaviour and better prepare them for re-entry to the community. In short, an operational system of case management will ensure not only the proper placement and classification of prisoners but also that they serve their time as productively as possible. For case management to work successfully, each of the State's prisons must have a specific function and operate within set guide-lines. The assignment of functions to all of Queensland's prisons can only lead to a more efficient correctional system.

Although prisons in the northern part of the State will remain multifunctional—that is, remand, reception and maximum security—when Wacol 2 and Borallon are on line, the new commission hopes to assign the following functions to each of the institutions in south-east Queensland. Brisbane Prison will be demolished and a remand and reception centre will be established elsewhere. The existing women's prison will be relocated at Wacol. As there is an urgent need to separate first and minor offenders from hardened criminals, the existing prison at Wacol will become a medium security facility for short term—that is, up to 12 months—and pre-release prisoners.

The number of prisoners requiring protection has escalated in recent years. For the time being, Wacol B will remain specifically for the protection of prisoners until they can be suitably placed within the system.

The service intends to develop Woodford Prison as a medium and minimum security institution for prisoners serving up to two years. Here they can receive work training and participate in educational and farming activities. Of the new prisons, the one at Wacol will be a maximum and medium security industrial prison for those prisoners serving at least 18 months who have been identified as suitable for continuous work placement. Educational and recreational activities will be organised for evenings and week-ends.

Borallon will be both a long and short-term medium security training prison for prisoners identified as suitable for vocational, behavioural or educational training. Behavioural and educational programs will be organised by the prison assessment team to meet prisoner's requirements.

Selection of the right staff will be one of the most important factors in ensuring the smooth operation of the new prisons. The prison service is currently conducting a major campaign to recruit the necessary staff. Far-north Queensland, Wacol and Borallon will provide employment for nearly 550 people. Of these, at least 170 will need to be experienced. The remainder will mainly come from the localities in which the prisons are located.

All experienced officers selected to serve at the new prisons will receive one month's training at the prison service's staff training college at Wacol to become acquainted with the philosophy and the operational procedures of each of the new institutions. During the course, officers will also have the chance to upgrade their skills, and learn new skills, to ensure a smooth transition to their new environment.

Base-graders will receive eight weeks' induction training at the college. Besides covering basic skills, their courses will also be specifically related to working in the new prisons.

As I mentioned earlier, the opening of the new prisons will bring some economic benefits to the localities in which they are established. I will use my electorate as an example. HM Prison Far North Queensland is being constructed at Chewko, which is located approximately 17 kilometres south of Mareeba and 20 kilometres north of Atherton on an area of 902.044 hectares.

Mr Smith: And a ridiculous location it is, too. It is quite unsuitable for a prison. I would suggest to the Minister that he consider its long-term future.

Mr GILMORE: Unfortunately, I cannot agree with the honourable member. The prison is well situated, and I say that for various reasons. It has been located in an area that provides access to water resources from the Tinaroo irrigation scheme, it has a large area of farmland, it has been situated on a location that is out of the sight of the public, and sufficient land surrounds the prison to ensure the security of residents in neighbouring properties. I believe that it is an excellent site for a prison. From the point of view of the economy of my electorate, I am very pleased indeed that the prison will be located there. Since 1982, I have worked very hard indeed to have the prison established in my electorate. It will be with great pleasure indeed that I will witness the prison's operations come on line in the future.

While the construction is being undertaken by Thiess Watkins, much of the subcontracted work has gone to local contractors. This has led to the creation of many jobs and has proved a great boost to the local economy. The materials used in the new prison, where possible, were purchased locally. For example, all of the concrete blocks—and I understand that more than 1 million were used—were purchased from the local blockwork factories.

The prison in far-north Queensland—which will have remand, reception, maximum, medium and minimum facilities—will be staffed by 164 prison officers, 10 administration staff and 5 programs staff. It is expected that most of the staff of the new institution will come from the local area. Again, this will mean that over 100 jobs will be created in the area—mainly custodial jobs with some administrative and farm officer positions.

I might add at this point that in my electorate office I have been collecting names of people interested in serving at the prison. I have literally hundreds of names of people who have come to my office and asked to be considered for positions at the prison.

The region has 17 per cent unemployment. It is a horrifying prospect for any small community to have such a large proportion of its work-force out of work. This prison will bring a badly needed injection of funds into the area. Most of the new staff will come from and already live in the region, but there will also be a need for experienced

staff to man the far-north Queensland prison. These people will come from existing prisons and their families will no doubt move into the area and purchase or rent houses. There will be an injection of extra money into the local economy through the construction or purchase of houses. At the present time the building industry in the area is thriving; nevertheless in a small economy it is important to have a continuity of work for the building industry. This money will be injected into the community and provide employment for local people.

The employment of 179 correctional officers will also mean 179 salaries to boost the local economy. In money terms, this will mean that an extra \$6m will be available to be injected into the local coffers. The Atherton Tableland is well known for its maize crop and this prison will inject approximately three times the annual value of the Atherton Tableland's maize crop into the local community. It is a new industry and one that was very badly needed. It is an industry that is not dependent upon rain or destroyed by hail and will continue for a long time to come.

The prison, which is classified a maximum/medium institution, has a design capacity of 200 prisoners. The emphasis at the far-north Queensland prison will be on trade, vocational and educational programs. The service realises the need to keep prisoners engaged in meaningful activities that will contribute to their growth as individuals. The prison has been designed specifically to incorporate facilities to meet these objectives and to better prepare prisoners for their return to the community. Therefore the far-north Queensland prison will need supplies of food, fuels, cleansing and general maintenance materials. The prison will operate various industries and no doubt supplies of raw materials will also be needed to keep those industries in operation. Wherever possible, the prison service will use local suppliers to provide these goods and services. Prisoners also purchase a wide variety of items for personal use from their own resources and again, as a matter of efficiency, these items will, more than likely, be purchased locally.

When the Prisons Department constructs new prisons, it aims to acquire large areas of land so that minimum inconvenience is caused to residents in the immediate locality. The ideal size is approximately 100 hectares. As I have already mentioned, the far-north Queensland prison is located on over 900 hectares. One might ask, "Why such a large area?" Within the next two years, the service hopes to construct a low-security farm on the property for prisoners not deemed a risk to the public. With the establishment of the farm, more staff and prisoners will come into the area and there will be corresponding economic benefits.

Another benefit of having a prison in my electorate is the amount of community work that can be undertaken by low-security prisoners. This must not be understated. Community work projects are a good means of providing prisoners with meaningful work to develop their sense of self-worth and community belonging. At the same time, prisoners under supervision perform work that benefits community-based charity and welfare organisations. This year, prisoners from the temporary minimum security farm area, which has been established on the far-north Queensland property, have been very active in Mareeba painting median strips and erecting playground equipment for the local council. I can only assume that, with a greater body of prisoners, more community work can be undertaken.

One last intangible benefit that should be mentioned concerns the prisoners and their families and friends. The Queensland Prison Service follows a policy of regionalisation when making decisions on where to establish new facilities. This policy is based on the fact that prisoners need to maintain contact with their families and friends to ensure that they have the necessary community and family support when they are released. The department had a definite need to establish another facility in the northern part of the State as there are many prisoners from this part of the State. Most of the prisoners in this new facility will be far-north Queenslanders. The prison will not—I repeat "not"—be used as a dumping ground for other prisons. As I have stressed throughout my speech, from now on the emphasis on corrections in this State will be on rehabilitation. Keeping prisoners and their families and friends close together is part of that strategy.

Once again I commend the Minister, his staff and the commissioner for their attitude and the way that they have tackled this vast problem. I wish them well.

Mr McELLIGOTT (Thuringowa) (12.35 p.m.): It is with pleasure that I join in with this debate on the Estimates of the Department of Corrective Services and Administrative Services. This is an area of Government responsibility that gets mainly negative publicity. It is not often that this Parliament has the opportunity to debate the necessary requirements for a good Department of Corrective Services and a good penal system.

It is obvious to me and other honourable members that the need for custodial services will increase rather than decrease. For reasons which no doubt this Chamber could debate for days, today's society is becoming increasingly violent. Whilst that situation continues, there will be a need for a deterrent and society must be protected by placing in custody those people who seek to upset the normal behaviour of society.

In my submission to the Queensland domestic violence task force I expressed concern at the lack of police intervention in potentially violent situations in the home. The best example of this occurred recently when a minister of religion telephoned me on behalf of a woman who had been advised by the local hotel that her husband was at the hotel and was drunk. He was about to go home and was skiting to all and sundry that when he got home he would give his de facto wife quite a hiding, as he had done on previous occasions. There was very little that I could do. The police were not prepared to become involved and organisations such as the churches and refuges pick up the results of these tragic situations. The police seem reluctant to intervene to prevent them from actually happening.

I am rather pleased that the report of the task force recommends police action in such cases. I wish to quote the following from the report—

“... the best action for police to take, in terms of reducing the rate of recidivism, and bringing violence in the home to a stop, was to arrest the offender.

...

Many police departments the world over are now employing an arrest policy to domestic violent cases.”

At present the Queensland practice, due to the non-existence of appropriate statutes, is not to operate with an arrest policy. In recent years, New South Wales, South Australia, Victoria and the ACT have all adopted policies emphasising the application of a criminal justice response to domestic violence. Clearly the appropriate response to what is one of the most worrying social problems in our community today, that is, domestic violence, is to make more arrests. As I started by saying, in the event of those additional arrests being made, additional spaces will be required in our penal institutions.

I congratulate the Minister on his enthusiasm for the job so far. Since the time that I had the responsibility as Opposition spokesman on prisons, a number of Ministers have had control of this portfolio. The present Minister has shown more interest and dedication to doing something concrete about our prisons than have his predecessors.

I want to make several points about what has happened so far. First of all I wish to quote from the Comptroller-General's foreword. He quoted the following words of Queensland's first Comptroller-General—

“In the southern colonies new prisons have been built on modern principles, and I think the time has arrived, for her own credit, Queensland should no longer remain in the background.”

In a reference to the proposed commission the present Comptroller-General said—

“I am looking forward to the new Commission as I believe it will offer a flexibility in operations that is not available to a Government Department. I also believe that if”—

I emphasise “if”—

“all of Mr Kennedy's recommendations are accepted Queensland will ‘no longer remain in the background’ of modern corrective services.”

The Comptroller-General is obviously acknowledging the comments of a whole series of Opposition spokesmen on prisons over a number of years, that is, that Queensland's prison system is a long way behind what is expected of a modern system. I share the Comptroller-General's comments that it is to be hoped that, if all of those recommendations are accepted, Queensland perhaps can move into a modern era of corrective services.

I wish to make some comments on the proposal for privatisation. In doing so I have to endorse the sentiments expressed by the Queensland State Service Union. In its letter to all members it expressed grave concern. The letter states—

"It cannot be denied that officers of the Prisons Service have performed eminently well in administering the correctional services system under circumstances of poor training, outdated accommodation and sub-standard equipment, all of which factors were recognised by Commissioner Kennedy in his expression of the view that the Prisons System is operating purely upon the goodwill of staff."

That says quite a bit about past staffing of the Queensland prison system. The letter continues—

"Our members in the Prisons Service are not opposed to change and are willing to participate to the greatest possible extent in any new initiatives implemented for the purpose of improving the quality of service delivery.

It is therefore totally unnecessary for the Private Sector to be introduced into correctional services, indeed it is grossly inappropriate that the delivery of correctional care be undertaken for corporate profit.

The profit motive which is inherent in the Private Sector has potential to produce a situation where the costs of correctional care are inflated or, in the alternative, the quality of service delivery will be depreciated.

The ethos of Private Sector operations is not compatible with prison administration and there is no room in a system of correctional services for profit motivated entrepreneurs."

I endorse those sentiments and I think that the Minister would be well advised to take note of them as well. Very clearly, correctional services are a responsibility of the Government of the day and should remain so.

I did comment that the present Minister has shown a degree of enthusiasm for the job that has not perhaps been shown by some of his predecessors, but I make the point that the problems inherent in a prison system cannot be solved for all time. Although the implementation of the recommendations of the Kennedy report will no doubt lead to improvements, those improvements can never be regarded as permanent. In other words the Minister cannot simply one day wipe his hands and say that the job has been done and that, with the implementation of Mr Kennedy's recommendations, Queensland now has in place a properly resourced and administered prison system. That simply will not occur. The problems that are in the system today will continue to show themselves down the years in one form or another.

One of the major incidents in Australian prison history occurred at Bathurst gaol on 3 February 1974. It led to the Nagle royal commission into New South Wales prisons. The report of that commission is very similar in size and content to the Kennedy report. It contained some 250 recommendations, many of which were endorsed by the New South Wales Government. I am sure members will understand that in the years since that time considerable problems have continued to surface in New South Wales prisons.

I had the pleasure and the honour to act as the Opposition spokesman on prisons from 1983 to 1985. Just as I am sure the Minister has, I found corrective services a very interesting subject. It is very difficult and, in some ways, it is very depressing. One of the most depressing things a person can do is to go into a prison. What struck me most forcibly was the relative youth of those who are in Queensland's prisons. I was very depressed to see young people in cages. Although I was not aware of the nature of their crimes, to me it seemed such a waste of Queensland and Australian manhood and

womanhood. When considering corrective services, it is also important to consider the rehabilitation of people who find themselves in prison.

The high point of my term as Opposition prisons spokesman was the riots that occurred on 21 November 1983 at Brisbane Prison. They highlighted many of the problems that everyone suspected were present in the prison system. At that time, prison officers told me that the Prisons Department had consistently ignored reports of corruption within Queensland's gaols. They said that drug-trafficking and illegal betting had been going on for many years in Brisbane Prison. Officers said that they had seen drugs seized and had intercepted phone calls from SP book-makers and letters outlining illegal activities within the gaol. At that time, the officers said that official reports were written but no action was taken. Mr Kennedy found that a similar situation has been occurring over the years.

The most critical need in Queensland is for the Government to firmly establish its criteria for a modern and a successful prison system. The highest priority is for the Government to establish the objectives it has for its prison system and to seek to fit programs and attitudes to those objectives and how they are to be implemented.

It should be borne in mind that, in the absence of capital punishment, every prisoner will one day be released. The aim of any prison system must be to try to ensure that prisoners leave the system as better people. A report by a United States National Task Force said—

“Institutions do succeed in punishing, but they do not deter. They protect the community, but that protection is only temporary. They relieve the community of responsibility by removing the offender, but they make successful reintegration into the community unlikely.

They change the committed offender but the change is more likely to be negative than positive.”

The use of the word “institution” is not popular today, but our prisons are institutions. To try to ensure that our prisons do not fit the United States description will require special programs and substantial resources. There needs to be considerable attention paid to the training of officers so that they become welfare officers and counsellors and not just gaolers. Of course prison reforms cannot be guaranteed to achieve success in re-educating all prisoners, but it can be said with certainty that prisoners improperly and unfairly handled in gaol will return to the community more lawless, more violent and more prone to return to crime.

The other matter to which I refer is the Minister's actions and reactions in matters affecting the prison system. I was unimpressed by a comment reported by the media about people in prisons being the scum of the earth. It reminded me of a predecessor of his who used similar language during previous riots that occurred in Brisbane. It served no other purpose than to incite the prisoners. The Minister should show more understanding in the use of the media. He must understand that these days most prisoners have access to radios and newspapers. Any comments that he makes that are likely to incite riots should be considered very carefully.

It is often argued that there are no votes in prisons and therefore prisons have a low priority. Generally the public has little or no concern for the prison system. The public's occasional interest in prisons and prisoners is usually generated by a sensational incident such as an escape, an accusation of corruption or, of course, a riot. It readily accepts the view that those who have offended against the law should be locked away out of sight and out of mind.

The public ought to be concerned about prisons. The member for Townsville East referred to the \$35m cost of operating Queensland's prison system. Clearly, it is one of the large expense items in the Budget, so it ought to be of concern to the people who meet those costs.

It is of major importance that the public's conception of prison officers be improved. Again, as a general rule, the public only hears about accusations made against prison

officers. A senior public relations officer should be appointed to the prison service to improve the image of the service generally and to take charge of media relations during any form of disturbance. At the moment, the whole system lacks direction. I hope that the recommendations of the Kennedy report, if implemented, will resolve that problem.

I do not agree with the appointment of the brigadier to head up the administration of the Brisbane gaol. However, that is only my opinion as compared to the Minister's. No doubt he has access to better advice than I have. The army-style discipline that the brigadier will seek to impose will not sit easily with a prison system. I am referring not only to the prisoners but also to the prison officers. There will be considerable resentment amongst prison officers that, yet again, somebody from outside has been brought into the service.

In my days of shadow responsibility for the prisons portfolio, appointments that were made to the service from outside caused great concern. One of the most important requirements for high morale within the service is the provision of a clear career path for prison officers. That will ensure they know that, if they are prepared to work hard and take an interest in their jobs, a reward is available to them at the end. However, to bring people in from outside into senior administrative positions will cause the opposite effect.

Another important aspect that has not been handled well in the Queensland system is communication and training. It is obvious that in any prison system changes are occurring continually. It is important that all people within that prison community, both officers and prisoners, are acquainted with those changes and the reasons why they are occurring. Those matters should be spelt out in simple language so that people understand clearly what is going on. In that way, we do not get involved in the tough versus go-soft attitude that occurs all the time.

Every effort must be made to improve the status of prison officers. They have an unenviable task, but one which has to be done. Training must be improved and courses introduced to fit officers for any policy changes that may occur. I applaud the suggestion by Mr Kennedy to separate security personnel from those who are involved in rehabilitation programs. It is a sensible approach. Pay and working conditions for officers should be improved and a clear career path established.

The debriefing report to which I had access following the major riots at Brisbane Prison highlighted grave deficiencies in the equipment that was available to officers required to handle riots. I would appreciate a comment from the Minister that that has improved. The deficiencies were that the officers' two-way radios would not work; there were no spare batteries for the radios; the riot shields were known to be a hazard because of a tendency to break on impact; some of the shields were too big to handle; riot sticks were unsuitable; and no camera equipment was available to record events. I hope that those deficiencies have been corrected.

It is most important that an opportunity is provided in all prisons for prisoners and prison officers to express discontent when it arises. Obviously within any large organisation there will be discontent from time to time. Prisoners have plenty of time to think about their problems, so a minor irritation may blow up into a major confrontation.

There is a need for a system of handling grievances that is not complicated and can be easily followed by everyone. The system should be as devoid of red tape as possible so that time is not wasted on constant report-writing, and so on. I believe that the solution is a grievance committee composed of inmates who are respected by their fellow prisoners, which could meet regularly with prison officials to discuss grievances.

I think that there should also be a separate position of prisons ombudsman to receive and act upon complaints by individual prisoners—whether they be complaints by prisoners against prison officers or prisoners against other prisoners—or by officers against other officers. Both prisoner and officer are entitled to basic justice.

During my time as Opposition spokesman, I was inundated with letters of complaint from prisoners. Whether those complaints were valid or not, I could not tell. The only course available to me as a member of Parliament was to refer those complaints to the department, which, of course, is a case of Caesar judging Caesar. It is no wonder that prisoners who find themselves in that situation feel that they have nowhere to go. I think that a prisons ombudsman should be appointed, in addition to the State Ombudsman, to handle those sorts of complaints with a minimum of red tape.

The member for Townsville East raised a very important matter, and I will conclude my remarks by commenting on it. I refer to support services for the families of prisoners. In my experience, the greatest strain of imprisonment is on the prisoner's family, yet the prisoner's family represents the greatest chance for rehabilitation. There is a need for more welfare workers to be employed to liaise with families and friends and to work with officers to rehabilitate prisoners. Visiting arrangements should be as conducive as possible to maintaining outside relationships, subject, of course, to the need to protect the public and officers.

Programs must be introduced to assist those with alcohol or drug dependency. This is a relatively modern problem that cannot be ignored. Every day honourable members read in the newspapers of a defendant's plea that he or she was under the influence of liquor or a drug when an offence was committed. Yet the first thing that many prisoners do on their release from custody is return to their former associates and way of life. The routine is formed again. If these people are to be rehabilitated, it is critical that that cycle be broken somehow. All honourable members would have heard of instances in which a person who ended up in prison because of difficulties associated with alcohol, upon release, returned immediately to the hotel.

Time expired.

The CHAIRMAN: Order! I remind honourable members that the annual meeting of the Commonwealth Parliamentary Association will be held in the Chamber in a few minutes' time.

Mr PERRETT (Barambah) (12.56 p.m.): It is my pleasure to join in this Estimates debate. I will speak about the Rural Fires Board of Queensland.

For 12 months prior to my election as a member of this Parliament, I had the privilege of serving as a member of the Rural Fires Board. I was able to learn a little bit about its operations and the way in which it deals with rural fires in Queensland.

The Rural Fires Board has an important job to do. It was set up back in 1946. In those days the secretary was Mr Dick Healy. Later, Dick became the deputy chairman of the board. I was very pleased indeed to see him rewarded recently by being included in the Queen's Honours List. In those early days Dick ran the board virtually as a one-man show. Today the board has grown to become a very effective organisation in this State.

The aim of the Rural Fires Board is to make every rural fire the responsibility of someone. I believe that the board does a very good job. In the administration of its duties, it also protects rural property and even saves lives from time to time.

The Rural Fires Board has a staff of only 15. Seven people work in the office and eight inspectors work in the field. Those inspectors have a tremendous job to do. Queensland is a big State. Many of those inspectors have to spend a long time in the field, travelling from point to point, looking after the various regions.

I believe the whole system has been built around a voluntary scheme. Today the total membership of the board is about 42 000. I think it is tremendous that so many people are prepared to work in a voluntary capacity in the interests of ensuring the safety of Queenslanders in general.

Fire wardens are usually nominated by the community, because they are considered to be capable of carrying out the duties required. In addition, assistance is provided by the voluntary bush fire brigade system.

Sitting suspended from 1 to 2.30 p.m.

Mr WELLS: Mr Temporary Chairman, I rise to a point of order. Under Standing Order 114, I seek to make a personal explanation, and in the context of that personal explanation, relating to questions that were raised in the House earlier today, I table a document.

Whereupon the honourable member laid the document on the table.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I point out to the honourable member for Murrumba that, under Standing Order 114, the member addressing the Committee, whom I was about to call, that is, the honourable member for Barambah, who began his speech before the luncheon recess, must give the honourable member leave before he can make a personal explanation. I ask the member for Barambah whether he is prepared to give the honourable member for Murrumba leave to make a personal explanation.

Mr PERRETT: I am.

The TEMPORARY CHAIRMAN: As the honourable member gives leave, I call the honourable member for Murrumba.

Mr WELLS: Thank you, Mr Temporary Chairman. I have completed the personal explanation and tabled the relevant document.

The TEMPORARY CHAIRMAN: Order! The member for Barambah.

Mr PERRETT: Prior to the luncheon recess, I referred to the wonderful volunteer structure that exists within the Rural Fires Board. Queensland has approximately 2 200 fire wardens and about 1 500 bush fire brigades, which give rural Queensland a great deal of protection. The board is composed of gentlemen who represent a broad cross-section of all the people throughout Queensland who use fire: the United Graziers Association; the Queensland Cane Growers Council, whose members are big users of fire; the Cattlemen's Union; the Queensland Graingrowers Association; the Local Government Association; the Department of Forestry; and the Police Department.

The Rural Fires Board was established originally to create a system to control rural fire in Queensland and to give some protection over the land. Queensland is unique in its approach to fire management because it uses fire as a management tool against itself. The Rural Fires Board of Queensland encourages burning-off at a suitable time during the year when the risk of damage is low. That, of course, reduces the fuel that would otherwise be available when the weather gets hot and dry.

Queensland has an extremely good record in that fires have not caused much damage or even caused loss of life. Some other Australian States do not believe in our strategy but believe only in extinguishing a fire once it has started. In those States enormous damage has resulted, including the loss of life and the destruction of millions of dollars worth of property.

Not many years ago, disastrous fires occurred in Victoria and South Australia. Extremely bad fires have also been experienced in Tasmania. A couple of weeks ago, fires caused a lot of damage and concern in an area just outside Sydney. If some other States could follow Queensland's example and reduce fire hazards at a suitable time of the year, they might not experience the problems that they encounter from time to time.

Today, the Rural Fires Board carries out its charter by establishing and maintaining a Statewide volunteer bush fire brigade network. It also subsidises on a dollar-for-dollar basis fire-fighting equipment that is purchased by those brigades; it protects its volunteer workers with workers' compensation; it provides insurance on the brigade resources; it provides management, administrative and inspectorial staff; and it provides training, which is a very important part of its charter. Of course, it administers the permit-to-burn system. It is most important that the board has control over the time when fires are lit.

The policy of prevention rather than one of machine-orientated extinguishing of fires has really proved to be an outstanding policy in Queensland. Prevention is the foundation of all of the policies of the Rural Fires Board.

In recent years throughout Queensland, the board has conducted training seminars, which have proved invaluable. Fire wardens and volunteer members of brigades have been able to meet and receive expert instruction on the control of fires and the use of the various machinery for the control of fires.

Mr Davis: Are they a good lot up your way?

Mr PERRETT: Yes, they are very good. My electorate has some excellent fire brigades. Recently a number of them have received some new equipment. I think that the Minister dropped in recently and handed over a new appliance to one of the brigades. The people in my electorate are very thankful that the Minister was not placed in any great danger and that he did not receive any injuries in his plane mishap, because all of them are aware of the good job that he is doing with the Rural Fires Board.

While I am referring to aeroplanes, I point out that the Rural Fires Board in northern Queensland controls aerial ignition. Huge tracts of land must be burnt off fairly quickly. The aerial ignition method is used so that burn-off of vast areas of land can be achieved at the appropriate time. The board uses the strip-burning method to reduce the fuel hazard, thereby allowing a more manageable burning program to be undertaken on private lands.

In recent times the Rural Fires Board has had to come to grips with a problem that has arisen in rural residential subdivisions, many of which involve small acreages. Many of the owners of those blocks are absentee tenants who tend to let the vegetation on the blocks get out of control, which creates a fire hazard. The board is trying to address that problem by encouraging the establishment of bush fire brigades in those rural residential subdivisions. If any sort of protection from fires is to be provided in those subdivisions, a fire brigade is essential. Many of those land-owners do not have the necessary fire-fighting equipment. Many land-holders on larger holdings have dozers, water tanks, pumps, knapsacks, chain-saws and other items that are needed as fire-fighting tools. People in rural residential subdivisions do not always have such equipment. It is important that the board address that problem and provide some protection for those people.

The bush fire brigade system gives protection to about 100 small townships in Queensland which would otherwise not have any protection at all. That is a very important part of the work of bush fire brigades. More people, particularly inspectors, should be sent out into the field. I know that the Minister is considering that aspect. I hope that in the future, when more inspectors are sent out into the field, much of the workload—particularly in training and administration—of the eight inspectors who are presently in the field will be reduced.

The cost of equipment is one problem that must be addressed. During the past couple of years the cost of a second-hand Toyota Landcruiser has risen from \$9,000 or \$10,000 to \$14,000 or \$15,000. Because of the nature of the work that those vehicles are required to undertake, they have to be in perfect mechanical order. In the past the Government Motor Garage has done a tremendous job in maintaining those vehicles. With the change in the operation of that garage, the board now has to pay for the mechanical work that is undertaken on its vehicles. By the time that those vehicles are painted and equipped with the necessary pumps, tanks, etc., they become quite expensive and out of the reach of many bush fire brigades. The only avenue for raising money that is open to those brigades is to conduct events such as chook raffles and country dances. If a brigade wants to raise \$20,000-odd, it has to run a lot of chook raffles. Because the board's subsidy scheme makes it possible for some of those brigades to raise funds and obtain necessary equipment, it is important that that scheme is continued.

Another four-wheel-drive vehicle that has proved invaluable in the control of bush fires is the ex-military vehicle, but it is becoming harder to obtain and more expensive.

The Rural Fires Board operates on a shoe-string budget. Its budget for the past financial year was approximately \$1.6m. However, during the very same period, New South Wales spent about \$40m on its fire services. Queensland's wonderful volunteer fire-fighter system cuts enormously the costs of fire protection. The provision of necessary equipment must be considered very closely, because it is no good a bush fire brigade's fighting a fire if it does not have the correct equipment to do so.

In recent times the board has formulated a development plan that considers the strategies of the board and the rules that it will enforce during the next five years. The board will still adopt the very same philosophy of trying to control the fire before it gets out of control.

A desire exists to involve local government more in the control of fires, which is probably a good thing. Overall, I am very happy with the operations of the Rural Fires Board. Considering the size of the board, the job that it has undertaken is tremendous. Queensland is lucky to have that board. Because they know that it is a must, people in the bush respond to the operations of the Rural Fires Board and dig deeply into their pockets when funds have to be raised to purchase necessary pieces of equipment. The board is a tremendous asset for country Queenslanders and those people living in semi-residential areas.

I compliment the Minister on the good work that he has done. During my short stay as a member of the board, some changes were made to its operation. Bob Barchard moved on to the SES and Bob Swan became executive secretary of the board. The feedback that I have received indicates that the board is going ahead and things are looking pretty good for the future.

Mr WHITE (Redcliffe) (2.45 p.m.): It is with pleasure that I take the opportunity today to speak in this Estimates debate.

Mr Davis interjected.

Mr WHITE: I am reliably informed by the member for Brisbane Central that this is the first time since 1983 that these Estimates have been debated. Perhaps the Minister might care to correct me if I am wrong; however, I understand that is the case.

Mr Davis interjected.

Mr WHITE: The member for Brisbane Central has always been very helpful to me with his advice, for which I thank him.

It is rather refreshing to see what has happened in this portfolio since Mr Cooper took over the reins. At the outset, I take the opportunity to express my appreciation of the efforts of himself and his departmental officers and the activities of Mr Jim Kennedy. The administration of prisons is probably the most difficult of that of any Government department. Having had responsibility for prisons for three years, I know from my background that it is very difficult to do the right thing all the time. One week the media is critical of a Minister for being too tough, and the next week it is critical of him for being too soft. One can never win. It is very easy for members of the Opposition, the media and various people in the community to issue forth with criticism of the administration of prisons.

An examination of the records of Ministers who have served in the prisons portfolio throughout Australia over the years reveals that not too many of them have lasted very long. It has been the end of many of them. I reflect back on Rex Jackson, who was my counterpart in New South Wales. He eventually bit the dust. I say to Mr Cooper that if he can survive in this portfolio for a reasonable period, he is doing well.

In recent times the Minister has been criticised because people have escaped from some of the prison establishments. Unfortunately, that is part and parcel of the prison service. I do not think that will ever be completely overcome, because when people are locked up, particularly when they do not have much to do, the ingenuity of mankind evolves and they find ways and means to try to cause trouble or escape. That is why

the thrust of the Kennedy recommendations is so important. As I understand it, the basic thrust of those recommendations is not only to upgrade the facility and the resources but also to provide programs and activities that will reduce the rate of recidivism in the prisons area and create the opportunity within the prison system for people who are unfortunate enough to be there to rehabilitate themselves so that when they are released into the community they have a far better chance of not returning to gaol. I understand that at the moment the rate of recidivism is running at about 57 per cent. That is a very high figure. To me, despite the hard-nosed critics of prison education and prison reform, it makes very good community and economic sense to do all that is possible for people while they are incarcerated.

Over the years it has not been fashionable to be a reformist in the administration of prisons, particularly in Queensland. During the three years that I had the privilege to be responsible for prisons, with due modesty, I felt that some progress was made. As I have said on a number of occasions, basically, the prison system was brought from the nineteenth century into the twentieth century, and Mr Cooper and his colleagues will take it further. It is a matter of some regret that, because of the way in which they handled the portfolio, the Minister's two predecessors did not add a lot of lustre to their careers. I refer particularly to some of the outbursts that were made at the time, which did nothing to help the system. But that is history.

Mr Newton interjected.

Mr WHITE: I do not mind taking some credit. I am glad that the member for Glass House interjected because all of us who were involved in the Prisons Department, particularly in those years, put one hell of an effort into it. I might say that none of us received many thanks for it. However, many good people worked extremely hard, and I do not mind passing credit on to them. I am pleased to see that Mr Jones is in the lobby. Many other officers also played a role. Mr Lobban is still actively involved in the system. He did a marvellous job at Westbrook when that centre was having difficulties.

For the benefit of those people who have not been in the hot seat, I make the point that taking responsibility for prisons is not an easy job. It is very easy to be critical of the administration. That comment applies no matter who is in power. The prison system in New South Wales was a burning siege during the years that Jackson and his predecessor were there, and the same was true in Victoria. I am not quite sure of the position in South Australia, but that State certainly had its difficulties.

Despite all the criticisms, at least the prison service in Queensland did not degenerate into the state that the systems in New South Wales and Victoria did. For that reason, there is now a basis on which we can look to the future and hopefully develop a system that will certainly come down extremely hard on hard-line criminals and people who do not want to co-operate within the prison system. Those people should be shown no mercy. If they are not prepared to play a constructive role in rehabilitating themselves, doing something useful in that direction and not being a nuisance to the prison administration, the full force of the prison administration should be applied. Equally, those people in the system who have a positive attitude and want to do something about improving their lot in life should be given every encouragement and support.

I regret that during the three years in which I was responsible for prisons I was not able to do more. Nevertheless, a start was made, certainly in the area of education, community programs with half-way houses, the fine-option program, and so on. I find very exciting the changes that are occurring. All of us who have an interest in this area can look forward to an improvement in the future.

One of the major problems that has to be addressed—and I always had some difficulties with this with my former colleague, who was then the Minister for Justice—concerns sentencing options. I think—and this is a fact of life, anyway—that many people who are incarcerated for minor offences should not be so incarcerated.

I am not sure about the fine-option program, which was designed to keep people who did not have the wherewithal to pay a fine of \$25 or \$50 out of gaol. When I was

in charge of the portfolio, I found that to be quite abhorrent, and I attempted to redress the matter with legislation, which I understand has not been entirely successful. Statistics contained in the annual report and published by the ABS indicate that from 1979 onwards the level of crime reached a plateau where it remained until 1983 when an escalation occurred. I suspect that the indication given by the figures is correct because crime and violence are on the increase.

Although I do not wish to discount the factor of increased offences, I believe that a significant number of people are being incarcerated for a first offence. I believe that people who have committed minor offences or even second offences of a minor nature should not be sent to gaol because such a person, after all, would have to bear the stigma of having a record. The personal impact on the individual is not the only consideration because, perhaps more importantly, it is the family of the prisoner—the wife and children—that in many respects suffers more than the person who is incarcerated.

Many times in this Chamber I have declared myself to be a person who does not want to go soft on hardened criminals. Nevertheless, I think that the Government should look at the range of sentencing options that are available to the magistracy and the judiciary—particularly through the administration of the Justice portfolio—to examine whether other options can be developed to keep minor offenders and people who do not present a danger to society out of the prisons system.

The increase in the figures is alarming. All honourable members would know that in recent years the size of the prison population has gone out of control. By its commitment to undertake the construction of new prisons through the Capital Works Program, the Government has responded positively to address that problem. Although it is inevitable that gaols will become overcrowded, I suggest that if alternatives to sending people to gaol were available, everybody would be better off if those options were examined very carefully.

Problems associated with prisoner rehabilitation will never be resolved in their entirety, especially if those problems are of a psychiatric or psychological nature. Having conceded that, I point out that a recidivism rate of 57 per cent is unacceptable. The commitment made by both the Minister and Mr Kennedy to education and various other programs that have been recommended should go a long way towards improving that position. I understand that those programs have been accepted by the Government.

Every week more than 90 supposedly rehabilitated male prisoners leave Queensland gaols. The reality is that many of them are released from prison with a negative attitude that they develop while in the prison environment, not with a positive attitude. In other words, they tend to be led, as it were, by the bad example shown by many other prisoners.

The Minister has been very firmly of the view that young people who are admitted to gaol should be accommodated in separate facilities. It is a terrible state of affairs when a young person who enters the prison system is sodomised and harshly treated by hardened criminals within that system. My view is that if former prisoners are continually refused help, their resentment and bitterness will persist. Let us hope that the changes that are proposed will go a long way towards providing assistance for those people.

One of Mr Kennedy's recommendations was that inmates under 18 years should be taken immediately from maximum security prisons—in particular, from the Brisbane Prison, as I mentioned earlier. The idea is to avoid contact between those young people and the homosexual "heavies" that are to be found in the system.

I commend the Government for facing up to the problems of administering this very difficult system. I believe that there is room for further improvement, but I acknowledge that changes cannot be made quickly. Dramatic changes cannot be made overnight when a Minister is trying to run a prison system, but changes can be phased in progressively. A great deal of the success in implementing changes is dependent upon the dedication and the ability of the officers who manage the system. It would not matter a damn how much parliamentarians waffle on in George Street about reforms or how

much the do-gooders are critical of the way the system operates, in the final analysis the efficacy of the system will depend largely on the capability, education and commitment of officers at the workplace. To my mind there is no doubt that a very fine line has existed between some of the crims and some of the screws, if I may use the vernacular, although I hasten to add that it only occurs in a minority of cases. I hope that the establishment of the prison staff college will assist in upgrading the ability of the staff.

I was always very proud of the efforts made by Tom King and the officers at Woodford Prison. Although not everyone was a fan of Tom King, he certainly knew how to get the community onside with the prison service and was able to demonstrate—particularly in the electorate formerly represented by Mr Newton in the Caboolture area—the support of the community for the prison service. I could probably speak at length about the good works that emanated from the Woodford Prison that were made possible by the concurrence and support of the community brought about partly because of the community's recognition of the important role played by the prison service. Most important of all, that community role continues to give prisoners the opportunity to do something constructive and gives them a great sense of pride, fulfilment and achievement in building places such as Camp Bornhoffen. Recreational and sporting activities are another plus for prisoners because they are occupied with something that is positive rather than ruminating about their own problems and what they will do when they leave the prison system.

During the recent debate on the prison service the question of privatisation came to the fore. I do not have any objection to that. It is an option for any Government. It has been carried out overseas with some degree of success. I am not suggesting for one moment that the whole system be privatised, but that is an option that should not be pushed to one side. It might be worth while when considering the establishment of a new isolated prison.

I understand that the appointment of Brigadier Formby has brought with it some criticism from the unions. I find it hard to understand that criticism, because over the last year the unions—and I refer particularly to the prison officers section, as distinct from the State Service Union—have not been helpful, to say the least. At times I wondered why the State Service Union puts up with the prison officer section, because it is more of a hindrance than a positive contribution to the system. Today any union that wants to survive has to look towards the future and be concerned about the upgrading of its performance and productivity and the education of its members. The prison officers have not done that and have been preoccupied with rorting the system by means of overtime, etc. The alarming escalation in the amount of overtime has always been a problem. Over the years there has been considerable rorting of overtime, but no doubt Mr Kennedy with his business background is already aware of it and will take it on board.

Changes are occurring within the Queensland Prison Service which will be for the benefit of society. All honourable members should be fair and acknowledge that the Minister has been prepared to bite the bullet. He has the support of Cabinet and I hope that that continues. His ability to bite the bullet has not gone unnoticed by the media because there has been speculation of further advancement for him. I hope that his colleagues in Cabinet do not get too jealous. Perhaps some of them could take a leaf out of the Minister's book, start to reform their portfolios and do a more constructive job.

I wish to comment about the review of the State Stores Board and the Government Motor Garage. Expressions of interest for a review of State Stores is under way. There is an enormous amount of money involved and I am sure that there are more efficient and better ways of handling State Stores. Over the years one of the things that small-business people have always criticised the Government for is the fact that so many of them are not given the opportunity to supply the Government with various commodities. I hope that consideration will be given to allowing small-business people to supply the Government.

Finally, in recent times there has been the argument about the Government Motor Garage. I have always advocated that it should be privatised. It is beyond my comprehension why this Government wants to operate a garage. The honourable member for Aspley is not in the Chamber, but she was blabbing about the Government Motor Garage, and the fact that it is to be commercialised. I do not know what that means, but the reality is that it is absolutely ludicrous for the Government to run a garage. The Government will be running ice-cream shops before long.

Mr Davis: Or chemist shops.

Mr WHITE: The Government tried to run chemist shops and butcher shops and it went broke. If the Opposition was in office it would try as well. However, I make the point that it is time for change.

Mr NEWTON (Glass House) (3.05 p.m.): I have pleasure in taking part in this Estimates debate and I congratulate the Minister on the sterling job that he is doing on the revision of the prison system. People in my constituency appreciate what the Minister is doing and he is liked for that.

I am one of the members of Parliament who has a prison in his electorate. I look after the prison. It is a model prison and I hope that Mr Kennedy's report will result in a better prison service.

Mr Yewdale: You have never been there to see that.

Mr NEWTON: The honourable says that I have never been to the prison, but I make it a practice to visit it quite often.

I congratulate the Minister for taking the matter in hand and appointing Mr Kennedy to carry out a review of the prison service. I hope that Brigadier Formby will be able to sort out the problems in the service. I have visited every prison in Queensland. I served on the previous Minister's committee and now serve on the present Minister's committee. I have visited the site of the new prison on the Atherton Tableland in north Queensland. I have seen the prison develop from an open paddock to the present stage of construction. New prisons, such as Borallon and Wacol, cost this Government a great deal of money. The establishment of these new prisons is to the Government's credit. It shows that the Government is interested and is doing something about overcrowding for the benefit of prisoners. The Government is not being soft on prisoners; it is providing the amenities for prisoners that people want. I hope that that fact is appreciated by the Opposition.

When the corrective services commission is established, I hope it receives the full backing of the Opposition. I hope that the Opposition agrees that what is put forward will put the State's prison system at the forefront of corrective services. I was in Townsville for the opening of the new women's section of the prison there. The amenities in those new cell blocks are a credit to the Works Department and the prison system. Certainly no-one can say that they are anything like those in the bad old type of system. It is quite an open area. The amenities that have been provided for the prison farm workers are very good. Undoubtedly prisoners are in that institution to be corrected, but they should have good amenities. I accept the comment of the member for Redcliffe that people must remember that prisoners are in the system to be corrected; we cannot be too soft on them. At the same time, we hope to make them better people by the time of their release into the community.

I have been to the Woodford Prison and have seen what is involved there. I will not use the term "a little give and take", but if prisoners know that they are in prison to be rehabilitated, they have pride in the work that they do. At Woodford most of that work is on the farm. Many people do not realise that the prisoners are on trust when they work at the vegetable farm at Woodford. They do a very good job there.

Mr Davis: Have you had any prisoners working on your property collecting pineapples or papaws?

Mr NEWTON: No.

Some time ago, a prisoner at Woodford who was a former pineapple-farmer commenced a pineapple project for the Woodford Prison. At present, that pineapple patch supplies produce to a number of the other prisons in the State. The Woodford Prison also has a large orchard, with papaws, persimmons, oranges and mandarins.

Mr Davis: I don't like persimmons.

Mr NEWTON: That may be so, but many people like them.

I hope that the produce is put through the system. By doing this, prisoners learn how to tend the young plants, make them grow and how to spray to keep insects under control. That is a great form of rehabilitation for prisoners. It is certainly better than being behind bars. Even though the prisoners are out on the farm, they have to serve their time inside the wire fence—I cannot say “behind the walls”, because, as I have said before, Woodford Prison has no high walls. In fact, a person can see straight through from one boundary to the other. It is certainly easy for anybody to see what goes on at that prison.

Mr Prest: A hole to escape through.

Mr NEWTON: Those problems occur from time to time. Even the best enclosure will not stop certain prisoners. However, the staff do their best to stop escapes. I admit that the system could be tightened up, but every prisoner must be shown a certain amount of trust.

Mr Davis: They have not got a bad football team in that prison, either.

Mr NEWTON: I was coming to that.

I have seen the prisoners at work at Woodford. They have pride in riding their horses to bring the stock in. They milk the cows. They are trusted prisoners. There is only a barbed-wire fence as an enclosure. The prisoners appreciate being able to work on the farm, which is outside the prison's wire fence. I give credit to all the warders, who play their part in trying to teach the prisoners to care for the farm implements, such as the tractors.

Mr Davis: There is an old saying: iron bars a prison do not make.

Mr NEWTON: That is right.

I have seen the workshop at Woodford. Many of the prisoners are learning how to weld. I must give credit for the community work done by the prisoners at Woodford. At the prison they welded the entire frame for a scout hut. They then transported it to the site and bolted it together. They have also helped in the construction of a pensioner unit and have done a great deal of work at the showgrounds for the show society. I know the public in my area appreciate having that work done. I hope that the public do not fear that the prisoners are not doing the right thing. The prisoners are also doing some work on the Shaftesbury citizenship centre, which the Reverend Allan Male is building in the Caboolture electorate. That will become a show-piece of what can be achieved by a combination of community and prison workers.

Mr Davis: The Reverend Male, a former National Party candidate.

Mr NEWTON: Regardless of that, he does a lot of good in the community. I am not knocking Reverend Male. Whether he supports the National Party or the Opposition, he is doing a lot of good in the society. When the Shaftesbury centre gets under way, people will see what he has put into society.

Mr Davis: I am sorry, I made a mistake before. It is not an iron bar; it is: a stone wall a prison does not make.

Mr NEWTON: The member for Brisbane Central is getting his items of interest mixed up.

Mrs Gamin: Tell him to get his quotations right.

Mr NEWTON: Yes, he should.

I wish to also touch on the Government Motor Garage and the Government Printing Office, with its Goprint operation. Mr Hampson's work-force over there does a great job. Those instrumentalities have been around for 73 years and 126 years respectively. Little publicity or attention was given to either of them until the Government announced that both would operate on a commercial basis as from 1 July this year. I was with the Minister for the opening on that day and I saw what was involved there.

As well as overseeing the Government's vehicle fleet, which has an estimated market value of some \$192m—that is where a lot of tax-payers' money goes, but that is what is involved—the Government Motor Garage provides professional and technical services to the State's departments and authorities. Some of the services are mechanical engineering consultation, mechanical and auto-electrical repairs and panel-beating and spray painting, to name but a few. Although that technical expertise is highly regarded, I find some other functions performed by the garage quite impressive.

In 1982, a garage apprenticeship training school was established. That school provides basic and specialised training for its own apprentices, as well as apprentices employed within the private sector. Next year, the garage hopes to reach its full complement of apprentices. I give full credit to that apprentice training scheme. I hope that those apprentices eventually enter the private sector and do well. The scheme will be music to the ears of young men and women who wish to pursue a worthwhile career in one of the trades offered at the garage.

The second initiative which has far-reaching benefits to the community is the refurbishment and the rebuilding of used Government and ex-army equipment. That point was made earlier. To date, the Government Motor Garage has provided bush fire brigades, through the Rural Fires Board, with 88 fire-fighting vehicles. Another 22 units are currently undergoing refurbishment. The Toorbul community in my electorate has reaped the benefit of that refurbishment program. In 1983, a refurbished fire tender was made available to the Toorbul bush fire brigade. Rural fire brigades play an important role in rural communities.

The State Emergency Service has been provided with modified equipment such as rescue and transport vehicles, flood boats and trailers, and caravans for mobile headquarters and display purposes at a fraction of the new cost—less than 20 per cent.

Recently, a restoration project was completed for the National Parks and Wildlife Service. That project entailed the restoration of a 1925 International truck chassis and a second spare-parts chassis, which were purchased for approximately \$1,000. That \$1,000-worth of junk was transformed into a magnificent 1925 vintage motor bus. That bus, now valued at approximately \$100,000, will be used for tours on St Helena Island.

Mr Davis: Do you have a photograph of the bus?

Mr NEWTON: Yes. I cannot incorporate it in *Hansard*, but I have a photograph of the bus which I took on that ill-fated day that the Duchess of York was to visit the island.

Mr Davis: You should table it and put it in *Hansard*.

Mr NEWTON: I almost tabled it so that the honourable member could have a good look.

That project was a great effort. If apprentices learn how to refurbish old trucks, it will be a great benefit to the community.

Mr Casey: Did they have to renew the spring shackles on it?

Mr NEWTON: I did not look underneath the vehicle to check the spring shackles. However, I presume that they were fixed up. When those vehicles leave the garage, they must be safe.

Mr Yewdale: Is the vehicle registered?

Mr NEWTON: I could not say. I did not notice the number plates.

The recent occasion at St Helena Island was a great day. It was a shame that the hovercraft broke down on the river. However, the people who were on the island had an enjoyable time.

Mr Casey: What you are saying is that with all the modern technology the only thing that kept going was the old 1925 International.

Mr NEWTON: That is true. The hovercraft broke down, but the old 1925 International was going like a beauty. Many people travelled round the island in it that day. That restoration project underscores the tremendous skill of the garage personnel. They should be highly commended for their dedication to the task.

I now draw the attention of honourable members to Goprint. I attended the opening on 1 July. As indicated in the Minister's speech, Goprint has undergone several changes. A new corporate image has been developed, with emphasis on improved service delivery and, most importantly, financial self-sufficiency. The Queensland Government Printing Office is moving towards privatisation, which I support. Professional marketing is a high priority for Goprint. Recently, a marketing survey was carried out to ensure standards and services expected by clients were currently being met. A further emphasis on efficiency is evidenced by Goprint's embarking earlier this year on a series of projects under the banner of "Project Excellence". I realise that members of the Opposition do not like the word "excellence".

Mr Davis: Did you know that the printing office today just about had a strike?

Mr NEWTON: No. The unionists there said that they were happy to go along with it. They have pride in their work and they would not go on strike.

Through those projects, teams of volunteer staff were trained and through the training programs a wide range of proposals were developed to improve services. The proposals, subsequently endorsed by Goprint management, are currently being introduced. The commitment of both management and staff to efficiency and effectiveness will continue through a major quality improvement program to be introduced later this year.

Further productivity improvements will continue to be achieved through planning and ongoing investment in new technology. I hasten to add that some of the older equipment is still in good condition. For example, an improved computerised production control and scheduling system will enhance control on delivery items. Ongoing improvements in apprenticeship training are such that Goprint is now able to claim both trainee and apprenticeship craft rebates. That is a first for any printing organisation in Australia, and another first for Queensland. I am very pleased to say that these improved standards of training and subsequent retraining requirements emphasise management's focus on the priority of maintaining a highly skilled employee resource.

Commercialisation has provided the Government Motor Garage and Goprint with new challenges. These organisations now have to compete with the private sector on a costing, service and quality basis. Emphasis is placed on quality. Rationalisation of the public sector is a commitment that the Ahern Government is prepared to meet. I believe that the Government Motor Garage and Goprint are excellent examples of this streamlining process in operation.

This morning I spoke to a member of Parliament from New Zealand. He was quite taken with the Queensland pavilion at Expo and the display of the various areas of ministerial responsibility. He is going to take some literature back to New Zealand with him. I have in my possession a booklet on the Corrective Services portfolio. It is a very good booklet. It outlines what the Corrective Services portfolio entails.

Mr White: What about the Newton mango?

Mr NEWTON: That comes under the Primary Industries portfolio.

The Queensland pavilion at Expo is another first for Queensland. It is great to visit that pavilion and see that the Government is forging ahead with new technology. That pavilion is showing the new technology to the world.

As I was saying, this very good little booklet contains details of the Corrective Services portfolio. Members of the Opposition would do well to read it. If they apply to the Minister's department, they may be able to obtain a copy.

I congratulate the Minister on his sterling performance. I congratulate also members of the Minister's staff such as Peter Jones. I should not mention individuals, because all the staff do an excellent job.

I hope with the additional moneys that will be allocated to the prison system and the new services that will be provided for the inmates, the Queensland National Party will be seen as providing the amenities necessary for correctional institutions.

Mr PREST (Port Curtis) (3.25 p.m.): I have great pleasure in joining this Estimates debate. I do not want to take up the time of the Committee in talking about prisons and their inmates. However, I must impress upon the Minister that the new prisons that his department is constructing will have to be first-class facilities because this time next year they could contain a few VIP inmates who have become used to the very best of high-class living.

I ask the Minister to tell me how a prisoner could be sent to Etna Creek from Boggo Road gaol when he had escaped from the Numinbah Prison Farm. That prisoner was given an extra eight months for his part in the riots at the Boggo Road gaol last year. Now he has been sent to Etna Creek, which is a low-security prison.

Mr Cooper: No, that is not true. It is maximum security.

Mr PREST: It is maximum security, is it?

Mr Cooper: My oath!

Mr PREST: People are concerned about that case. I do not know a great deal about the workings inside prisons, so I will accept what the Minister says.

Fire services have received very little attention during the debate. I want to make a few comments about fire services and, in particular, the fire services levy.

When one reads the 1987-1988 annual report of the State Fire Services, one becomes very concerned. The Minister said in this Chamber—

“In 1984, the insurance-based system of funding fire services was changed to a property-based levy system. Any new system is likely to have some difficulties, and it has been necessary to make a number of adjustments to the property-based levy system to correct anomalies and eliminate problems. This has been a difficult period and has resulted in cash-flow difficulties and deficit funding. Nevertheless, the debt, which at 30 June 1987 was \$33.3m, has been reduced to \$32m and further reductions are planned for 1988-99.”

Honourable members must not forget that the household levy was increased last year from \$48 to \$72. That is a 50 per cent increase. The receipts for 1986-87 from property-owners' contributions were \$48,795,077. After the massive increase in the householders' levy, the receipts for 1987-88 were \$66,961,213.

As there was an increase from \$48 to \$72, one would have thought that, if everything was fair and above board, the receipts should have been \$72m. It looks to me as though there is a shortfall and that the property-owners are paying a major portion of the money to keep the State's fire services functioning. That is causing me concern.

When this fire levy was introduced in 1984, honourable members were told that a great number of large industrial companies and other big firms were not insuring within the State and were avoiding paying the fire levy by taking out their insurance interstate or off shore. When the second stage of the levy was introduced, the Government was

going to catch all of those companies. They were going to make a contribution and there was going to be a massive amount of money coming into the system. Instead of a deficit, there was going to be a massive surplus and the Government was going to be able to keep the levy at \$48. It was going to be able to hold the levy at that rate, even allowing for inflation, because so many companies that were not making a contribution under the insurance scheme were going to be made to do so.

Last year, when the massive increase in the fire levy was imposed on house-holders, many councils said that they would not issue notices to collect it. They were very promptly told by the Government that they should remember that they were receiving about \$1.80 for every levy that they collected. It appears that at that time the councils were told by Mr Neal that they were going to be asked to pay the State Government up front and that if they did not collect the levy they would have to carry the debt. Immediately the councils went to water. Those councils that were going to be so strong and so forceful—let us not forget that they are all dominated by the National Party——

Mr Cooper: Ha!

Mr PREST: They are. The councils went to water and collected the levy.

On 16 January, an article that appeared in the press, under the heading “Fire levy warning: pay up or face court”, stated—

“Thousands of Queenslanders will be prosecuted if household fire levies are not paid by May 1. At least two councils have reversed a decision”——

there were many more——

“last July not to charge the levy when it went up 50 per cent—from \$48 to \$72.

The Redcliffe Town Clerk, Mr Greg Enright, said yesterday if householders did not pay the 1987-88 levy by the deadline, legal action would cost each offender a minimum of \$70.25 extra in court costs.”

Instead of paying only \$72, they would pay another \$70-odd in court fees. The article continued——

“‘If you want to be bloody-minded about it, well that’s your choice. But I think the chances of anybody winning in court would appear very remote.’

Mr Enright said the council told ratepayers last September it was reluctant to take action against those who refused to pay the levy.

‘But we indicated there would be follow-up procedures and at a later meeting we looked at the situation again in respect of arrears on properties,’ Mr Enright said.

‘We found \$300,000 or 24 percent of the total levy still owing. We decided to prosecute.’

Mr Enright said 4000 of Redcliffe’s 16,000 property owners still owed money. The debt was now \$200,000 or 16 percent of the total levy.

. . .

The Gladstone Town Clerk, Mr Brian Hunter, said yesterday his council had been forced to go back on its refusal to enforce the new charges.

‘This was because of the abysmal lack of support from other councils,’ he said.

‘They indicated they were going to give support and then backed down. We were left high and dry.’

Other councils which had reportedly refused to pursue the debts were Mount Isa, Rockhampton, Townsville and Pine Rivers.

Mr Hunter said the Gladstone council’s most recent levy invoices were sent two months ago. ‘About \$260,000 is outstanding, but I’d have to go back to council for direction before I’d decide to prosecute,’ he said.

The levies were introduced by the former Administrative Services Minister, Mr Neal, to save the fire services fund from a debt of more than \$40 million.

His successor, Mr Cooper, said last night councils were paid a fee (about \$1.80) to collect the levy from each ratepayer.

'It is up to the individual council to solve any problems in its own way', he said.

Mr Cooper said the future of the levy system would be decided before May."

In May this year, the following article appeared in the press—

"The Queensland Government will sue thousands of householders and business operators who have not paid fire levy charges.

The Administrative Services Minister, Mr Cooper, yesterday said \$6 million in levies was outstanding."

That was a come-down. It does not show that there was a deficit of almost \$18m in the first year. Just prior to that it was mentioned that the debt was \$40m, yet the overdraft was \$33m. The Minister now says that only \$16m in levies is owing.

I would like to know exactly how many ordinary house-holders owe the fire services levy and the total amount involved. I ask the Minister to inform me of the amount of money owing from the commercial sector and what action is being taken to recover it. Mr Cooper said that the levy imposed on property-owners would increase by 10 per cent for small businesses and by 15 per cent for larger businesses.

It cannot be denied that during 1985, 1986 and 1987 increased fire levies were gazetted. I am very concerned that the ordinary house-holder is bearing the brunt of the levy and paying the major part of the amount collected in the form of fire levies in Queensland. Mr Cooper confirmed that this year the levy on domestic properties would not increase from \$72. He said that small business and industry faced a 10 per cent increase in the fire levy and that larger businesses faced an increase of 15 per cent. The fire levy deficit is almost \$32m. Honourable members can rest assured that if a fair and equitable system is not introduced for the house-holder and the business sector, within 12 months the house-holders' fire levy will be increased. Although the Minister said that there would be no increase in the fire levy this year, I am certain that he will not challenge that there will be an increase in the fire levy this financial year.

It is pleasing that Mr Belcher is now the Commissioner for Fire Services in this State. He has said that one of his first priorities is to conduct an investigation into the State's 81 fire boards to see whether they can be amalgamated. The aim would be to maximise the use of the available resources and staff. Any amalgamation that might eventuate would not mean the loss of jobs but would lead to greater efficiencies of service. I do not intend to criticise a person whose intention is to fully utilise resources while still maintaining staffing levels. I am certain that that amalgamation will lead to a drastic reduction in the number of fire brigade boards. Some fire districts have more board members than firemen. I agree with Mr Belcher's intention to amalgamate some of the State's 81 fire brigade boards.

I turn now to the storage of dangerous chemicals in this State, which must be of great concern to firemen, the United Fire Fighters Union and the general public. On many occasions, firemen who are called out to fires at warehouses and factories do not have a clue about what may be stored inside. It is high time that the Minister did something about ensuring that some form of a notice is erected on those properties advising the types of chemicals that are stored there. If that were to happen, I am sure that firemen would be able to do a better and safer job and would have greater peace of mind.

I remind honourable members of the petrol tank that ruptured in Brisbane mid-year. Because that incident threatened to create a very dangerous situation, it caused concern not only to people living in the near vicinity but also to firemen and the general

public. I give great credit to all of the people who were involved in securing that leak and ensuring that the operation was carried out without a hitch.

For the past 30-odd years I have lived close to a fuel tank depot. Following that incident in Brisbane, local councils, which inspect those tanks, decided that they would inspect all of those types of facilities throughout the State to ensure that they were safe. At that time I rang my local council and asked, "Who does your inspections?" The reply was, "No-one. We don't inspect them. Perhaps the health inspector does that." When I spoke with the health inspector, he said, "We check to see if there are a few fire-extinguishers around." But they do not climb up on to those tanks to see if they are rusted or what they are being used for.

The port of Gladstone is a very large petroleum port. If there is inadequate supervision of those storage tanks, an incident similar to the one that occurred in Brisbane could occur in my electorate. Something should be done about the storage of chemicals in tanks to ensure that a repeat of that incident does not occur.

This morning, honourable members were told that the Gold Coast has a problem in that many of its high-rise buildings are virtual fire-traps. No doubt when some of those buildings were erected Mr Tenni would have been the responsible Minister. In October 1987, the National Safety Council ran a fire-safety course covering high-rise buildings. The council issued invitations to more than 200 property-owners, but they were so uninterested that only 30 people attended that course.

Before approval is given for the occupation of high-rise buildings, local governments should arrange for inspections to be carried out to ensure that those buildings contain the necessary fire-fighting equipment. Many high-rise buildings on the Gold Coast are unsafe, which places firemen and the general public at great risk in the event of a fire. The first consideration in fire-fighting must be to ensure that no lives are lost. That can be achieved only if the buildings in which people live and work are safe and contain the necessary fire-fighting equipment. Unfortunately, inspections to ensure that that is the case are not carried out.

Honourable members have seen what happens overseas when massive buildings catch fire and people are trapped with no way out. We do not want that to happen on the Gold Coast, which is a major tourist resort in Queensland. In fact, we do not want a major fire to occur anywhere in Queensland. Inspections of that type must be carried out immediately.

Mr HINTON (Broadsound) (3.45 p.m.): It gives me pleasure to support the Minister for Corrective Services and Administrative Services in the debate on the Estimates of his portfolio. I echo the comments made by the other speakers about the quality of the work that the Minister has done since he became responsible for that portfolio. He has been particularly outstanding in his responsibility for prisons. I am as impressed as other speakers are with the report that was brought down by Mr Kennedy. It is an extremely impressive document. I believe, as the Minister has claimed, that it will revolutionise the prison system. It will lead to a far better system in Queensland gaols.

In my electorate, just north of Rockhampton, is Etna Creek Prison. I was very pleased to have accompanied the former Minister, Mr Don Neal, through that gaol. We had a good look at all of its facets, including the farming operations and the security area. I appreciate Mr Neal's consideration in allowing me to accompany him on that tour.

I am very pleased with that gaol. I was extremely impressed by the discipline that I saw in the gaol. The officer in charge at that time was Mr Bill Irvine, who is now at Boggo Road. In recent times he has travelled between several gaols trying to improve the system. He has certainly done a tremendous job at Etna Creek, as has Mr Ian Neil. As I said, I was very impressed with the discipline that I saw.

Earlier I heard the member for Redcliffe say that in some of the gaols—and possibly Boggo Road by reputation—the situation is such that it is difficult to distinguish the prison officers from the inmates. I can certainly assure honourable members that that

is not the case at Etna Creek. There the prison officers are of a very high standard indeed.

The prisoners have a heavy responsibility within the community. The community work that they carry out in The Caves area, where the prison is situated, demonstrates that. Part of that community work is carried out in relation to a Fieldfest and a Leisurefest that are held in alternate years. This year the Leisurefest was held. It is an exposition that is run by the gaol in association with two Lions clubs in the area, namely, The Caves Lions Club and the Mount Archer Lions Club from Rockhampton, as well as radio station 4RO from Rockhampton. The area in which the exposition is held has 100 sites that have water and power laid on. Those sites have been put there by the prisoners. This year the exposition was opened by the Minister. On that occasion I was very pleased to accompany him. Even though he did not see a large number of people there, I can assure him that more than 10 000 people visited the exposition over the week-end on which it was held. The people who attended would have been well pleased with the standard of facilities provided by the prisoners in co-ordination with those community groups. That is the sort of work that prisoners can do in the community if they are properly organised.

Prisoners from the Etna Creek Prison also do a great deal of community work in the surrounding district. The town of The Caves is the great beneficiary. In that town the prisoners have restumped buildings and tended the gardens and the surrounding area. In fact, a couple of years ago The Caves won the Tidy Towns contest. That win may not have been attributed to the prison, but certainly the prisoners did a tremendous amount of good work in bringing it about.

The Etna Creek Prison has an excellent farming complex. It contains a dairy, a piggery and also a beef cattle section. That is very important for the rehabilitation of the prisoners. I am very proud that the officer in charge of the piggery, Mr Des Thiediche, was one of my employees for quite a few years. He left my property and became the officer in charge of the piggery. He has built that piggery up to a very high standard. It is certainly a useful adjunct in the rehabilitation of prisoners. It gives them a worthwhile and satisfactory occupation.

Today the member for Tablelands advised me that the new gaol at Mareeba, which will be opened in May, will also have a dairying section, a piggery section and a beef cattle section. In fact, that gaol will conduct open days when people will be able to look at those facilities prior to the prison's opening and prior to prisoners' occupying those areas. That is very good. The more members of the public who inspect gaol facilities, the better. That is particularly so in relation to young offenders. If many of our young people were to see what gaols contain, it certainly would be a strong deterrent to them against any petty crime or pilfering that they may engage in, perhaps prior to leading to a more difficult career, if they in fact chose to go down that particular path.

With the farming facilities at Etna Creek gaol being close to Rockhampton and close to the CIAE——

Mr Davis: Have you been there for that court case of yours yet?

Mr HINTON: I will ignore that.

As I was saying, as the gaol is close to the CIAE at Rockhampton and also the Department of Primary Industries, there is a real opportunity for the gaol to be used in another way. In fact, I would like to see the farming section at Etna Creek developed as a computerised farm for the benefit of the rural community so that farmers could utilise the gaol computerised facilities to a full extent. The farm could be used as a demonstration model, and classes could be held for the farming community.

Computerisation in the primary industry field is certainly available, but in reality, for the majority of the farming community, it has hardly got off the ground. If the gaol had a demonstration project that utilised the DPI and the CIAE, which have the expertise and the enthusiasm, a program could be commenced that would be of great benefit to

the prison, the prisoners and also the surrounding community. I am pleased that the Minister is in the Chamber. I believe that such a project would be valuable addition and something that could be put into effect for the benefit of the community.

Mr Cooper: What type of farm?

Mr HINTON: A computerised farm should be established at the Etna Creek Prison as a demonstration model. In Rockhampton, the CIAE is located near the Department of Primary Industries, whose facilities are very handy. A great deal of enthusiasm has been expressed for the project and considerable expertise is available to put that proposal into effect. A computerised farm model would certainly be a worthwhile asset to the area and adjunct to the prison.

I have examined the recommendations contained in the Kennedy report. I must say that the findings of the report and the recommendations, if adopted, will certainly create a revolution in the administration of the prisons system. I am very pleased that the Minister and the department have taken cognisance of those recommendations. As a father of teenagers, I am concerned about the treatment of young prisoners and prisoners convicted of minor offences. The report states that young prisoners should not mix with hardened criminals because, in the final result, they learn the tricks of the trade. I strongly support the findings of the Kennedy report. People convicted of minor offences and fine-defaulters should not mix with adult prisoners or hardened criminals. If that action were taken it would reduce the risk of young prisoners being sodomised or being subjected to negative influences that may affect their lives permanently. It shocked me to learn that approximately 25 per cent of prisoners in Queensland have been sent to gaol because of their default in the payment of a fine. Even from an economic point of view—bearing in mind that it costs between \$20,000 and \$25,000 per year to keep a prisoner in gaol—sentences involving community work would be far more effective than incurring costs of prison accommodation and health services. Incarceration can turn young offenders into social outcasts and hardened criminals. I urge the Minister to incorporate into legislation the section of the report dealing with non-violent and young offenders and include use of the community service as a penalty to a far greater extent.

On the one hand, I do not wish my remarks to be construed as support for a softer attitude being adopted to hardened criminals or as advocating that violent people should be allowed back into society. On the other hand, I also do not support the call for capital punishment, simply because I do not have sufficient confidence in the justice system that operates in this country. Too many mistakes have been made in the past.

I wish to deal in greater detail with the recommendations contained in the Kennedy report that referred to juvenile offenders. The report contains the following recommendation—

“Greater use should be made of Community Corrections for non-violent offenders and certainly for most fine defaulters and young offenders; and the Home Detention and Release to Work programmes should be expanded.”

The report also suggests that tenders should be called for the monitoring of prisoners serving home detention, which is an innovative and interesting suggestion that the Minister should examine. I support the Government's view that experimentation is desirable in the area of introducing private enterprise administration into the prison system. The Borallon Prison will certainly provide an opportunity for the State to test whether or not private enterprise can provide a better, more efficient and cheaper system. Consideration should also be given to the involvement of private enterprise in the monitoring of prisoners serving home detention and serving sentences of community work. I am very pleased that Mr Kennedy covered these matters in his report and that Cabinet appears to be taking full cognisance of those recommendations.

The Kennedy report also suggested that legislation defining the age of children should be amended to ensure that offenders under 18 years of age are not admitted to an adult prison. I support that finding because, as a father of teenage children, I am

horrified that, through misadventure or foolishness, one of my children could go to gaol and mix with hardened criminals with the result that, upon release, they would be far worse than they may have been when they were admitted to the prison. The report also recommends—

“Until legislation is amended, young offenders should be segregated by improving classification and assessment procedures and all persons in Queensland prisons under the age of 18 years should be placed in separate confinement from adult offenders.”

In the few minutes that remain for my speech, I mention that the proposal to form the Queensland corrective services commission deserves a great deal of support, particularly the involvement of the private sector. I note that legislation that will be introduced will provide for tenders to be called for the total operation of the gaol on a fee-per-prisoner basis for a medium to low-security prison, which will operate along the lines of the Mobilong Prison in South Australia. As I said earlier, honourable members should welcome that proposal and actively promote its acceptance.

I have said all that I want to say about the major concerns I have about privatisation and young offenders. I conclude my speech by congratulating the Minister on the job that he has done in the administration of his portfolio, and particularly the gaol located in my electorate. The Etna Creek Prison operates very effectively.

I have been told by other honourable members who have visited the Brisbane Prison that that gaol is about to be demolished. I ask the Minister to arrange for as many members of Parliament as possible to inspect the prison because I have been advised by honourable members who have been there that the conditions of the prison ought to be inspected so that honourable members can be made aware of the environment that prisoners have to cope with.

Mr Stephan: The new prisons that are being built will make a big difference, won't they?

Mr HINTON: They certainly will, but until honourable members have inspected Brisbane Prison, it would be very difficult for them to assess the extent of the difference. I ask the Minister to give consideration to taking as many members of Parliament as possible to see Brisbane Prison prior to its demolition so that honourable members will have a proper understanding of the history of prisons administration and the conditions of gaols.

Mr Cooper: No problem at all; just make yourself available. I will guarantee you get out.

Mr HINTON: As long as the Minister guarantees that I will get out.

Mr Prest: Even if it's only on parole.

Mr HINTON: I expect that sort of remark from the honourable member for Port Curtis; but I am quite sure that if ever I end up in a gaol, the honourable member for Port Curtis will be sitting in a cell next door to me.

Mr Stephan: Home detention would be very handy.

Mr HINTON: Yes, home detention would be a good idea for the honourable member for Port Curtis, and I would recommend its speedy and rapid implementation.

It is important that as many people as possible have a look at the Brisbane Prison. I was very pleased that the “Black hole” was closed recently. It certainly caused the Government a great deal of embarrassment. Before Expo began it was suggested that some of Queensland's Aboriginal population should be incarcerated in the “Black hole”. There is too high a proportion of the Aboriginal population in gaol, and areas such as the “Black hole” should be deplored.

Mr Cooper: What do you reckon the percentage is at Etna Creek? It would be around 40 per cent.

Mr HINTON: From what I saw, the percentage at Etna Creek would be approximately 25 to 30 per cent Aboriginal. When one considers that the Aboriginal population of Australia is in the region of 1.3 per cent of our total population, that gives one some idea of the depth of the problem.

I am pleased that a recommendation has been made that a psychologist be appointed to the gaol to try to alleviate this problem. Perhaps a psychologist could do some very valuable work with the Aboriginal people in gaol. Something like 60 per cent of prisoners who are released from gaol find their way back into gaol. This is a major problem. When one considers that a high proportion of those prisoners are Aboriginals, it goes without saying that a very high proportion of those who return to gaol must be from the Aboriginal community. This is a recurring problem. I do not have the answers, but possibly some psychological training carried out in the gaol might alleviate this problem.

When prisoners are sent to gaol, it is most important that their attitudes do not deteriorate during their term in gaol and that they come out with a more positive attitude. The educational programs and libraries, etc., that are recommended to be included in the system are very important. Prisoners should have a major recreational program as well as sporting programs. In addition, facilities such as those available at Etna Creek—that is, farming—give prisoners out-of-doors, hands-on experience and something to do other than stand around and grieve over their problems. I am pleased that the whole thrust of the commission's report is aimed in that direction.

The fact that the Queensland Government is prepared to put forward the capital for three new gaols demonstrates the commitment that it has towards improving the prison service in Queensland. It appalls me that there are more people in Queensland's gaols than in Victoria's gaols. This comes back to the point I made previously: there is far too high a proportion of young, minor and juvenile offenders and fine-defaulters clogging up the gaol system.

It has been a pleasure for me to support the Minister in his remarks. Recently when the Minister spoke at Etna Creek Prison during the Fieldfest, he referred to the revolution in Queensland's gaol system. He is the engine behind that revolution. He is doing an excellent job and is strongly supported by the Government, Cabinet and the Government back-bench members. Prison reform has been a no, no in the public arena. This Government has brought it out of the no, no area and put it to the fore. The Minister is setting out to correct the problems and he is to be congratulated on the job that he has done.

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (4.05 p.m.): I compliment all members from both sides of the Chamber who have taken part in this debate. Today there has been very constructive discussion, as there was yesterday, which gives this Government hope for all.

Firstly, I wish to pay tribute to some of the staff of the departments that come within my portfolio. I would not like to run out of time without having mentioned them. They have played a tremendous part in assisting and supporting me throughout the year. I refer to Mr Peter Jones, the Under Secretary of the Department of Corrective Services and Administrative Services, who has held that position for approximately seven years. He has served six Ministers in that time. He has warmed towards me very well and has been a tower of strength. I mention Jim Kennedy, the commissioner of the review of corrective services, who is now commissioner pro tems of the corrective services commission that is to be established shortly through legislation. I cannot praise him highly enough for his absolute selflessness. His recognition of the need for sacrifice in the public interest will always be remembered. Everyone is aware that lately his health has not been good and I am sure that all honourable members wish him a long life and good health free from pain.

Alec Lobban, the Comptroller-General, has put up with tremendous pressure over a period of five or six years. He is worthy of mention and I hope that he will continue to play his part in prison reform. Sid Hampson who manages Goprint—the Government Printing Office—runs a very efficient operation and has a tremendous rapport with his work-force. I know that all honourable members recognise that fact. I give him my total and full support.

I mention Max Duncombe of the Government Motor Garage, which is currently undergoing the process of commercialisation. There are a few bugs that have to be ironed out, but I believe that the process will be successful and that the garage will become an efficient organisation.

I also give my thanks to Commissioner Wally Belcher, who earlier this year filled the newly created position of Commissioner of Fire Services. I believe that brings fire services right to the fore. He has tremendous ability and a great reputation. I also give my thanks to Mr Bob Swan, who took over from Bob Barchard. Bob Barchard played a very big role in the Rural Fires Board, after which he went to the State Emergency Service. Bob Swan came from the Government Motor Garage to take over the Rural Fires Board.

I give my thanks to Bill Kelly, who this year took over State Stores, to which he has brought a fresh, new approach. I have already said that it is a sleeping giant and I am sure it will come to full fruition under Bill Kelly and the review that he is carrying out. I should also mention Jay Perkins, who has been around for a long time in the Probation and Parole Service. He has played a very strong role in that service. It is not an easy area in which to work; it involves tremendous responsibility. I commend him for the part that he has played and will continue to play. I also should mention all of the staff and the work-force involved in the Department of Corrective Services and Administrative Services—I include my own personal staff in that—for the total dedication that they have all displayed.

It has been a most caring and constructive debate all round. It has certainly been very responsible. Members from all sides must feel a sense of purpose, a sense of hope and a sense of achievement. This morning the member for Southport, Mr Veivers, showed that, because of his membership of my parliamentary committee, he has a sound knowledge of corrective services. He has certainly played a big role on that committee. If there was a popularity poll around this place, Mick would probably come up as No. 1.

It is no surprise to me that he ventured into an area in which most politicians fear to tread—privatisation or contract management in the field of corrective services. As I explained clearly last night, it is not wholesale privatisation, it is the utilisation of certain elements of private enterprise that have expertise that we may be able to use and should be able to use. In fact, it would be foolish not to use them. He referred in particular to the need to develop meaningful and viable rehabilitation programs for prisoners. I think everyone in the Chamber concurred with that. He clearly endorsed ideas now being developed to allow for prisons to tender for work contracts. I certainly agree that there needs to be discussion with industry and unions to allow prisons to tender for a certain percentage of work so that prisoners can be more gainfully employed. I can see no reason why agreement cannot be reached on that. I can assure the honourable member that, wherever such contracts are organised, it will be only as a result of proper consultation with those bodies.

While I am on the subject of trade unions, I am pleased to advise that at all stages in the process of the review over recent months, relevant union leadership and members have given every possible assistance. We have continued the consultative process, which will continue after the commission has been put in place. The unions have displayed a most enlightened approach, which augurs well for the future.

On the subject of the cost to our economy of keeping prisoners, the member for Southport mentioned that Queensland spends less per prisoner than any other State. The \$20,000 a year that it costs to keep a prisoner in Boggo Road compares with up to \$60,000 a year in other States. The next lowest cost is in Victoria, at \$29,000. The cost

of keeping a prisoner under the Home Detention Program is approximately \$2,000. The cost of keeping prisoners at Numinbah, Palen Creek and the other farms is between \$5,000 and \$7,000 each. Queensland tends to have more low-security than maximum-security prisoners. Obviously the decision on who is eligible for community correction programs is of paramount importance. In future, under the legislation that I will introduce later, the responsibility for this selection process will lie with community correction boards, not departmental officers.

The member for Manly, Mr Shaw, certainly made a constructive contribution. He raised the point of the Parole Board giving reasons for the refusal of applications from prisoners. I could not agree more. Parole and probation emerged as the area of most concern to prisoners and their families throughout the entire review process this year. As a result, a lot of attention has been paid to this area in the legislation that I mentioned before. Included in the provisions will be a requirement for community corrections boards, which will replace the existing Parole Board, to give reasons for decisions. In addition, applicants will be entitled to be represented by lay advocates.

The need for classification of prisoners, the question of who should serve their sentence within a gaol and who should be allowed to serve their sentence outside a gaol will be addressed in the legislation. I believe that the member for Manly will be satisfied with the new approach and the checks and balances that will be put in place under the new system.

Much of the member's speech was heavily related to the Justice portfolio. However, there are many areas associated with corrective services that overlap into the justice system. These were recognised and identified by the Kennedy commission of review. As a result, a special justice committee, involving representatives of all sections of the judiciary and headed by the Deputy Under Secretary of the Justice Department, Mr Kevin Martin, was formed at Mr Kennedy's suggestion to address many of the issues raised by the member. The committee is due to report in the first half of 1989.

The member for Townsville East, Mr Smith, is yet another speaker who quite rightly expresses concern about the need to ensure that offenders who can be appropriately managed outside of prison be given this opportunity. He correctly observed that there is a pressing need to develop more educational opportunities for those who serve their sentences within the walls of a gaol. As to the former concern, I say that the corrective services commission, with the assistance of recognised and qualified community, church and welfare groups, will be establishing community correction centres. People such as fine-defaulters and others who normally would serve very short sentences in gaol are the type of offenders who should be able to pay their penalty in this more productive and cost-effective way.

I agree with the member's concerns about the number of young offenders in the prison system. Programs in prisons are directed at improving their chances of employment, where possible, through education and trade certificates. The new commission will target as a priority issue the separation of young offenders from hardened criminals. In fact, that process is already being established by the commission's implementation committee. It is a clear recognition that inmates should be offered an opportunity to improve their career prospects on release through training and the gaining of work skills while in prison.

As I said, I commend the member for Townsville East for his contribution. It was certainly constructive. The ideas that he raised are either being taken care of or will be receiving consideration.

The member for Springwood, Mr Fraser, made a sound contribution. Although the high-profile feature of my portfolio has been Corrective Services, I realise that other elements of the department, particularly fire services, are equally important in terms of community needs and expectations. The member for Springwood correctly highlighted the priority given by the Government to the delivery of efficient protection through urban and metropolitan fire brigades and the Rural Fires Board. One of the questions that he raised concerned the tremendous growth in the number of rural residential

properties in the State and the dangers they face from grass and bush fires. I assure the member that that issue has been and is being addressed by my department.

In fact, earlier this year, a special publication, *Bush Fire Hazard Planning in Queensland*, was prepared by the Rural Fires Board in conjunction with the Local Government Department to bring home to rural residential property-owners the need for adequate protection. It is a very good fire safety guide book and forms part of the ongoing program of fire safety in this State.

A training officer will shortly be appointed to the board. Under the supervision of the executive officer, he will ensure that Queensland's bush fire brigades are capable of suppressing structural fires. Approximately 40 000 people are involved in the rural volunteer fire brigades throughout Queensland. The Government intends to maintain the community spirit that is generated by those voluntary groups.

Other initiatives in fire safety include the introduction of the Toxichem database at metropolitan fire brigades' communications centre at Windsor in Brisbane. This database is available to fire-fighting, police and other authorities throughout the State and provides immediate information on how to deal with chemical fires and spills. It will dovetail with the placarding of storage depots for hazardous substances. Hazardous substance placarding regulations have been developed through the Health Department this year and will enable fire-fighters to quickly establish the nature of their fire-fighting task in such buildings.

Mr Vaughan: That placarding is taking a long time to come in.

Mr COOPER: The regulations have been passed and industry is now required to placard. The Government will be informing all fire brigade boards to contact the industries, in person or by letter, in their regions to ensure that they are aware of the regulations and of the need to placard.

Mr Vaughan: Will the fire brigade have authority to go inside and inspect premises?

Mr COOPER: The fire brigades will be inspecting; but the placarding is handled by the Health Department.

Mr Vaughan: Does the fire brigade have the authority to enter premises?

Mr COOPER: It will have the authority to check on premises; however, the Health Department handles the regulations—it is in control.

Mr Vaughan: What happens if the proprietor objects?

Mr COOPER: They can make representations to me and I will take it up with the Minister for Health. The need to placard is vital.

The work carried out by the fire services department, the State's full-time and auxiliary brigades, the Rural Fires Board and bush fire brigades is all coming under review at the present time. Once again, I urge everyone with an interest in fire safety and the delivery of fire services to consider making a submission to this review which is being conducted by commissioner Dr Sally Leivesley. That review has received much publicity. I hope that people will take advantage of the opportunity to get the fire services right.

The member for Tablelands, who is another representative on my committee, has been a strong advocate for meaningful prison reform. As well, he has fought strongly in the past to see the new prison in far-north Queensland established in his electorate.

His constant efforts since 1982 will come to fruition in 1989 when construction is completed on the new gaol near Mareeba. This prison will have a significant impact on the local community. I place on record my assurance to the member for Tablelands that every effort will be made to protect the community from undesirable economic factors. For example, it would be unreasonable for the Prisons Department to simply move into the area and rent out existing, tenanted houses. We have already worked closely with

him on that. We do not want to artificially boost rents in that area. Instead, a carefully planned program of home building and purchase will be carried through. That is commencing immediately. The employment benefits to the region could be quite significant.

The department estimates that more than 120 prison officers for the new prison could be recruited from the region. Community service projects associated with the management of low-risk prisoners also will have a beneficial impact on the local area.

The member referred to the need for enhanced management techniques and staff training throughout the prison service. As I have assured other speakers in this debate, those matters are well in hand.

The honourable member for Thuringowa, Mr McElligott, also made a constructive contribution. However, he should refer more closely to the comments made by me in the Chamber and also those of the prison review commissioner, Mr Kennedy, in his report, before he goes off on the wrong tack about privatisation. He has misconstrued those comments. I hope that he has not been irresponsible, because an opportunity exists to incorporate elements of private enterprise, which can perhaps do it better or provide a benchmark by which the public sector can measure its performance. However, for his benefit, I will repeat the assurance that we do not intend to sell off prisons to private enterprise.

The corrective services commission, however, will have the power to enter into arrangements through contract management with regard to various services. Any proposal to introduce outside contract management of Borallon Prison would involve the use of staff trained and accredited through the commission. The member should realise that this in essence is no different to a pilot being accredited by a Commonwealth Government department and being able to work for Qantas or Ansett. The commission at all times will monitor the training and developing of prison officers and, where a facility is managed under contract, a permanent auditing process will be in place.

As to the problems to which the honourable member refers—we know that they will continue to exist for some time. However, we have built the base, we have the tools with which to do the job and the structure is in place. It may take a couple of years for some of the bigger changes to take place, but we are on the right track.

The honourable member referred to a comment that I made in relation to the five prisoners who escaped from Boggo Road. That statement was not intended for all prisoners. We have been working hammer and tongs on this type of reform for approximately nine or 10 months. Most of the people involved in the prison system, be they prisoners, families or the community in general, have known about that. These particular types make it even harder on their mates by dudding them, plaiting a few sheets and—

Mr Palaszcuk interjected.

Mr COOPER: The numbers are even higher. Up to 200 were found. The honourable member should spend some time learning macrame; he would probably find that more useful.

Those fellows duded their mates. It was a pathetic performance. I do not back off from what I have said in that regard.

A grievance committee was mentioned. We have been down that track before. I am afraid that the prisoners tend to try to take advantage of such a system and it tends to become counter-productive. Instead of having visiting justices at Boggo Road, the Government will be sending in what might be called official visitors. They will be high-profile, credible lay people—perhaps one will be a barrister—who have the confidence of the whole prison spectrum. They will have a lot of responsibility and authority to operate very freely within the system.

The member for Barambah made a commendable contribution. He was a member of the Rural Fires Board for a time, representing the Cattlemen's Union. He certainly made a significant contribution to the program of fire protection in this State. The

member for Barambah demonstrated a sound knowledge of the tremendous efforts of our 42 000 rural fire brigade volunteers. He also referred to the usefulness of aerial ignition. The member for Barambah added his own comments to other comments that were made today in regard to rural residential properties. I can advise the honourable member that the Rural Fires Board is acutely aware of the need to provide brigades with vehicles and equipment to combat the effects of wildfire.

I am currently investigating the provision of additional vehicles and plans for the repair and maintenance of bush fire brigade vehicles through the utilisation of established Government repair agencies. The Government also utilises prisons such as Woodford and Etna Creek, and will expand their role. The matter of funding will certainly be addressed by Dr Leivesley during her commission of review into fire services.

The member for Redcliffe, Mr White, who is a former Minister for Corrective Services, made a very constructive and well thought out contribution. I thank him for that. He knows what I am going through. It is nice to have a soul mate in that respect. It is significant that the last time the Estimates of this department were debated in 1983, Mr White was the responsible Minister.

The member for Redcliffe referred to the fact that prisons represent a no-win situation and that escapes are part and parcel of the system. He is exactly right. The day a prison is constructed that is escape-proof, I would like to see it. Every effort must be made, of course, to reduce the number of escapes.

The honourable member mentioned recidivism. The Government is very aware of the high incidence of recidivism, which is a problem not only in Queensland but also in other States of Australia and in other parts of the world. The issue has to be addressed, and I am happy to say that the Government is doing just that.

I share the honourable member's concern regarding the need to achieve a balance between violent prisoners and non-violent prisoners and keeping them apart if possible. All honourable members agreed that that is the way to go. That is certainly the way the Government will endeavour to proceed in the future.

The member for Glass House demonstrated his knowledge. He has been a member of various Corrective Services committees over many years. I appreciated his contribution and his experience. Woodford Prison is in his electorate. He was able to outline many of the benefits of a prison to an area and how it blends in with a district once the initial fears have been overcome. It has worked very well at Woodford. I look forward to the honourable member's continued involvement in ensuring that everything is A-okay at Woodford.

I turn to the contribution by the member for Port Curtis, Mr Prest. He spoke mainly about fire services and the imbalance between the domestic and commercial/industrial sectors with regard to the fire levy. Domestic fire levies are remaining at their current levels, although commercial levies are under review.

The prospect of the amalgamation of fire brigades boards is a matter that is being addressed as part of the commission of review into fire services. No pre-conceived ideas are held in relation to that. I would not want there to be any panic.

The honourable member mentioned the question of the overdraft. As at 30 June 1988, the overdraft was \$32m, having been reduced from \$33.4m the previous year. At the end of 1987-88, unpaid levies were about \$9.6m.

At 4.28 p.m.,

The TEMPORARY CHAIRMAN (Mr Burreket): Order! Under the provisions of the Sessional Order agreed to by the House on 27 September, I shall now put the questions for the Vote under consideration and the balance remaining unvoted for Corrective Services and Administrative Services.

The questions for the following Votes were put, and agreed to—
Corrective Services and Administrative Services—

\$

Department of Corrective Services and Administrative Services—Salaries, Administration Expenses, etc. (Consolidated Revenue)	64,915,000
Balance of Vote (Consolidated Revenue, Trust and Special Funds)	136,050,000

Progress reported.

Mr AHERN having been given leave to make a ministerial statement—

Mr WARBURTON: I rise to a point of order.

Mr SPEAKER: Order! I do not understand what the honourable member's point of order could be.

Mr WARBURTON: I have not had a chance to tell you.

Mr SPEAKER: Under what Standing Order does the honourable member rise?

Mr WARBURTON: Standing Order 108A.

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

Mr WARBURTON: My point of order is that Standing Order 108A states—

“A Minister of the Crown, by leave of the House, and so as not to interrupt any other business, may make a Statement relating to matters of Government policy or public affairs.”

Mr Speaker, it is well known around the House——

Mr SPEAKER: Order! I put the question, without interrupting any other business of the House, that the Premier be given leave to make a ministerial statement and that question has been agreed to on the voices.

Mr WARBURTON: And I am taking a point of order.

Mr SPEAKER: Order! The honourable member's point of order is contrary to the decision that has just been made by the House.

Mr WARBURTON: With due respect, Mr Speaker, I have not concluded my remarks; you cut me off half-way.

Mr SPEAKER: Order! Then would the honourable member please hurry?

Mr WARBURTON: Yes.

Standing Order 108A further states—

“At the conclusion of the Statement, the Minister may move ‘That the House take note of the Statement’ and, if so, the Leader of the Opposition or his nominee”—
which I am on this occasion—

“shall be given equal time to reply to the Statement either immediately, or at some later time . . .”

Mr Speaker, I am asking: is it the Premier's intention to move accordingly?

Mr SPEAKER: Order! That is not——

Mr Warburton interjected.

Mr SPEAKER: Order! The member for Sandgate! That is not a point of order. The honourable member has been here long enough to know that. I call the Premier.

MINISTERIAL STATEMENT

Mr Justice Vasta

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for the Arts) (4.33 p.m.): I have received a letter dated today from the Honourable Mr Justice Vasta. The Government has at all times been concerned to ensure that the independence and role of the Supreme Court bench and public confidence in it be not compromised.

Last week, senior counsel for the State Government drew to my attention and that of my colleague the Attorney-General evidence which had emerged in the course of the hearing relating to the judge. That evidence was in turn brought to the attention of the Chief Justice, first by telephone on Friday last, and then in writing, by letter written to him by the Attorney-General early last Monday.

I do not know what passed between the Chief Justice and Mr Justice Vasta. However, the court calendar was altered by Executive Council at the request of the Chief Justice after his discussions with the judge to enable work previously allocated to the judge to be done by others.

The Government has had under consideration for almost a week now the proper form of an inquiry into the judge's conduct. Yesterday, without reference to the Government, Mr Fitzgerald, QC, consulted the retired Chief Justice of the High Court and they jointly have recommended the establishment of an inquiry by retired judges.

The Government has been anxious to proceed carefully and in such a way as to ensure that Mr Justice Vasta is not prejudiced in any such inquiry or any other proceedings that take place. For these reasons, the Government has been, and will remain, at pains to proceed carefully and on informed advice.

I am releasing with this statement a copy of the Attorney-General's letter to the Chief Justice, Mr Fitzgerald's letters of yesterday and today to me, and a letter from the Chief Justice to the Attorney on Tuesday last. The Government, it can be seen, did not stand the judge down. The Government, by the Attorney-General, did no more than write the letter on advice from Mr Callinan, QC, a copy of which is attached.

The Government has never been party to any "plan" as suggested by the judge. There is no "plan". There is simply an anxiety on the part of the Government to maintain the integrity of the bench, public confidence in it, and not to make or express any prejudgment of Mr Justice Vasta. The assertions of the judge in his letter are grossly offensive. It is desirable now, in view of the course that the judge has adopted, that the Government move to bring matters to an early conclusion.

The Government will bring before Parliament an appropriate resolution for the appointment of three retired judges to conduct an inquiry into issues relating to the conduct of Mr Justice Vasta, and, if appropriate, District Court judges.

So as not to prejudge any person or inquiry, nothing further is proposed to be said at this time.

I seek leave to table the said documents and to incorporate them in *Hansard*.

Leave granted.

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

KJM:AP

24 OCT 1988

Personal and Confidential

The Honourable Sir Dormer Andrews,
Chief Justice of Queensland,
Supreme Court,
Brisbane, Q. 4000

Dear Sir Dormer,

It is appropriate I think to draw to your attention a matter that Counsel appearing for the Queensland Government, Mr Ian Callinan, Q.C., considered of sufficient importance to refer to me. The facts are within short compass.

"Matilda" a magazine which is now defunct, some time ago published a series of offensive articles concerning a Judge of your Court, the Honourable Mr Justice Vasta. His Honour commenced proceedings for defamation and alleged in his Statement of Claim that the published materials were meant and were understood to mean:—

"

(e) that the Plaintiff was a friend of the Commissioner of Police (described as Sir Terrenth Lewith) and allowed that friendship to interfere with the discharge of his judicial duties:"

It can be seen therefore that the nature and the extent of His Honour's friendship were, and were made issues by him in the case.

Last year His Honour's case came on for hearing for an assessment of damages against some of the Defendants before Master Lee. His Honour gave evidence. At Page 7 of the Transcript, the following question and answer are recorded.

"It is a fact that you are a friend of Sir Joh, Sir Edward Lyons and Sir Terence Lewis?—They are acquaintances in the sense that I meet them on social occasions and at functions like the opening of Parliament, but they are not friends in the sense as suggested in the article."

There was tendered to the Fitzgerald Inquiry a letter dated the seventh day of November, 1985, from the Judge to Sir Terence Lewis in which the Judge thanked Sir Terence for a most enjoyable luncheon and also wrote.

" I will always treasure our friendship."

Not only did all of the above emerge clearly in evidence before Mr Fitzgerald, Q.C., but also attention was drawn to Sir Terence's diaries which record a multiplicity of personal and telephonic contacts between the Judge and the Commissioner of Police.

The position seems to be at the very least that the Judge in his defamation evidence may have significantly understated the nature and extent of his friendship with the Police Commissioner. Other even more significant inferences may be open.

I should emphasise to you that the Judge has not had any opportunity to refute the evidence before the Commission or the inferences which might be drawn from it. Furthermore, no-one apart from Counsel assisting the Commission of Inquiry, has yet had an opportunity of cross-examining the Police Commissioner in relation to his recent evidence.

Obviously the matters to which this letter refers are ones of high importance involving the independence and role of the judiciary, and also of course, the fundamental right of any person including naturally a Judge to a hearing and a proper opportunity to defend his name and actions. But I do think it essential that I put all of these facts before you for your consideration.

Yours faithfully,

PAUL CLAUSON

Minister for Justice
and Attorney-General

Chambers of the Chief Justice,
Supreme Court,
Brisbane.

25th October, 1988

The Honourable P. J. Clauson, M.L.A.,
Minister for Justice and
Attorney-General of Queensland,
State Law Building,
Cnr. Ann & George Streets,
Brisbane. Qld. 4000

My dear Attorney,

Touching on matters which you have drawn to my attention and which are embodied in your letter to me of yesterday I had a conversation with the Honourable Mr Justice Vasta in my chambers in the presence of the Honourable Mr Justice Kelly S.P.J.

I had sent for Mr Justice Vasta who arrived in my chambers at about 13 minutes past 9. I informed him in some detail of the material brought to my attention in your letter and that I thought it called for an investigation as to whether or not an offence against section 123 of the Code had been committed by him. I said that I thought that it would not be fair to ask him to continue with his normal judicial duties while such investigation was proceeding with his knowledge. I told him also that I thought it would be in the public interest to have him stand down from such duties. I said that I had come to a decision on the matter and had put steps in train to formalise it by alteration of the Supreme Court calendar. Mr Justice Vasta asked me to defer a decision for 48 hours. I told him that I was firm in my decision and that I would not defer it. I commended to him the wisdom of his agreeing to stand down. Our interview concluded with his saying that he so agreed.

The meeting had lasted a little over 20 minutes.

I have asked Mr Justice Kelly to add his signature to this letter as verifying its accuracy in substance.

Yours sincerely,

D. G. ANDREWS
Chief Justice

J. L. KELLY
Senior Puisne Judge

Commission of Inquiry into Possible Illegal Activities
and Associated Police Misconduct

Commissioner: Mr G. E. Fitzgerald Q.C.

Counsel Assisting: Mr G. W. Crooke Q.C.
Mr R. P. Devlin

Secretary: Mr G. L. Lynch
Telephone: (07) 221 2261

October 26, 1988

The Honourable M. J. Ahern M.L.A.,
Premier of Queensland,
Premier's Department,
Executive Building,
100 George Street,
Brisbane. Qld, 4000.

Dear Premier,

The Honourable Mr. Justice Vasta is reported to have ceased performing his judicial duties for the time being amidst increasing political and public controversy. As usual, most of the numerous conflicting stances which have been adopted and opinions which have been expressed involve a claim to the high moral ground and a denunciation of others for their abandonment of fundamental principles or cherished ideals such as the independence of the judiciary and justice and fair play. The dispute is being largely conducted in terms of emotive generalities, and serious damage will soon be done to important institutions. One of my publicly stated reasons for an early end to this Inquiry was my concern that benefits might come to be outweighed by disadvantages. My anxiety at the current developments has led me to consult this morning with the Right Honourable Sir Harry Gibbs, G.C.M.G., K.B.E., former

Chief Justice of the High Court of Australia. I have his permission to mention him as I do in this letter.

Mr. Justice Vasta asks that he should be placed outside the purview of the Inquiry which I am attempting to conduct, both because of my inferior status and for one of two "special reasons" which, so far, he seems to have described only as involving the conduct of my Inquiry insofar as it relates to him. I readily acknowledge the difference in our respective status, and, while I have no idea what his "special reasons" concern and leave them out of account entirely, nothing would suit me better personally than having part, or preferably all, of my thoroughly unpleasant task removed from me. So far as Mr. Justice Vasta is concerned, there is also the complication that I was, briefly and somewhat peripherally, involved in the defamation litigation which he commenced arising out of publications in "Matilda" magazine and in which he gave evidence which forms part of the current controversy.

However, there are a number of considerations, some merely practical and others involving issues of principle, which need to be considered.

1. I am not presently confident that it would be proper to disclose the contact which has occurred in the course of the Inquiry between those assisting me and Mr. Justice Vasta, but it is necessary to notice that, in accordance with rulings of which I believe he is aware, the Judge has rights in relation to this Inquiry, including the right to provide it with verified information (which I understand counsel assisting would normally invite material witnesses to comment upon), and the rights to seek leave to appear (which would be granted as of course), to cross-examine and to make submissions. If he does not do so, that omission could cause some complications in my consideration of the evidence and in my findings, including those in relation to other possible witnesses who might otherwise be questioned on matters which concern the Judge. However, I think that it will be possible to deal with those difficulties.

2. The proceedings which I am conducting are inquisitorial, which undoubtedly involves disadvantages for those who are investigated or interrogated, who are obliged to answer what is suspected but could not otherwise be discovered. There are protections in the legislation, but this process is nonetheless distasteful to me and, I am sure, to many others. Yet it has undoubtedly been an essential course in order to expose the serious problems which are now known to exist. Many who have been caught up in the Inquiry share Mr. Justice Vasta's wish to be excluded from such a process and to be called upon only to face particularised allegations of which evidence is already available. I do not wish to comment at this time upon the validity of his request, but I do draw attention to what it involves.

3. The Judge wishes a hearing in camera. Again, most others who have been the subject of evidence or called as witnesses would have had a similar desire, but public hearings are not only generally intended by the Commissions of Inquiry Act but have been vital to the progress of the Inquiry and its attempt to restore confidence in public administration. Again, I do not wish to comment at this time, beyond noting that, so far as the Judge's "special reasons" concern the conduct of the Inquiry, my strong personal preference would be for all relevant matters to be publicly ventilated. (At this time, I find it difficult to conceive how the Judge's perception of his treatment by this Inquiry could be material to an inquiry into his conduct).

4. The independence of the judiciary is undoubtedly the most important feature associated with Mr. Justice Vasta's position. A commitment to equal treatment for all may have to yield if such an approach would imperil the judiciary's independence. Conversely, especially having regard to the public concern at what has been revealed in the Inquiry, care must be taken to ensure that concern for the judiciary's independence does not lead to a less thorough scrutiny of judicial conduct, create a public perception that there are special rules and perhaps "cover-ups" available for a privileged few, or possibly cause a failure to dispel any doubts which may exist concerning judicial integrity.

The solution which has Sir Harry Gibbs' approval is a separate Commission of Inquiry, headed by three retired Supreme Court judges from Queensland or elsewhere in Australia, with my commission's powers and access to my Commission's staff, resources, and information, to inquire whether the Honourable Mr. Justice Vasta has been guilty of any misbehaviour or misconduct contrary to constitutional principles, and to report concerning whether any evidence exists for any action against the judge and to recommend what, if any, action should be taken. My tentative view is that such a course could be implemented by a resolution of Parliament that such a Commission of Inquiry be appointed under the Commissions of Inquiry Act and that its report be presented by the responsible Minister to Parliament within 14 days of its receipt or on the next sitting day thereafter. Parliament, when it had thus been informed, would determine whether or not to proceed against the Judge and, if it decided to do so, it would proceed in strict conformity with the Constitution Act and the Supreme Court Act and

constitutional usage. However, the procedural aspects will doubtless be considered by the Government's legal advisers.

There has also been some recent reference in the media, and perhaps Parliament, to his Honour Judge Pratt, who is continuing to sit and has not asked to be excluded from my Inquiry. However, it might be thought appropriate that any question concerning his Honour's conduct should also be excluded from my consideration and, if considered desirable, referred to the Commission constituted by the retired judges, although I should not be understood as urging that such a step be taken.

While the course proposed may not meet Mr. Justice Vasta's requirements, it does recognize and give effect to the special position of the judiciary and the vital importance, in the interests of the community, of protecting the judiciary's independence to the fullest extent consistent with any desirable scrutiny of judicial conduct.

Yours sincerely,
G. E. FITZGERALD

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26th October, 1988

Private and Confidential

MEMORANDUM

TO THE HONOURABLE M. J. AHERN, M.L.A.

I have been provided with a copy of each of a letter to the Premier and the Attorney-General from the Honourable Mr Justice Vasa. In his letters which are not identical, he makes these points:—

- (i) that the Attorney is reported and quoted in the media as saying that judges do not stand down, they are removed from the calendar. (There was also apparently a television interview during the course of which the Attorney made a statement to this effect.)
- (ii) the judge seeks of the Attorney the basis for "this admitted move" with particularity by 5.00 p.m. today; that he needs this information 'in the event that the matters become resolved in his favour he may resume his judicial functions';
- (iii) that he is unwilling to supply any information concerning so called "confidential matters" because he has no confidence in so disclosing them in view of the fact that 'an Executive Council Meeting had ... removed his name from the Court calendar;'
- (iv) that he will disclose these confidential matters to a panel of three retired Supreme Court Judges;
- (v) that his position is special and his removal can only be achieved in the Parliament;
- (vi) that it is demeaning to the Court to have matters of judicial ethics canvassed before an Inquiry dealing with police corruption, prostitution, SP bookmakers, and drug traffickers.

It is appropriate that I point out to you that at present it is highly undesirable that more than necessary be said either in Parliament or outside it with respect to Mr Justice Vasta, particularly when as yet no decision has been taken as to the way in which he should be dealt with.

There are several matters of which you should be aware, some of which involve competing considerations for your ultimate determination.

- (1) Executive Council does not have any power of its own motion or otherwise to remove a judge's name from the Court calendar.

- (2) I believe that the extent to which control over the judicial work of a duly appointed judge in a State of Australia may be exercised by anyone has not been authoritatively settled.
- (3) The position of puisne judges seems to be governed somewhat incompletely by *Section 7* of the *Supreme Court Act of 1921*. The second last paragraph of that Section contains this provision.

“As and when directed by the Chief Justice in cases where in his opinion such direction becomes necessary, every judge of the Supreme Court shall act as a judge in the Full Court or Court of Criminal Appeal or at any sittings of the Supreme Court”

- (4) Several things can be noticed about that provision. It empowers the Chief Justice to direct a judge to sit: it in terms does not empower him to direct a judge not to sit. The wording is ambiguous. It mentioned nothing about chambers and certainly leaves open the possibility that a judge who has not been duly removed might declare himself available to sit in chambers.
- (5) Judges are allocated work in practice by the Chief Justice when he causes to be published a Court Calendar for the forthcoming year. This is done pursuant to the *Supreme Court Act of 1921* and the rulemaking power conferred thereby which strictly should be exercised by two judges and the Chief Justice alone. Executive Council then adopts and publishes the Calendar. This does not in my view provide any safe basis for a contention that Executive Council may stand down a judge or allocate or reallocate his work.
- (6) My researches do not disclose that any judge has been removed from office in Queensland. In 1862 Governor Bowen proposed to suspend or remove *Lutwyche J.* from office. In due course the Law Officers in England (20th November, 1862) wrote that the authority under earlier similar legislation to remove a judge was of a quasi-judicial nature exercisable upon definite charges only after hearing the person accused in his defence. The Law Officers added that the statute did not contemplate mere error of judgment or wrongheadedness consistent with the bona fide discharge of duty. There was a major controversy last Century in South Australia in the case of *Boothby J.* and the view was then expressed that the Queen in responding to an Address in Parliament to remove a judge was not a mere passive agent. (Todd, *Parliamentary Government in the British Colonies*, 2nd Edition, 1984, at page 854.) For this reason, that case was referred to the Privy Council. Obviously such a reference today would not be made, but what I have referred to does show that the removal of a judge is highly complex and has been strictly regulated by statute. The Executive has and can have no role in the removal or indeed, the suspension (if suspension be available at all) of a judge.
- (7) *Section 9* of the *Supreme Court Act of 1867* provides that the commission of judges shall be continued, and remain in full force during good behaviour provided always that it shall be lawful for Her Majesty to remove any judge upon the address of both Houses of Parliament. It should be noted that the Governor has no role: Parliament is the only body which may resolve the matter and that resolution is subject to the ultimate decree of Her Majesty.
- (8) I have not yet had sufficient time to consider Standing Orders of Parliament or to obtain all of the relevant legislation and Parliamentary Orders of the Federal Parliament to ascertain the precise basis upon which the Inquiry into the conduct of the late Mr. Justice Murphy was conducted immediately before his death. However even if ultimately the Government were resolved in Parliament to appoint a Parliamentary Commission of retired judges to consider the conduct of Mr. Justice Vasta that Commission could only report to Parliament for Parliament's decision.
- (9) I believe that the Judges of the Supreme Court would not think it appropriate that one of their number be “judged” by one person not a judge however eminent he might be, either in a provisional way preliminary to a report to Parliament or otherwise. I believe that Mr. Fitzgerald Q.C. is conscious of this.
- (10) On the other hand I believe that Mr. Fitzgerald Q.C. would not wish to see anyone be he a Supreme Court Judge or for example a former Cabinet Minister, given preferential treatment. Be that as it may a judge's position is entrenched and strictly governed by statute.

- (11) These last two mentioned matters are obviously to some extent at least in conflict with each other.

I have written this advice urgently so that you may understand fully what the position is. I do not with respect think that any urgent decision is required notwithstanding the somewhat pre-emptory demands of *Vasta J.* However, I suspect that he will continue to make them whilst public statements concerning his position are made by Ministers of the Government. I would be pleased to discuss any aspect of this with you if required.

Chambers,
Inns of Court,
10th Level,
107 North Quay,
Brisbane.

With compliments, I.D. F. CALLINAN Q.C.
26th October, 1988

Counsel Assisting: Mr G. W. Crooke Q.C.
Mr R. P. Devlin

Secretary: Mr G. L. Lynch
Telephone (07) 221 2261

October 27, 1988

Private and Confidential

The Honourable M. J. Ahern M.L.A.
Premier of Queensland,
Premier's Department
Executive Building,
100 George Street,
Brisbane, Qld, 4000.

Dear Premier,

You have asked my urgent comments upon the tragic letter written to you today by the Honourable Mr. Justice Vasta.

I will not attempt to comment in detail at this point. Suffice it to say that:

- (a) When I heard from you at the end of last week that the Government's attention had been drawn by its legal advisers to evidence given in the Commission by Sir Terence Lewis which referred to Mr. Justice Vasta and that action in relation to the Judge was contemplated, including action in relation to his position pending the outcome of the Inquiry, I urged you to delay any decision and said that the independence of the judiciary was so important that you should not even request the Judge to stand down temporarily but should leave the question of whether the Judge should continue to sit to the Chief Justice;
- (b) I had no contact with the Chief Justice or the Attorney-General before the Judge ceased to sit on Monday;
- (c) Of course, it has not been conveyed to the Judge by the Commission in the context of obtaining evidence for the purpose of launching a prosecution against Sir Terence Lewis for perjury or in any other context that if he co-operates with the Commission it will look after him;
- (d) As you are aware, I wrote to you yesterday suggesting that the appropriate course was a Commission of Inquiry by three retired Supreme Court Judges in order to ensure the independence of the judiciary. I invite you to release that letter and this letter.

Yours sincerely,
G. E. FITZGERALD

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr WARBURTON (Sandgate) (4.36 p.m.): I seek leave to move a motion without notice.

Question—That leave be granted—put; and the House divided—

AYES, 29		NOES, 45	
Ardill	Warner	Ahern	Lingard
Beanland	Wells	Austin	Littleproud
Beard	White	Berghoffer	McCauley
Braddy		Booth	McKechnie
Campbell		Burreket	McPhie
Casey		Chapman	Menzel
Comben		Clauson	Muntz
De Lacy		Cooper	Neal
Eaton		Elliott	Nelson
Goss		Fraser	Newton
Hamill		Gamin	Perrett
Hayward		Gately	Randell
Knox		Gibbs, I. J.	Row
Lee		Gilmore	Sherrin
Lickiss		Glasson	Simpson
McElligott		Gunn	Slack
Mackenroth		Harper	Stoneman
Milliner		Harvey	Tenni
Palaszcuk		Henderson	Veivers
Schuntner		Hinton	
Sherlock		Hobbs	
Smith	<i>Tellers:</i>	Hynd	<i>Tellers:</i>
Vaughan	Davis	Katter	FitzGerald
Warburton	Prest	Lester	Stephan
PAIRS:			
Scott		Borbidge	
Shaw		Alison	

Resolved in the negative.

FOREIGN OWNERSHIP OF LAND REGISTER BILL

Second Reading

Debate resumed from 19 October (see p. 1596).

Mr EATON (Mourilyan) (4.44 p.m.): For a long time the Opposition has been calling for legislation of this nature, and it agrees with the introduction of this Bill.

In his second-reading speech, the Minister stated—

“... the Bill provides only for the setting up of a register to record the interests in land held by persons who are defined as foreign persons. It is designed to monitor the extent of foreign ownership to allow for the collection of statistical details, so that the Government and the community can see the extent of that ownership, and its impact upon our State.”

I am speaking on behalf of not only the 30 Opposition members in this House but also the hundreds of thousands of Queenslanders who are just as happy as Opposition members are about the introduction of this Bill.

Because of the impact and effect that the foreign ownership of land has had in Queensland, it has been a matter of great concern to many large and reputable organisations throughout the State. I refer particularly to the Cattlemen's Union and various other rural organisations.

On many occasions the Opposition has been castigated for calling for a foreign ownership of land register. It is not meant in any way to be a denigration of any group of foreigners that comes to this country. The Opposition welcomes overseas investors. However, we have always believed that the Queensland and Australian Governments should have control over that foreign investment and that it should benefit all people, not just the investors.

During this debate I hope that the Opposition will be able to provide figures and information that will prove its argument beyond reasonable doubt. That the Minister

has introduced such a Bill demonstrates that what the Opposition has been calling for and saying for years has been proved correct, otherwise the Minister and the Government would not have seen fit to introduce this legislation. The Opposition's only argument is that the Government has been too long in introducing this Bill.

In the past Queensland has been subjected to manipulation and economic pressures by the unmeasured way in which this Government has allowed foreign investment to occur. Honourable members would be aware that much of that foreign investment is under the control of the Federal Government.

The main issue in this Bill is land-ownership. Land is the most important asset to Queenslanders. It is the basis of all businesses, which need land—if only for their headquarters. If one's thoughts are turned from urban areas to the rural areas, one will find that this State was developed by people going into the rural areas and having the opportunity and the incentive to work hard. With dedication, they eventually bought their own block of land, raised their family and became involved in an industry and a calling that they themselves chose. Since that time, many people in Queensland have been denied that opportunity wholly and solely because of the unrestricted way in which foreign landlords, with foreign capital, as well as Australian and Queensland absentee landlords, have taken over large tracts of land in this State.

According to an article in last week's *Australian*, Mr Holmes a Court made a bid of \$9m—I forget the exact figure—to take over a stud and an area of land in Western Australia. If that bid is successful and his offer is not refused on the stock exchange, or if someone else does not bid a larger amount, he will own an area of land that will be larger than England.

Time and time again in this Chamber the Opposition has argued that this Government has failed the people of Queensland by allowing such aggregation of land—not only leasehold land but also freehold land. It has not given an opportunity to many rural people in Queensland, including the sons of many of our pioneers, to participate in a ballot in which they could become land-holders on the fall of a marble. All that they have asked for is an opportunity; they have never asked for any favours or anything like that from the Government. That is what we in the Opposition have been fighting for for many years.

We find that this Government has catered for the rich and the greedy and not always for the poor and the needy. Because of the high costs involved, unfortunately many people are unable to buy their own land. That high cost has been brought about by landlords, both overseas and absentee, who invest in land in Queensland. That has forced up the price of land. For many, many years those people have been protected by this Government.

As I said earlier in this speech, if the Opposition has been wrong in its criticism of this Government over the years for not introducing a land register, it has been proven right today by the fact that the Government has seen the wisdom of the Opposition's request and is introducing a foreign land register.

I am pleased to see that the Bill makes provision for the public to have access to that register. It will be monitored. Within a short period, people should be able to know how much land is owned by foreign investors. People should know who those foreign investors or foreign landlords are and whether they reside in Australia or not. We as an Opposition in this House have no objections to any foreigner coming into this country, obtaining land, living here and working it as a family unit, the same as any Queenslanders would. Up to now foreigners have had the protection of this Government. We did not know about foreign investment until after the horse had bolted and it became public knowledge. It was then that the gate was shut.

Newspaper cuttings refer to the Line Hill property in north Queensland. In that case the Government allowed an area of 3 000 hectares to be freeholded for just over \$2,000. Within 12 months of that land being freeholded, it was sold for \$14.2m. Nobody knew about that land. Nobody knew that that land could be freeholded. Very few people

even knew that that land existed. Complaints have been received from people all round Queensland regarding such actions. The Government's answer was that that land was freeholded over a period of 10 years and that the value was set in that 10-year period. The Opposition's argument is that if the Government was allowing a person 10 years in which to freehold that land, and if it was to act as it says it does, namely, in a responsible and progressive manner for the development of the State of Queensland, then it should have ensured that the person to whom the freehold was given carried out some improvements which would have been advantageous and added some value to the land. But what has happened? The Government granted a 10-year period in which to freehold more than 3 000 hectares for \$2,168. That does not even amount to \$500 a year.

I ask: how many people who are involved in the rural industry today could not afford to pay less than \$500 a year to own a piece of property? We know that primary industries are affected by droughts and things such as that. If the Government was to have any wisdom and foresight and concern for the future of Queensland, the lease should have contained a clause that the land was to be freeholded at market value. If the Government had taken that precautionary step, it would have found that, when the market price had to be paid at the end of the 10-year period, the person involved would have found in five minutes the \$2,168 to obtain a freehold title over the property.

I have been informed that the purchase price of \$14.2m was not paid to the man who obtained freehold title on that property originally. Apparently, the freehold was sold for an amount of approximately \$3m. The person who bought the property for \$3m then sold it to somebody else for \$14.2m. The Labor Opposition may have been wrong to claim that the person who obtained freehold title at the expiration of the lease for \$2,168 later sold the land for \$14.2m. I am led to believe that the second person who bought the land as freehold obtained the price of \$14.2m when the property was sold again.

These issues are the subject of complaints that are made to members of the Opposition, who are asked to protest to the Government about them. As recently as half an hour ago, the Labor Opposition divided the House on a matter of principle, but was unsuccessful. All that members of the Opposition can do is draw these issues to the attention of the public and make the public aware that the Opposition is endeavouring to pursue these matters at the behest of the general public.

I know that the Minister, the Premier and other members of this National Party Government have had very strong requests made to them by their own National Party organisation to introduce legislation to control the foreign ownership of land. For a number of years hundreds of thousands of people throughout Queensland have been concerned about foreign land ownership and the effects of uncontrolled foreign investment. In addition, many concerns have been expressed about the overall land management that has occurred in Queensland over the past few years. I could cite examples that demonstrate that this Government is not progressive and not a Government that gets things done in its development of land in Queensland for the future. The administration of land management is a major example of the false claims made by the Government in relation to its achievements.

For years, a Burdekin Dam scheme had been mooted in the Townsville/Burdekin area. The topic was raised by all political parties, especially at election-time. However, everybody knew that one day the Burdekin Dam scheme would be commenced. In either 1984 or 1985, an announcement was made by the Government that the scheme would go ahead. Three or four years before construction of the scheme was finally announced, the State Government had allowed 6 035 hectares of leasehold land to be converted from a grazing farm lease to grazing/homestead freehold farm lease. That change was effected on 1 January 1981 and involved a total amount of \$394,504.07.

Any Government in its right mind that had access to its own information sources as well as to information held by the Federal Government would have realised that a Burdekin Dam scheme would be implemented at some time in the future. What did

this Government do? It gave its blessing to the freeholding of land that had been obtained by a person under a farming lease. At that time, the Government considered the price of \$394,504.07 as good value for converting a leasehold agreement to freehold tenure. Despite the fact that the Government received approximately \$65 a hectare by virtue of that transaction, within the space of a couple of years when the Government had to buy the land back because of the construction of the Burdekin Dam, it had to pay more than \$1,500 a hectare for the property. The point I make is that the Government ought to have known that the land would be required for a Burdekin dam scheme at the time that it agreed to effect the change in the title of the property from leasehold to freehold. The Government ought to have realised that the land would be needed for irrigation purposes to permit many Queensland farmers to take their place on the land. Such Government failings provide the reason why the Opposition has become annoyed over the years. The Opposition has continually called for the establishment of a foreign land-ownership register because the people of Queensland have requested the Labor Party to call the Government to account for its land management policies in Queensland.

I could cite many examples of mismanagement of this portfolio. A Brazilian millionaire land-owner came to Queensland and approached the Government with a story about development. It was well known that he had plenty of money. The possession of vast sums of money seems to be the main quality that this Government responds to. If a person has plenty of money, this Government thinks that it necessarily implies that he also has a good argument, and principle goes out the window. The Brazilian millionaire told the Government that he intended to build meatworks and that everything would be great for the cattle-producers of far-north Queensland. He told the Government that graziers could bring a skinny old cow to one end of the meatworks and that fillet steak would come out the other. Fantastic stories were circulating about this brilliant Brazilian who was going to develop far-north Queensland—but what really happened? He got his hands on the property that he wanted, but where are the meatworks?

The former Premier, Sir Joh Bjelke-Petersen, announced many schemes that were all valued at \$600m. For some reason, all the schemes he announced were worth the same amount. For example, he announced that a rail line would be constructed across Australia to bring iron ore from Western Australia to a port in what was to be named "Bjelke-Petersen Bay". He also announced a rail line to the Northern Territory and many other schemes that never eventuated. The reality, of course, is that this Government always caves in to the rich and the greedy.

Although the Labor Party has no objection to Mr Maia or anybody else who wants to invest in this country, the policy that the Opposition wants implemented is to insist that foreign investors become Australian citizens and work the land in much the same way as any Australian would. The Labor Party has been accused over the years of being anti-investment and racist, but that is not true. The Labor Party is concerned about the moral obligations and responsibilities placed on this Government to create opportunity and incentive for the residents of Queensland. That is why the Labor Opposition has been fighting for the establishment of a foreign land-ownership register. The Opposition wants foreign land ownership to be closely monitored.

I agree with what the Minister stated in his second-reading speech. I wish to cite examples that will show that the Japanese are not the largest foreign investors in land in Queensland. During the recent furore that erupted on the Gold Coast about the disparity between purchase prices for residential land and development costs paid by Japanese investors, it was discovered that Japanese investors took second place behind New Zealand investors in the purchase of land on the Gold Coast.

I quote from the *Sun-Herald* dated 21 August 1988, which states—

"Official government figures from Tokyo show that in the 12 months ending March 1988, Japanese investment here jumped by 50 per cent to \$1,500 million—12 times higher than the level of investment in 1985.

And according to the Australian Bureau of Statistics, the cumulative level of Japanese investment in Australia was \$21,300 million up to June 1987."

That is \$21 billion in Australia as a whole. A big percentage of that land was in Queensland, because on page 5 under the heading "Cattle" the same article states—

“. . . the Oakey Meatworks in southern Queensland. The Nipon Land Co, which bought Oakey, also bought 5 000 ha of prime cattle property near Texas, on the Queensland-NSW border, for \$10 million.”

There is no need to wonder why people in the western rural areas are upset at the way this Government has administered the land in Queensland and how it has failed to create opportunity. The Government says that it will implement conditions that money must be spent on the land. However, the poorer man could obtain blocks of land by means of a land ballot and could participate. Robert Holmes a Court and John Elliott of IXL own properties all around Australia; yet time and time again, when this Government has been asked by organisations and members of this House to make land available for ballot purposes, it has always found some reason why the land cannot be put up for ballot.

If Mr Holmes a Court's take-over bid for the Western Australia company is successful, his company will own more land than the total area of England. He owns several grazing properties in Queensland. However, when one of those leases expires—a lease covering possibly thousands of square miles—this Government will grant him another long-term extension. It will not take one of his blocks of land away from him and cut it up into three or four living areas, depending on its size. If it is only a small block, the Government could cut it in half to make two living areas. The Government maintains that Mr Holmes a Court has only seven or eight blocks of land, but it is not taking into account the large areas of land that he has in New South Wales, the Northern Territory, Western Australia and the other States.

I am not only picking on Mr Holmes a Court. I could mention other directors of companies and investors, such as John Elliott of IXL and Kerry Packer. If this Government intends to handle land management effectively, it should monitor these companies and investors. The Opposition has been concerned for many years about the fact that the Government has not provided people with the opportunity to obtain land through land ballots. Many times I am asked why it is that there is no land ballot. The Government gives the excuse that there is drought or that the price of land is low. Sometimes it has been half right and has used a half-truth in order to extend a lease for another 25 or 30 years, whatever the terms of the lease might be.

The Opposition maintains that this Government look at every major company in Queensland that is an absentee landlord. If a person owns six or seven blocks of land, he cannot live on all of them at the same time. When one of those large leases expires, the Government should consider recovering it. The Opposition is not saying that, simply because these people are more fortunate than others and own six or seven blocks of land, therefore the land should all be taken away from them. The Opposition asks the Government to ensure that, when the lease expires, a certain amount of land is made available either for closer settlement or to give people the opportunity to take part in land ballots.

Queensland is one of the most diversified States in Australia. There are large tracts of land in many areas in the south, north and west of the State that generate income through diversified industries, such as agriculture, grazing and aquaculture. Aquaculture is becoming an important industry, especially along the coastline of the State and in far-north Queensland. Even when I am in the south and people find out that I represent a far-northern electorate, I am often asked if I mind if they talk business. They ask if there is any spare Crown land in far-north Queensland because they are interested in prawn-farming or other forms of mariculture or aquaculture. One of the hardest things to find out is exactly where there is any vacant Crown land. Crown land is often tied up or reserved for a special purpose. There is a certain amount of vacant Crown land, but it is very difficult to get one's hands on it.

Mr Ardill: There are a few spare at Wandoan that we put through last night.

Mr EATON: Yes, but they are no longer spare.

The Opposition has been calling for this Bill to be introduced into the House. The Opposition agrees that the Government is moving in the right direction through its implementation of computerisation and its use of today's science and technology. During the debate on the Estimates of his portfolio, the Minister for Land Management stated that at some time in the future there will be a computerised land register. If anyone wants to find out how much freehold, leasehold or agricultural land there is in Queensland, there will be someone with the expertise to push the right buttons and up will come the answer.

Mr Glasson: It's just around the corner.

Mr EATON: I am looking forward to that and I congratulate the Government.

I am not knocking the Government, but for a long time it has been too easy for the Government to allow large areas of land to be freeholded. The Government cannot say that it does not know about it, because section 147A of the Land Act Amendment Act 1984 states—

“No transfer to corporation of certain freeholded land without consent of Governor in Council. (1) Every deed of grant in fee-simple of the land comprised in a grazing homestead freeholding lease—

(a) issued after the commencement of the Land Act Amendment Act 1984; and

(b) where the area of the land comprised in the lease exceeds 2 500 hectares . . .”

That land can be transferred only after approval is given, so the Government cannot say that it did not know that all these transfers were taking place and that this vast area of land was being freeholded. We do not see people racing out into the Simpson Desert or to Birdsville or Bedourie to freehold vast tracts of land. These opportunists get in where the good land is. They are so successful because they have the business acumen to know the areas to go into. They have the contacts in the Government and they can move in and freehold the land on terms that they themselves dictate. The most annoying part of it all is that that is forcing up the price of land.

I would say that the Minister receives even more requests than I do from people who wish to own land or people who want to take up leasehold land. In a previous speech I mentioned that about six weeks ago a fellow walked into my office and said that he wanted some spare Crown land. When I asked him how much he wanted, he said that he wanted as much as he could get because he wanted to start up a farm or have enough land to run cattle. He blew in from the south and thought that by coming up to the north getting land would be easy.

North Queensland has probably a greater shortage of Crown land than any other part of the State. Now that we live in the space age with proposals to erect a satellite launching pad in north Queensland, the developers, entrepreneurs, investors and the fast-buck merchants are moving in. I know a grazier up there who in the last few years brought a property for 30c an acre. He has already been hounded by people offering him 75c an acre. No-one knows exactly where the space station will be built. All that is known is that it will be between the east and west coasts of the cape and within a few hundred miles of Weipa. People are moving in because they want to capitalise on the future development.

In cases such as that the Government has to be even more particular to ensure that all those people who are deserving of an opportunity are given an incentive to compete in the market-place. At times the Opposition has been accused of knocking only the rich. I am not doing that. I am not asking the rich people to accept any lesser chance than anybody else. What is wrong with the rich man putting in for a ballot for land and taking his chances on the fall of a marble? That is preferable to his being able to borrow more money on his assets, which increases the price of land and squeezes the poorer man out. That is how the system has operated for many years now. That has

been going on for far too long, but the people of Queensland have become concerned. I do not exaggerate when I say that hundreds of thousands of people out there in Queensland will be just as happy as the members of the Opposition when this Bill is put into effect.

What I am concerned about now, and what I want to remind the Government of, is that the Government of the day will make the regulations that apply under the Bill. I hope that those regulations will carry out the intent of the Bill. I compliment the Minister and the Government for drawing up the Bill. It is very complex legislation. From looking through it, I can appreciate the problems that must have been encountered in drawing it up.

I shall deal with another part of the Minister's second-reading speech. There is a very strong feeling in the community that people who are not Australian should not be able to own land. We in the Opposition do not want to denigrate or penalise everybody who is not Australian. The legislation would have been hard to draw up because Australia has many people from Commonwealth countries. In his speech the Minister said that Australia has roughly 1 million people who are of Commonwealth descent and who are not Australian citizens. That has been covered in the Bill. I am referring particularly to the elderly people who came to this country as youngsters. I have relatives who came out here at the age of 14 and even younger but who are still not Australian citizens. If those older people are subject to the provisions of the Bill, it will be hurtful to them. I have received a number of inquiries from older people. Although they agree with the legislation in principle, they do not want their names in a foreign-ownership register just because they own a little housing allotment.

As I said, I compliment the Minister. We in the Opposition are not here just to knock the Government. We appreciate the problems that had to be overcome in drawing up the Bill. What we are concerned about is the future, that is, how the legislation will be administered. We want that information readily available to all Queenslanders. I am pleased that the Minister mentioned that a report would be made to Parliament, so I take it that all honourable members will have access to the information. The only way to get a good, honest decision is to get a group of people of all different politics together in public where what they say is recorded. That stops all the exaggeration and the lies and those who try to gain favours through the back door. In those sorts of circumstances everybody makes a good, constructive contribution, not criticism. That is what we want to see, that everything is brought out into the open. Everybody who lives in Queensland should be able to find out how much land in Queensland is owned by foreign companies. I think a record should be kept not only of foreign companies that own land but also of our own absentee landlords. I tell honourable members that not all foreigners are sharks; there are a hell of a lot of sharks here in Queensland and Australia who would skin their mother for a louse. That is how lousy they are. They are only in it for a fast buck.

Mr De Lacy: They would pinch the pennies off a dead man's eyes.

Mr EATON: They would.

A person does not have to be a foreigner to be a no-hoper. That is why the average John Citizen of Queensland has to be protected. I feel that that is a Government responsibility, because when we as politicians go to the polls we tell the people that we are the right and proper people to administer this State and to be the custodians of their future. Over the past few years this Government has been going through a bit of a battle. The public is starting to react to what has gone on in the past. We in the Opposition have tried to play our role to look after the people of Queensland.

While we are happy with the introduction of the Bill, we are concerned to ensure that the intent of the Bill is what is implemented. In his second-reading speech the Minister mentioned how the provisions of the Bill would apply to New Zealanders. Early in the piece that matter was quite controversial. I mentioned earlier that the New Zealanders are bigger investors here than the Japanese. The Minister also said that 60

per cent of the 1 million permanent residents in Australia who have not become Australian citizens are from New Zealand or the United Kingdom. That is a fairly high percentage.

Before I conclude, I wish to refer to the ownership of mines. I can understand why the Minister does not want to include the ownership of mines in the register; however, for his sake and the Government's sake, it should have been included. The register provides a record so that the people of Queensland and the Government can monitor foreign land ownership. I am not knocking the great development that has been achieved by those companies. However, I want to know the full extent of their involvement and what their commitments are.

Huge amounts of money are taken out of Australia in interest payments. One company took more than \$1,500m. We must consider the price that Queenslanders paid to allow that benefit to the company to leave the country. What penalties did we as citizens of Queensland incur? Those companies may have made beautiful fields and constructed tall buildings; however, they were well paid for it.

I am not being critical of the mining companies. They have done an excellent job with reforestation. However, at Weipa, Comalco owns a vast area of land and it is conducting mining operations. If more than 15 per cent of that company is foreign-owned, the people of Queensland should know about it. If we know what is going on and we can see the end result, we will be far less critical of the Government. One of the reasons why we have been so critical of the Government is that, because it did not make the figures available, the community has been unaware. The Minister said that, with computerisation, it will not take long to ascertain that information. However, all Queenslanders should have the opportunity to find out which companies are operating in Queensland and exactly where they are operating.

Mining is a huge business. Open-cut mines have vast areas of land tied up. No doubt, in the early days, the Minister at the time was hounded about the miners' homestead perpetual leases. In central Queensland and north Queensland, when the open-cut mines were being developed, the graziers were unhappy with what was happening to the land. However, the Government must take on board all the facts and figures. When people were unaware of what was going on and could not find out, they came to their members of Parliament to obtain information, but they were told that it was not available. I would not expect the Minister to know at this stage how much land in Queensland is owned by foreign companies; however, in a short time he will know. That is why the Opposition is happy with and supports the Bill.

I understand why, in the past, the public has been so upset about developments in Queensland such as the Quaid development, Starcke station and Southedge station on the Atherton Tableland. Because they cannot find out about those developments, people are asking us as members of Parliament to take up their cause. We are concerned about that. When the Bill is enacted and the registration of foreign ownership takes place, the Opposition will be very happy.

Debate, on motion of Mr Austin, adjourned.

MOTOR VEHICLES INSURANCE ACT AMENDMENT BILL

Second Reading

Debate resumed from 13 October (see p. 1374).

Mr De LACY (Cairns) (5.20 p.m.): The Opposition welcomes and supports the legislation. I wish to make some initial comments about the complementary gazetting of the new schedule of rates and classifications. All honourable members would agree that the old schedule needed rationalisation. Anybody who has been a member of Parliament for some time would have been aware of many of the anomalies, because members of the community would contact him when they felt that they were receiving

a raw deal with classifications of motor vehicles for the purpose of compulsory third-party insurance.

One classification that I remember clearly is the rather arbitrary distinction concerning 1-tonne utilities. They were classified in one category when they had a drop-side back and in another category when they had a well-type back. Apart from that, there seemed to be little other distinction between them. It was an artificial distinction. It is pleasing to see that those kinds of artificial distinctions have been substantially removed. The Opposition welcomes that rationalisation and hopes that it leads to a more contented public.

The new classifications are based largely on available statistical information gathered from the various types of claims that have been made over the years. Of course, the Government miscalculated badly in the area of vintage, veteran and historical cars.

Mr Austin: It wasn't the Government.

Mr De LACY: I accept that. However, the Government tabled the regulations. I understand that the advice from the actuary was incorrect. I am pleased to say that that has been remedied. I think many owners of vintage, veteran and historical cars will be very pleased at the outcome. I might add that I was amazed at just how many members of the community do own those sorts of vehicles and use them as a hobby.

The Opposition also compliments the Government on the removal of the separate premium for trailers. I understand there are 300 000 of them in Queensland. That is a move in the right direction.

There is one area in which an artificial distinction is drawn which is causing some concern, and that is in respect of motor cycles. The distinction is that those motor cycles that do not have provision for pillion passengers attract a much lower rate. I can understand the actuarial reason behind that. If a motor cycle does not have room for a pillion passenger, there will be substantially fewer third-party claims. However, once a distinction such as that is drawn, people get caught in the net who should not get caught.

I received a representation from a lady who had a Vespa motor cycle; in other words, a step-through type of motor cycle. It did have provision for a pillion passenger. It was only an 80cc motor cycle. The lady was somewhat disabled and needed the motor cycle as a means of going shopping. Along with other people who own vehicles in this category, she found that the registration fee had increased from \$13 to \$150, or whatever it happens to be. Since that time I have received many representations. I wrote to the Minister. He wrote back and explained the reasons behind the increase. Although I can accept the rationale behind his argument, I still think that the distinction drawn in that instance is artificial, that certain people are being disadvantaged as a result of it and that it ought to be examined.

Another matter I want to raise is the striking of the premium at \$150. Obviously, the fact that the premium in the general category has been reduced from \$168 to \$150 has been popular in the community. However, one wonders how the figure of \$150 was arrived at. Should it have been \$120? Should it have been \$180?

I mention also that the Government has stated that it intends to have an automatic annual indexation of premiums. It seems to me that the Government is again exhibiting double standards. The Government does not usually support trade unions when they want an automatic CPI increase in wages, yet when it comes to Government charges, it is automatic. I know that the Federal Government adopts exactly the same principle. However, if it is fair for one, it ought to be fair for all.

I think the Minister is aware that the RACQ does not support the indexation of premiums from the proposed base of \$150 as the sole method of determining premiums. I believe that premiums should be reviewed regularly to determine a premium based on an analysis of the premium income, the claims cost, the expenses and the investment income; in other words, an actuarial analysis of the situation. The RACQ urges—and the Opposition supports—the establishment of a premiums committee. I understand

that this has been proposed by the Government previously but has never been implemented. Such a committee would be able to review publicly the need for any change in premiums and there would not be an increase in premiums unless there was an actuarial case for it.

Another important part of this legislation is the limiting of liability under third-party cover and the so-called establishment of clear lines between compulsory third-party insurance and workers' compensation in general insurance.

Previously, compulsory third-party insurance provided cover for liability for injuries caused "by, through or in connection with a motor vehicle". This led to claims being allowed or admitted in circumstances which were not envisaged in this class of insurance. In other words, claims were allowed when people were injured when a motor vehicle was present but the injury was not caused by the driving or use of that motor vehicle.

The new legislation provides that CTP insurance will apply to liability for injuries caused by "driving, parking or the loss of control of a vehicle". I think that is reasonable. The Opposition does not propose to oppose that particular change.

In respect of Transcover—and I understand that this is the main justification for this legislation—the Opposition offers its full support. When the new Transcover insurance was introduced in New South Wales it meant that Queensland residents injured in a motor vehicle accident in New South Wales by a non-New South Wales vehicle were left without any third-party cover at all. A Queensland resident injured in New South Wales by a New South Wales vehicle who was entitled to benefits under Transcover would receive lesser compensation than that available under the Queensland insurance policy. Hopefully, this legislation will restore Queensland third-party cover in New South Wales to the position applying prior to the introduction of Transcover. The Minister has given an assurance that this will be carried out on a cost-neutral basis. If that is the case, the Opposition supports it.

I take this opportunity to make a few general comments about third-party insurance in respect of personal injury and also in respect of property. Ever since motor cars started choking the streets of our cities and our country, they have been running out of control and into each other, causing death, injury and damage and providing solid incomes to a host of professions and industries. Successive Governments, both in Australia and abroad, have recognised that lawyers, doctors, insurers, panel-beaters and vehicle-manufacturers have done very well out of mishaps on the road, but the public generally has not. They have accordingly been prepared to regulate the accident compensation industry to overcome some of the inequities that have grown up with the common law.

All Australian States recognised long ago that the right of a person to be compensated for personal injuries received on the road should not depend on the solvency of the at-fault party. That recognition led to the introduction of compulsory third-party insurance schemes—socialist as it may be in concept.

In stark contrast, compensation for damage to property is still governed by the free market and the common law in all Australian States. Property damage insurance is not compulsory, nor is there any requirement that a driver be in a position to make good any damage his or her negligence may cause before being allowed on the road. This system is arbitrary, inequitable and costly, and the problem is that the burden falls on those people who can least afford it. The fact is that the voluntary system does not work. The innocent driver suffers when his or her car is damaged by the negligent driving of a person neither insured nor wealthy enough to pay for the damage. If the innocent party has comprehensive insurance, he or she may only lose the excess or no-claim bonus; if the vehicle is not comprehensively insured, the innocent driver must bear the loss entirely.

On the other hand, the negligent driver who causes extensive damage to another vehicle while driving an uninsured vehicle will face a substantial debt. Sometimes the driver who is not the owner of the vehicle is not aware that the vehicle is uninsured.

In such circumstances, the financial consequences of momentary inattention can be utterly disproportionate. All honourable members have had this issue drawn to their attention by those interminable advertisements on television promoting AAMI insurance. Thankfully, and usually, the consequences are not as great as is depicted in those advertisements.

There are other problems. Legal costs associated with loss recovery can represent a high proportion of the claim, even though the legal issues in dispute, which are usually confined to liability and the amount of damage, are relatively simple. In other words, the lawyers never lose; the people usually do. Delays, which arise because of the need to subject disputes to the legal process, result in additional unnecessary expenses for all parties. Figures show that the people who can least afford the loss of their own vehicle or are in the worst position to make good damage to another party are more likely to own and drive uninsured vehicles. Case studies point to a lack of awareness of the consequences of uninsured driving and to ignorance of the distinctions between personal injury and property damage insurance, particularly among young drivers and in ethnic communities.

Drivers without insurance and with limited means are less able to defend or instigate legal proceedings. There are substantial limitations on the availability of legal aid in such cases and the individual litigant is obliged to be far more cautious in assessing the risks of litigation than is an insurer exercising its rights of subrogation. Further, the apportionment system invariably favours the party with the greater amount of damage, which gives the owners of more expensive vehicles an institutional advantage in the dispute resolution process.

There is another issue—the concept of fault. Both Queensland and New South Wales operate on a fault scheme—that is, liability depends on apportioning blame—but the linking of compensation to the fault of another driver has many anomalies and inequities. Victoria and many overseas countries have experimented with no-fault schemes. I understand that a proposal to remove the concept of fault from insurance schemes would be virulently opposed by the legal profession because it constitutes its bread and butter.

I am also aware that Queensland insurance companies oppose such a scheme. For what reason, I am not sure. As far as I am concerned, the whole system needs further reform. There are schemes operating overseas—in the United States, Canada and Europe—where third-party property damage insurance is compulsory and the artificial distinction between losses arising out of personal injury and out of property damage have been removed.

Many different varieties of schemes can be found. For instance, an American approach is to require the owner or driver of a vehicle to demonstrate financial responsibility before being allowed on the road. Financial responsibility simply means the ability to satisfy an award of damages for personal injury or property damage, up to a specified ceiling. It is usually demonstrated by proof of insurance cover. Of course, there could be other ways of demonstrating it. Some American States only impose financial responsibility strictures after a person has been financially irresponsible: thus a driver who has failed to satisfy a judgment debt arising out of an accident will not be permitted to drive again until he or she can show financial responsibility. Other States require all drivers to be financially responsible before taking to the road. This amounts to a compulsory insurance requirement, guaranteeing all road-users basic protection against injury and damage.

The British experience suggests that compulsory third-party property damage insurance can be introduced into a private insurance market operating under a common law system. However, modified no-fault compensation schemes have considerable advantages in terms of efficiency and equity. Under such schemes, costs and delays arising out of the fault-finding litigation process are greatly reduced.

In conclusion, I point out that there is no doubt that the property damage insurance system is in urgent need of repair. The Opposition requests that the Minister examine

that matter. A range of workable options is available if we are prepared to take the initiative. I believe that the option which best serves the demands of equity involves the abolition of fault and the adoption of a universal compensation system. Such a system would be even more equitable if a third-party liability ceiling were fixed at around the replacement cost of the average family car and the right to sue for any sum over that ceiling abolished. Owners of expensive prestige cars would then be obliged to bear the entire burden of insuring such vehicles without subsidy from less affluent vehicle-owners. But even more modest reforms would be a vast improvement on the present system, without having a substantial or necessarily adverse effect on the insurance industry. Experience overseas demonstrates that it is not difficult to introduce compulsory third-party property damage insurance. On the contrary, it is simply too costly and too unfair to the community not to introduce it.

I wish to mention another issue that was raised with me by one of my colleagues, namely, a case in which the driver of a vehicle died at the wheel because of a heart attack. Apparently that person's vehicle careered off the road, went onto the opposite carriageway and collided with another vehicle. The driver of the other vehicle—in other words, the third party—was seriously injured and spent six months in a coma. When that person was able to make a claim under his compulsory third-party insurance, it was discovered that the driver of the offending vehicle was not negligent because, under our insurance system, it is necessary to prove fault. The litigant in that case was unable to do so. It is lucky that there was no-one else in the vehicle with that driver who had the heart attack. In that case the driver of the damaged vehicle missed out on what honourable members would agree was necessary compensation.

My question is: does this legislation address that problem? If not, can the Minister undertake to investigate the situation in the hope that that serious problem will be addressed in the future?

I reiterate the Opposition's acceptance of this legislation. We welcome it.

Mr BEANLAND (Toowong) (5.40 p.m.): The Liberal Party supports the proposed amendments to the legislation. In July 1987 the Labor Government in New South Wales introduced the Transcover insurance scheme, and that caused a great deal of concern for people in Queensland. I am sure that honourable members would be aware of the concerns that were expressed by their constituents at that time. Many people who were travelling into New South Wales were unaware of the changes that had been made to that insurance scheme. It is quite clear that those people were confronted with conflicting statements as to whether or not they should take out additional insurance cover for those occasions when they are travelling into New South Wales. Many people who sought legal advice in Queensland took out additional liability insurance cover, which amounted to hundreds of dollars. Because of the uncertainties that were involved in the introduction of the Transcover insurance scheme, those Queenslanders faced great increases in their insurance premiums. Honourable members can imagine how people who lived on or near the Queensland/New South Wales border crossed into New South Wales totally oblivious to the changes that had occurred in the New South Wales insurance scheme.

It is interesting to note that late last year, the then New South Wales Labor Treasurer, Mr Kenneth Booth, issued a statement to the effect that he assured interstate motorists to New South Wales that there was no cause for concern with motor vehicle personal accident insurance cover. Mr Booth was reacting to statements that had been made by the Queensland Law Society and the NRMA, which he said could create unnecessary community concern and uncertainty. At that time Mr Booth said, "These scare tactics are totally irresponsible." It is now obvious that both the NRMA and the Queensland Law Society had genuine reasons to be concerned. I am pleased that the Government is proposing to amend the Motor Vehicles Insurance Act to cover that situation. I understand that this legislation will be backdated to July of last year.

In common with the previous speaker, I have been approached through my colleague the member for Mount Isa in relation to the situation covering motor cycles. Although

the Government had a change of mind and rectified the situation relating to third-party insurance cover for vintage, veteran and historical motor vehicles, because of the situation that was outlined by the previous speaker, one or two anomalies need to be rectified.

I refer to the case of a person who lives in Mount Isa and approximately eight years ago purchased a motor cycle with a side-car for a pillion passenger. That side-car has never been used for the carriage of pillion passengers. In fact, the owner of the motor cycle does not intend to carry pillion passengers and has sealed off the side-car. Nevertheless, if it were to be restored to its former condition, it would still be capable of carrying a pillion passenger. As a result, that man's compulsory third-party insurance cover has been increased tenfold. That caused the owner of that motor cycle so much concern that he sold it and now his wife drives him to work, which no doubt causes him a lot of bother after having had that motor cycle for eight years without problems.

I do not know that there is an easy way of solving that anomaly. Perhaps it cannot be solved. Because of the significant increases that have occurred in compulsory third-party insurance premiums, perhaps the Minister could consider that problem at some stage in the future.

I turn now to trishaws, which are a growing form of transport not only in Brisbane but also on the Gold Coast. I am not against the use of trishaws. Because I believe that they are good for the tourist industry, I support their use. Tourists enjoy using various forms of transport.

For the benefit of those honourable members who are not familiar with the term "trishaws", I point out that they are commonly known as Pedicabs—a name which is taken from the major company that is concerned with their operation in the city. It is a patent name and therefore it cannot be used by other concerns. All the trishaws in operation are in fact called Pedicabs. Rickshaws operate within the city Botanic Gardens. However, rickshaws are slightly different. They also are now being taken out of the Botanic Gardens and used on the roadways.

I am concerned that those vehicles have no compulsory third-party insurance coverage. It is all very well for people to say, "So what? They are not covered by compulsory third-party insurance." The point is that it will not be long before a major accident occurs, and the people who are travelling in those trishaws, Pedicabs, rickshaws or whatever they might be, may find that they are not covered by third-party public liability insurance.

To my knowledge, at present the Pedicab-operator is the only operator who is covered by his own public liability insurance. I had a look at the Pedicabs. I noticed that two or three of the operators of the trishaws have put signs on their vehicles stating that the public travels at its own risk and that the operators are not covered by any insurance. That might all be well and good, but I am sure that not too many people who hop aboard those cabs and take a ride across the Victoria Bridge to the Expo site, which is probably the least risky of all the rides that are available, take much notice of those signs.

In recent times I have noticed that the trishaws have now ventured into Ann Street and Elizabeth Street. Quite an amount of traffic uses those main thoroughfares. With the huge traffic flow in those streets, I am sure that it will not be long before an accident occurs.

The Government should determine whether it or the local authority should be the licensing authority for these forms of transport to ensure that some compulsory public liability insurance is taken out. Urgent action needs to be taken. An accident is just waiting to happen. Were an accident to occur, the people involved in it would suddenly find that they are not covered by any insurance. They may be unaware that they are not covered by public liability insurance. It will not be long before the Government or the community becomes horrified and everybody will want to blame everybody else and an investigation will be held. Now is the time to act. It is quite clear that some action

needs to be taken to resolve who will license these operators and who will ensure that they are covered by some type of public liability insurance.

As I said, I support this mode of transport, particularly in tourist areas. It will continue to be a tourist attraction in the city unless the Government cracks down on the operators and stops their operations.

I understand that on the Gold Coast also this mode of transport is attracting growing interest. It should be encouraged in tourist centres. However, safety and public liability should be considered. I have asked a few people who have travelled in this form of transport what they think about it and they have told me that it is just like getting aboard a taxi; that there is nothing to worry about—it is the same sort of thing. It is far from that.

As I have said, I also include the rickshaw operation out of the Botanic Gardens because I have noticed that it is also venturing forth onto the public roadways, particularly major roadways such as Alice Street. Not only during peak periods but also in off-peak periods and week-ends, Alice Street carries a huge flow of traffic.

I ask that the Minister look into this matter before a serious accident occurs.

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (5.49 p.m.), in reply: In the limited time available to me, I thank honourable members for their contributions to the debate and I will attempt very quickly to respond to some of the matters raised.

The honourable member for Cairns raised the question of a regular review. It is intended to regularly review the fee structure for third-party insurance. The matter that the honourable member raised about a committee structure carrying out the review has not been addressed. I am not sure that it is really necessary if the reviews are done on an actuarial basis. This legislation is really a major attempt to reduce the number of categories. Therefore, a review should be substantially easier.

In speaking about the categories, both the honourable member for Cairns and the honourable member for Toowong raised the matter of motor cycles. Unfortunately, when a review of this nature is conducted and the number of categories is reduced in order to make the system better, it is obvious that some people will be better off and some will be worse off. It is impossible to try to rationalise third-party insurance into a smaller number of categories without that occurring.

The matter really has to be put into perspective. I have received letters regarding third-party insurance for motor cycles. The figures that I have been given indicate that compulsory third-party insurance on a motor cycle is about \$2.87 a week. If that is compared with the bus fare of a couple of dollars to travel to places around Brisbane, it really is not a valid argument to say that someone had to sell his motor cycle because of the cost of compulsory third-party insurance.

The honourable member for Toowong said that after the man sold his motor cycle his wife drove him in their car. They ought to have a look at the third-party insurance on their car and the cost of the petrol that goes into it and compare that with the wear and tear on a bike. It is probably not a valid argument. Although I have some sympathy for those people whose insurance premiums have increased, it really is an impossible task to satisfy everyone.

The honourable member for Cairns raised the matter of a driver having a heart attack. I must say that I have some sympathy with the matter that he raised. My officers will undertake to report to me about what can be done to try to resolve that matter.

At present it seems to be tied up in the definition of “insurance”, as I understand it, and it is fairly complicated. There may be a way in which the matter can be resolved. Hopefully, it can be resolved. I do not think anyone wants to see third parties put at risk because of an anomaly. The Government will do its best to try to resolve that matter.

Part of this legislation really would not have been brought before this House—and it should not have been brought before it—if the Government of the day in New South Wales had not implemented the legislation that it did. It is hoped that the Transcover provision will not have to be implemented, because I understand that prior to the New South Wales election Mr Greiner gave a public undertaking that his Government would do something about the existing legislation. As yet that has not been done. I understand that something will be done. Because the Queensland Government has been waiting for the New South Wales Government to introduce amending legislation, this legislation was delayed. However, as that amending legislation has not been introduced, this legislation needs to be effected.

The honourable member for Toowong raised the matter of trishaws. I am advised that the Transport Department requires that public liability insurance policies be obtained before a permit is issued. Whether that advice can be followed up or not, I am not sure; but that is the advice that I have been given. It seems to me that if trishaw-operators are not covered by third-party insurance because they are not registered, and if a public liability policy is a requirement of the Department of Transport, it is sensible to ensure that passengers are covered.

I thank all honourable members for the contributions they have made to the debate on this legislation, which is important and necessary. I commend the Bill to the House.

Motion agreed to.

Committee

Clauses 1 to 9, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

EXPO '88 ACT AMENDMENT BILL

Second Reading

Debate resumed from 20 October (see p. 1691).

Mr McELLIGOTT (Thuringowa) (5.55 p.m.): Obviously, the Opposition supports the Bill. The Minister advises of the existence of a challenge presently before the High Court concerning the use of the stylised version of the logo of the Australian Bicentennial Authority. The Minister also advises that, should the High Court challenge succeed, repercussions could affect the Expo '88 Act. He has advised me that pending the High Court's decision in this matter, regulations were approved and gazetted as a stopgap measure and that, bearing in mind that Expo words have been franchised to various people and bodies, and as doubts exist relating to the validity of the enforcement provisions contained in the regulations, it is considered that the Expo '88 Act should be appropriately amended to remove any such doubts. Clearly, the Opposition has no quarrel with that argument.

I take this opportunity to state the obvious—that is, that Expo 88 has been an outstanding success. It has obviously provided short-term benefits to the people of Queensland and other States in Australia but it will also provide long-term benefits in the future.

Some interesting facts have emerged from the whole Expo exercise. One is that the people of Queensland have responded magnificently to the opportunity of taking part in a world-class exposition, not only insofar as attendances are concerned but also in the way that Queensland people have staffed the exposition. People from my own region have taken time out to staff pavilions and have promoted north Queensland. Everybody who has taken part in the exercise has had a thoroughly enjoyable experience. It is also

worth noting that very many schoolchildren from all over Queensland were given the opportunity of seeing the various pavilions and they were able to take part in the exposition as well.

It is obvious that long-term benefits of considerable importance will be gained by this State, particularly as far as tourism is concerned. In the early months of Expo, concern was expressed about the possibility of a detrimental effect upon tourism in north Queensland. To some extent, that detriment was expected; but my impression is that that detriment has been turned around during the later stages of Expo. North Queensland tourism has benefited from Expo, even in the short term.

Everyone awaits the announcement in relation to the future development of the Expo site. Obviously, redevelopment will be a very difficult exercise. There is an expectation on the part of the people of Brisbane and the people of Queensland that the site will become in the long term a place of which all people can be proud. An expectation is also held on the part of the people of Brisbane that the Expo site will remain a place to which people will want to go. I hope that, by the provision of open space and cultural facilities, people will be encouraged to continue to frequent the site after Expo finishes. People have certainly responded to the site very well indeed.

Obvious problems of unemployment in the post-Expo period will arise; but, balanced against those problems is the fact that those who have been employed at Expo have derived enormous benefit from that experience. Queensland now has a bank of experienced and well-versed employees who have gained considerable skills in the catering and hospitality industry. The very fact of having worked at Expo will be a status symbol for those young people who seek employment at some time in the future.

In conclusion, I raise the matter of trading hours utilised by hotels and various other businesses around the city. A debate is proceeding at the moment in the central business district of Brisbane about whether the Expo trading hours should continue or whether the previous trading hours ought to apply. I am personally opposed to the extension of trading hours. That Expo brought with it special considerations that have been accommodated by the Government must be accepted, but as soon as Expo is over, the usual trading hours should be reverted to. I recommend that course of action to the Government.

Sitting suspended from 6 to 7.30 p.m.

Mr BEANLAND (Toowong) (7.30 p.m.): The Liberal Party supports this amendment to the Expo '88 Act that is presently before the House.

I am surprised that in recent weeks there has not been more debate about the future redevelopment of the Expo site. It is a shame that there will be a wholesale clearance of the site. I understand that all the structures on the site are to be demolished immediately following the closure of Expo. I believe that use could be made of a number of the structures that are presently on the site and some of the areas should be retained for the future.

One such area is the lagoons area, which is a great feature of Expo. Ever since I waged a campaign against the previous redevelopment proposal from River City 2000, I have proposed that there should be a small rainforest on the site which would be a major tourist attraction. A rainforest could be tied in with the lagoons and this would be a fantastic boost to the city. In addition, the local residents would flock to see such a facility and it would help retain the character of the area.

Other features are the restaurants and take-away food facilities near the Maritime Museum. Any redevelopment of the site will require such facilities. Those facilities should be retained as well as a number of other facilities on the site. It is important that attention is given to the site's redevelopment before those buildings are completely demolished. It is quite clear that future plans ought to take those features into consideration.

I know that the chairman of Expo, Sir Llew Edwards, is also chairman of the new redevelopment authority and he will be ably assisted by the Lord Mayor and other

representatives from the council, the Government and the Expo Authority. I believe it is essential that there be greater debate over the redevelopment of the site. In recent times there has been a tendency to leave the issue to other people. Now is the time that everyone should put forward their constructive ideas, before it is too late. If another couple of weeks go by, the site will be demolished and it will be too late to retain a number of very useful features on the site.

Mr ARDILL (Salisbury) (7.33 p.m.): I do not know if the honourable member for Toowong read my script or whether it is simply a case that great minds think alike, but he has spoken about exactly the same matters that I want to refer to. Before the Deen brothers move in on the Expo site the Government should say, "Stop! Hold! Just wait until we think about this."

Great credit must be given to Sir Llew Edwards for the success of Expo. He has done a marvellous job and Expo has been one of the greatest things that has happened to Brisbane. It follows on the success of the Commonwealth Games, in which the Labor city council in Brisbane was totally involved. Expo has changed things considerably; it has got people away from their television sets and out into the community and city. I hope that that will not change, but it certainly will change if the transport authorities withdraw the public transport that everyone has enjoyed during Expo, such as the late night, Sunday and Sunday night transport in particular. I hope that those services will be allowed to continue for a trial period and that everything will not simply be cut off on Sunday night with the comment, "That's the end of it. You can all get back to bed, your television sets or whatever." Brisbane has changed. It has grown up during Expo and I hope that the people will be given a chance to continue with this changed life-style.

Other world expositions have resulted in the construction of some outstanding structures; for instance, the Crystal Palace in London and the Eiffel Tower in Paris. Both those structures were constructed as a result of expositions staged in those cities. Brisbane will not get a signatory structure as a result of Expo 88, but is it too much to ask that the lagoons and boardwalk areas be retained? The Government should take the lead, even if it costs money and the type of development constructed on the site is a little less than envisaged because of the retention of those areas. In 50 years' time today's young people will look back and say, "That was a part of this city's Expo", in just the same way as Parisians can say that the Eiffel Tower is a landmark of their exposition and Londoners can say that Crystal Palace is a landmark of their exposition.

The overall development should complement the heritage buildings on the Expo site. It must not be forgotten that the rate-payers of Brisbane put \$10m into the land on which Expo stands. It is not totally the property of the Government, the tax-payers of Queensland and Australia or the Expo Authority. That land was bought by the people of Brisbane at great cost and at a time when funds were sorely needed elsewhere. The people of Brisbane have a right to expect that the lagoons be retained and, as Mr Beanland suggested, a section of rainforest be retained to commemorate what was on the site originally before it was cut down for commercial purposes. Something should be left so that the people of Brisbane can remember Expo.

I would like to see some residential development on the site, because it was always planned that in the future there would be some residential development on the Expo site. That development would have occurred without Expo. Eventually some of the industries and commercial buildings on the site would have given way to residential development for the permanent population of the city of Brisbane.

I would like to see some residential development there and a large part of the area kept for the enjoyment of the people of Brisbane and the people of Queensland. That will not happen if the Government insists on its pound of flesh and also on taking advantage of the \$10m investment that the rate-payers of Brisbane put into the Expo site. Even if the Government does not recoup the total cost of Expo, it will have made a valuable contribution to Brisbane. Really, the people of Brisbane are entitled to that and it would provide a worthwhile community asset on the site, something that would

enable future residents of Brisbane to remember that this city staged the most successful Expo to date.

Hon. W. A. M. GUNN (Somerset—Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police) (7.38 p.m.), in reply: I thank honourable members for their contributions and, most of all, for their support. They all realised the necessity for these amendments. The Opposition spokesman, the member for Thuringowa, spoke about Expo and what it has meant to this State. I think it has meant a lot to Australia. There is not only the immediate effect but also the multiplier effect that will be felt for many, many years.

I can recall being very disappointed when I went to see the New Orleans Expo, which at that time was not finished. About 26 countries were involved in that Expo. When I became a member of the Expo Authority—I did not miss too many meetings there—I was pleased to see it develop in the way in which it did. We would have been more than satisfied if 7.5 million people came through the turnstiles during the six months. I am absolutely convinced that, by 4.30 p.m. on Sunday, 17 million people will have passed through the Expo turnstiles. That speaks for itself.

Mr McElligott: Unbelievable.

Mr GUNN: Yes, it is unbelievable. It is also wonderful.

The success is due in no small way to co-operation. I have just returned from Vancouver, where I delivered a film titled *Intergovernment Co-operation*. That is what Expo was all about. The fact that the three different tiers of Government could work together to produce one of the world's greatest events really speaks for itself. Only a couple of days ago I attended my last meeting at Expo and I learnt that the little monorail that was bought second-hand from Mitsubishi has carried 6 million passengers. I am very, very proud of what has been achieved through the co-operation of the different levels of Government.

The honourable member for Toowong, Mr Beanland, spoke about the redevelopment of the site, which is very, very important. There is a lesson to be learnt from what has happened in Vancouver. A couple of years have elapsed since that city's Expo, yet there has been no redevelopment. I believe that has happened because the different levels of Government could not co-operate. The only thing that has been done with the site in Vancouver is that it has been sold to a Hong Kong group for some \$300m—but the group has 15 years to develop it. My God! I can imagine the reaction of the people of Queensland if this Government spoke about redeveloping the Expo site in 15 years' time.

What has to happen on the Expo site is that the buildings have to come down straight away; the site has to be cleared. The redevelopment has to take place as quickly as possible. Although I cannot give any information to the House tonight on the redevelopment, I will say that the people of Queensland will be very pleased indeed with it. It has been very carefully considered by the committee. From what I have seen of it, I am sure that the people of this State will be delighted with it.

Mr Ardill: Are you going to give the public a chance to comment on it?

Mr GUNN: People can comment on it, but they should not take too much time. We want to get it developed. I say to the honourable member that I am certain that he will like it very much. I can assure him that all of the things that he thought should have happened will happen. It will be a people's place—that is most important—where people can go.

What we have learnt at Expo is that people have learnt to queue up. Never did I ever think that Queenslanders would queue up. A wonderful thing is that 20 per cent of the visitors have come from overseas. That is equivalent to more than 3 million visits to the site.

Mr Ardill interjected.

Mr GUNN: I cannot take interjections, but it is a wonderful story. I hope that the redevelopment gets under way as quickly as possible.

The Bill before the House is very important. I commend it to the House.

Motion agreed to.

Committee

Clauses 1 to 4, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

PUBLIC TRUSTEE REGULATIONS (CONTINUATION) BILL

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.45 p.m.): by leave, without notice: I move—

“That leave be granted to bring in a Bill to continue in force the Public Trustee Regulations 1978.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.46 p.m.): I move—

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

Regulations under the Public Trustee Act 1978 are cited as Public Trustee Regulations 1978. Prima facie, these regulations would expire on 30 June 1989 by application of section 5 of the Regulatory Reform Act 1986. The real position is that these regulations were made under the Public Curator Act of 1915, published in the *Queensland Government Gazette* in 1916 and were amended from time to time. As the regulations were really made in 1916 (though they are presently cited as Public Trustee Regulations 1978) the regulations expired on 30 June 1978 and current regulations do not exist under the Public Trustee Act 1978.

The purpose of this Bill is to declare that the regulations cited as the Public Trustee Regulations 1978 are deemed to have been made on 1 January 1979. This will give retrospective validity to the regulations from 30 June 1987, which is the date they would have expired pursuant to the Regulatory Reform Act.

The regulations will now expire on 30 June 1989, unless revived pursuant to section 6 of the Regulatory Reform Act 1986.

I commend the Bill to the House.

Debate, on motion of Mr De Lacy, adjourned.

EMPLOYMENT, VOCATIONAL EDUCATION AND TRAINING ACT AMENDMENT BILL

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (7.47 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to repeal the Industry and Commerce Training Act 1979-1988 and to amend the Education Act 1964-1987 and the

Employment, Vocational Education and Training Act 1988 each in certain particulars and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (7.48 p.m.): I move—

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

In December last year the Government of Queensland established a new department of State entitled the Department of Employment, Vocational Education and Training. That department has brought together in the most effective way possible the responsibilities for—

- administration of technical and further education;
- post-compulsory education provided in senior colleges;
- apprenticeship and traineeship administration;
- training; and
- employment planning.

To support that initiative and to provide the initial legislative base for the operations of this new department the Employment, Vocational Education and Training Act 1988 was introduced and passed by Parliament on 12 April of this year. That initial legislation has been applied to very good effect and the new department has quickly established itself as a dynamic and cost-efficient Government instrumentality which is able to provide employment, vocational education and training services relevant to the needs of industry and the general community, thereby contributing to the economic development of the State.

I foreshadowed in my second-reading speech of 16 March 1988 that supplementary legislation would be required to consolidate under the Employment, Vocational Education and Training Act the authority necessary for the administration of all aspects of employment, vocational education and training in this State. The Bill now before the Parliament comprises that supplementary legislation and the fulfilment of my undertaking given to the House on that occasion.

The Bill has been constructed following extensive consultation with the stake-holders in the employment, vocational education and training process and with my colleague the Honourable the Minister for Education, Youth and Sport. Like the new department, the Bill is progressive in its philosophy and construct and its provisions will ensure the efficient and effective administration of employment services, as well as vocational education and training within this State and the ongoing involvement in policy formulation of the stake-holders in the process—industry, Government, unions and the community.

The principal effects of this Bill which is now before the Parliament are—

- to repeal those provisions in the Education Act 1964-1987 which pertain to adult education and technical and further education;
- to repeal, in total, the Industry and Commerce Training Act 1979-1988; and
- to amend the Employment, Vocational Education and Training Act 1988 to insert all legislative provisions necessary for—
 - the constitution of the Queensland Employment, Vocational Education and Training Board which will provide policy and planning advice to the Minister on employment, vocational education and training matters and which will also be responsible for the accreditation of technical and further education courses;

- the constitution of the Training Executive which will administer the apprenticeship and traineeship system; and
- the administration of:
 - (i) technical and further education;
 - (ii) TAFE colleges;
 - (iii) senior colleges;
 - (iv) other vocational education and training institutions which may be established in the future;
 - (v) the accreditation of technical and further education courses; and
 - (vi) apprenticeships, traineeships and other approved modes of training.

Some of the Bill provisions relating to the administration of apprenticeships, traineeships and related matters are significantly different in principle from those contained in the current Industry and Commerce Training Act. They are also much less prescriptive.

A major feature of the Bill is that the operational provisions pertaining to apprentices and trainees and related matters are vested with the Training Executive, which of course is representative of industry, unions and Government.

The Bill also incorporates a number of new initiatives in the apprenticeship area such as—

- (i) provision for voluntary apprenticeship;
- (ii) provision to allow completion of apprenticeship by the attainment of a level of competency or by effluxion of time;
- (iii) provision for overtime and allowances for apprentices in accordance with prevailing award conditions;
- (iv) consolidation of all apprenticeship penalty provisions under one disciplinary provision;
- (v) provision for apprentices to be indentured to a number of occupations, creating the opportunity for multiskilling, which, I understand, is a first in Australian apprenticeship legislation;
- (vi) an improved system of registering or recognising private training providers and of the courses which they offer; and
- (vii) provision for allowing persons under 21 years of age to commence and work in their own business in an apprenticeable occupation.

I commend the Bill to the House.

Debate, on motion of Mr McElligott, adjourned.

CORRECTIVE SERVICES (ADMINISTRATION) BILL

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (7.53 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to provide for The Queensland Corrective Services Commission, its functions and powers and for purposes related to the administration of corrective services.”

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (7.54 p.m.): I move—

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

The Corrective Services (Administration) Bill has been prepared to establish the Queensland Corrective Services Commission.

This Bill represents the most fundamental program for change ever developed in the area of corrective services in this State. It is the direct result of the Government's decision about eight months ago to undertake a massive review of prisons, parole and probation in Queensland and of its determination to put in its place a more productive, cost-efficient and accountable corrective services system.

During that process of review, hundreds upon hundreds of prisoners, prison officers, community individuals and groups, together with members of the legal and other professions, union officials and commercial organisations, have made written and verbal submissions. The legislation now before honourable members is a summary of those submissions. It is a direct reflection of the expectations of the community, and it was developed as the result of an intensive period of consultation.

The unique thing about this legislation is that the credit for much of it lies not with the Government nor the Corrective Services Department, or even Jim Kennedy, who so brilliantly carried out the review task. The real credit lies with those hundreds of people and organisations who made submissions, many of whom were called upon for further input and discussion.

In real terms what we have here is an example of citizens-initiated legislation. What we have is a real case of people power. The community has identified the problems and has come up with proposed solutions. This Parliament now has its role to play in debating and implementing this legislation.

There is another very unique aspect to the legislative proposals now before honourable members in that in many areas they represent not only the party platform of the National Party but also that of the Opposition.

I guess it would be uncharitable for me to suggest that the Labor Party's Corrective Services policy is a cut-and-paste job from the Kennedy report. But to all intents and purposes, the ALP appears to have attempted to hijack the Ahern Government's prison reform package. When one looks at it, there is a great deal of similarity. For example the ALP wants to—

- establish a Corrective Services Commission to incorporate the present Prisons Department and Probation and Parole Service;
- introduce community-based programs as an alternative to imprisonment for clearly defined categories of offenders such as fine-defaulters;
- introduce and implement a comprehensive classification and segregation system for offenders; and
- introduce extensive training to ensure corrective service officers possess the necessary professional skills.

During the review process, I confess to being disappointed at the lack of political response from the ALP. But, equally, my spirits were revived when I saw that the Opposition, through its recently adopted policies, had finally come to its senses. It does not appear after all as though we will have to drag them kicking and screaming into the twenty-first century of Corrective Services. There are, of course, some differences between our Corrective Services policies. But I sincerely believe that, on the broad issues, the two important political forces in this Parliament are in general agreement.

At this point I should deal with some of the specific issues of the legislation, and perhaps one of the most contentious is the area of so-called privatisation of some services.

I believe we should adopt the proposals on privatisation in this Bill in order to fully open the way for the new Corrective Services Commission to undertake further consultations with the unions and other interested parties.

I can assure honourable members that the Government, through the commission, will not rush headlong into this area. But I can also assure them that if the commission believes, after careful evaluation and consultation, that there is room for new management processes—whether they call that privatisation or something else—then they should be given every opportunity to prove their worth.

I am not impressed with the level of argument from the Opposition side of the House on this issue. My understanding of its position is that privatisation means that standards are lowered in deference to the profit motive. There is little evidence of this in the more recent efforts in the privatised prison systems overseas. In fact, the evidence is that standards can be raised at the same time as the drain on the public sector is kept at the same level, or even lowered.

The real experience and the real truth of the matter is that privatisation—properly and selectively applied—will generate a more standard-conscious, competitive corrective services system. It will allow us to measure performance and standards in a more professional manner, and, above all, it will establish a more accountable system than that which is now operating. And how do we measure such standards and levels of performance? Through a system of permanent audit control.

Audit teams will be a day-to-day feature of prison management life—checking on Government and/or private sector operations. Nothing will escape their attention. They will have total access to every area of operation. I am not talking about a quickie, once-a-year survey of a prison; rather that the accountability be built into the daily operational aspects of Corrective Services. We are dealing with too serious and sensitive a situation for it to be anything else, and I believe this will satisfy any concerns that security or any other aspect of Corrective Services will be jeopardised through privatisation.

This Bill will set up the commission, define its powers and functions and also provide for its funding. A commission was recommended rather than a department simply because the public service departmental structure is not as appropriate for implementing the rapid and sensitive changes needed in prison reform as a properly established community-involved commission. I stress the need for rapid changes.

While the commission will be a statutory body, it will still be required to report directly to the responsible Minister and will be subject to strict financial controls.

The existing staff of the Prison and Probation and Parole Services will be transferred across to the commission. In drafting the new Bill, every precaution has been taken to ensure that staff are not disadvantaged in any way by joining the commission. They will not receive less than they are presently being paid; their conditions and entitlements will remain the same; they will retain the right to apply for transfer and promotion to other public service positions; and the commission will assist the placement of those staff members who wish to return to the public service.

As far as the management structure is concerned, the Bill provides for the commission to be administered by a board comprising nine commissioners, of whom one will be a barrister or solicitor, one a church or welfare representative and one an Aborigine or Torres Strait Islander. Overall, the composition of the board will ensure that the interests and views of the community are well catered for.

Before I commend this Bill to the House, I want to make specific mention of Commissioner Jim Kennedy and the work he and his team have carried out since he received his brief last March. Some honourable members may be aware that less than a year ago, Jim Kennedy underwent major heart surgery for a life-threatening condition.

Despite the fact that he was still in the recuperative stage, he agreed to undertake this task. I do not believe that even he realised how arduous it would be or that it would lead to a brief but busy period as Boggo Road gaol administrator. He undertook this task and followed through the entire project with an attitude akin to missionary zeal. His work will bring enormous benefit to the State.

There has not been a single day since early this year when he has not been at work on the corrective services task. He has refused to accept any reward or payment for this

work. The consultative committee formed to help him in the review, along with his secretariat, all deserve honourable mention at this point.

I commend this Bill to the House and look forward to the comments of all members participating in the debate.

Debate, on motion of Mr Milliner, adjourned.

CORRECTIVE SERVICES BILL

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (8.02 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to provide for and in respect of corrective services, the release of prisoners on parole, the making of probation orders, community service orders and fine option orders and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (8.03 p.m.): I move—

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

The Corrective Services Bill was drafted to draw together the present Prisons Act and the Offenders Probation and Parole Act into a single piece of legislation which will allow much-needed reform to Queensland's corrective services system. New provisions have been added to modify outdated procedures. Included in those new provisions will be more emphasis on community corrections as a viable and humane alternative to imprisonment. This Bill provides for a new management structure to be introduced into our prisons. All prisons will be placed under the control of a general manager. This person will be suitably qualified within a whole range of disciplines and experiences and be able to meet the rapidly changing demands of administering a complex and expensive organisation. While the general manager will have overall responsibility for the organisation, functions such as security, supervision, welfare and corrections programs and administration and finance will be looked after by specialist managers.

The Bill also provides prisoners with a more positive redress system for their grievances. At least two official visitors will be appointed to each prison. These visitors, one of whom will be either a barrister or a solicitor, will be available to talk to prisoners about their complaints and attempt to resolve these issues with local prison management. If necessary, the visitor can make a recommendation to the commission.

Under the Bill, young prisoners—that is those under 18 years of age—will be segregated from the mainstream prison population. This will ensure that young and impressionable offenders are not mixing with hard-line criminals and that they are given every opportunity to change.

The Bill expands on the powers of the commission and correctional officers in maintaining the security and good order of the prison. It formalises procedures and addresses security issues such as search procedures for prisoners, visitors and staff, duties of the dog squad and penalties for riots and disturbances.

This is the first time that legislation has been drafted specifically to allow the development of programs, both voluntary and compulsory, to assist in the rehabilitation of prisoners. The commission will be able to order a prisoner to undertake work or any other activities it determines are necessary to correct behaviour as a condition of progress towards release into the community. In view of the commission's power to prescribe approved programs, the courts will no longer have to impose hard labour as part of the sentence.

The Bill will also provide a legislative base for the Home Detention Program. At present, the scheme is subjected to too few checks. As home detention is such an important and successful program, proper guide-lines must be established. The Bill sets out those classes of prisoners to be released, the conditions under which they will be released and places the authority for their release with a community corrections board.

A major thrust of those reforms involves the establishment of community corrections boards. The present Parole Board will be replaced by a Queensland Community Corrections Board supported by a system of regional community corrections boards. Regional boards will be established initially in centres where prisons are located. These boards will decide transfers of sentences from prison to community corrections including parole, home detention, release-to-work and community correction centres. Regional community corrections boards will decide parole applications for prisoners sentenced from six months to five years and make recommendations to the Queensland Community Corrections Board in relation to prisoners serving more than five years.

The Bill addresses problems presently being experienced with parole. There is provision for a prisoner to appear in person before a community corrections board to support his parole application. The board may also allow a lay advocate to assist the applicant with the presentation of his case. A prisoner can appeal to the Queensland Community Corrections Board against the decision of a regional community corrections board if an application for parole has been refused on three or more occasions.

The community corrections boards are required to give reasons in writing to the applicant for refusing him parole. This has been a major cause for concern because if a prisoner is not made aware of the reasons for denying him parole he obviously cannot work towards correcting his behaviour or attitude that resulted in the board's refusal of his application.

This Bill provides for the establishment of community corrections centres. These centres will be an avenue for various community groups and interested parties to become directly involved in the rehabilitation process. They can provide various offender support programs such as counselling, education, drug and alcohol awareness, etc.

A significant amendment to fine-option provisions is to allow offenders time to consider their circumstances before applying for a fine-option order. At present, that decision must be made at the time of sentencing and offenders often fail to fully appreciate the obligations of a fine-option order. This Bill, in conjunction with the Corrective Services (Administration) Bill, will modernise the legislation governing the operations of corrective services, which has not been amended significantly in Queensland since 1888.

Debate, on motion of Mr Milliner, adjourned.

CORRECTIVE SERVICES (CONSEQUENTIAL AMENDMENTS) BILL

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (8.08 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to make amendments to certain Acts consequential upon the enactment of the Corrective Services (Administration) Act 1988 and the Corrective Services Act 1988 and for other purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (8.09 p.m.): I move—

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

The Corrective Services (Consequential Amendments) Bill enables all related Acts to come into line with the Corrective Services Bill. Any legislation with a reference to prisons, the Prisons Act, probation and parole and the Offenders Probation and Parole Act will be amended accordingly.

The main Acts affected include the Criminal Code, the Mental Health Services Act 1974-1987, the Justices Act 1886-1988, the Drugs Misuse Act 1986-1987 and the Public Trustee Act 1978-1985. The most significant change is the deletion of the reference to the term "hard labour" in all legislation where it appears as a penalty in conjunction with a term of imprisonment.

There are also provisions in this Bill to allow the commission to maintain control of the security patients' hospital until such time as its administration is transferred.

I commend the Bill to the House.

Debate, on motion of Mr Milliner, adjourned.

SPECIAL PROSECUTOR BILL

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (8.10 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for a Special Prosecutor and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (8.11 p.m.): I move—

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

Mr G. E. Fitzgerald, QC, the chairman of the commission of inquiry into possible illegal activities and associated police misconduct, has indicated that his intention is that the hearing of evidence before the commission will conclude on 1 December 1988. It is also Mr Fitzgerald's intention that a final report will be presented to the Queensland Government on 26 May 1989.

As honourable members would be aware, a number of criminal charges have already been laid in respect of the giving of evidence before the commission of inquiry and in matters which have been brought to light as a result of the commission of inquiry. As an interim measure, a special prosecution task force has been established following consultation between the Director of Prosecutions and Mr Fitzgerald. Although this interim solution has proved to be quite effective, nonetheless there is a need for a longer-term solution to be found to the particular difficulties which will be encountered both while the commission continues to sit and after sittings conclude and the final report is presented. Included in those difficulties is the possibility that charges may be brought against well-known public figures.

Furthermore, the complexity and volume of evidence and material which have been assembled by the commission will require the most careful examination by the Crown prosecutor before decisions are made as to whether proceedings should be instituted and the nature of the charges which will be laid against various persons.

As honourable members would be aware, all criminal prosecutions in this State are presently being conducted by the Director of Prosecutions and prosecutors under his supervision. The above factors coupled with the existing workload on the director and his officers have required an alternative strategy to be devised.

It cannot be doubted that the success of the commission of inquiry has been considerably enhanced by gaining public confidence at an early stage as a result of the independence of the commissioner from the Queensland Government and the support given to the commission by the Government. Accordingly, the strategy which has been devised has been to appoint a special prosecutor, and that is the principal purpose of this Bill.

The Bill has been based on the provisions of the Director of Prosecutions Act as well as the Special Prosecutors Act of the Commonwealth. Its corner-stone is the independence of the special prosecutor.

The relative roles of the special prosecutor and the Attorney have been based on the provisions of the Commonwealth legislation, which was introduced as a result of the need for particular mechanisms to be developed following the Costigan royal commission. Although the special prosecutor shall be subject to general guide-lines issued by the Minister, any such guide-lines must be published in the *Queensland Government Gazette*. Furthermore, the Attorney shall be prohibited from issuing guide-lines or directions with respect to particular cases. The members of the existing prosecution task force, which has been drawn from the Office of the Director of Prosecutions, will be able to form the nucleus of the staff of the special prosecutor. Additionally, there will be need for considerable expansion, at least in part from the private bar.

I am hopeful of appointing an eminent Queen's Counsel to the position of special prosecutor, who will be entrusted with the vital role of conducting these very important proceedings. I have consulted with Mr G. E. Fitzgerald, QC, in the course of preparation of this legislation, and honourable members will note that the special prosecutor is also entirely independent of Mr Fitzgerald except to the extent necessary for their respective tasks to be efficiently performed. This proposal meets with the concurrence of Mr Fitzgerald.

The effect of the Bill is to further evidence the clear commitment of the Government to continue with the impetus which has been generated by Mr Fitzgerald and not to go on the back foot in our fight against corruption and organised crime. A vast amount of information that is material to the fight against serious crime has been obtained by the Fitzgerald inquiry, and provisions are included in the Bill to impose statutory obligations on the special prosecutor aimed at ensuring the fairness of proceedings against accused persons while at the same time protecting any information which should be kept confidential from disclosure as an unintended and damaging by-product of the prosecution process.

The safety and security of witnesses and informants and the avoidance of the wastage of court-time and of unnecessary costs and delays in the criminal justice system are amongst the matters which have been considered in the public interest. The Bill provides significant measures which have been designed to protect the interests of the accused and the integrity of the criminal justice process. For example, the special prosecutor will have access to the commission's information relating to criminal proceedings which are being undertaken, and he or she will be under a duty to take steps to ensure the disclosure of any matter which is necessary to a fair trial of any accused person, other than the content only of matters the disclosure of which would be contrary to the public interest, statutory inhibitions or matters which may need to be provided for in the regulations, such as matters that are provided in confidence under Federal law-enforcement agreements.

The Bill also provides for the defendant in criminal proceedings to apply to the court for an order requiring the special prosecutor to disclose material or make admissions of fact.

The clear intention of these provisions is to ensure that the accused in a proceeding is provided with sufficient information whilst at the same time ensuring the protection of information and minimising the interference which could take place with the commission and with the proper activities of the courts, and the special prosecutor. The operation of these provisions provides, I believe, a practical working scheme which balances

appropriately fairness to the accused with the public interest in the confidentiality of criminal intelligence especially where such crimes as illegal drug-trafficking and official corruption are concerned. This matter will however be reconsidered by Mr Fitzgerald in his report and may need some adjustment depending on other aspects of the reforms which are to be implemented on his recommendation.

Honourable members will note the Bill also includes a power for the Attorney-General to withdraw indemnities which have been granted. Specific circumstances are envisaged where it is appropriate that the indemnity should be able to be withdrawn. Examples of these circumstances are where an indemnified witness commits perjury when giving evidence, where he is convicted of an offence, the particulars of which should have been disclosed when he was making application for the indemnity, or where the special prosecutor certifies to the Attorney-General that untruthful statements have been made by a witness when seeking an indemnity.

It was the intention of the Government to proceed with this provision when the Commissions of Inquiry Act was amended earlier this session. However a number of concerns arose as to possible limitations on the inherent power of the Attorney and these have now been overcome, and upon the recommendation of Mr Fitzgerald I propose to proceed with this initiative.

The initiative by the Government of introducing the Special Prosecutor Bill is the first of many steps which will be taken to ensure the continued protection of the community from official corruption and the spectre of organised crime.

I commend the Bill to the House.

Debate, on motion of Mr Wells, adjourned.

QUEENSLAND UNIVERSITY OF TECHNOLOGY BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.17 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to provide for the establishment and incorporation of the Queensland University of Technology at Brisbane and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.18 p.m.): I move—

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

I present to the House a Bill to establish the Queensland University of Technology. The Bill has the effect of discontinuing the Queensland Institute of Technology (a college of advanced education established under the Education Act 1964-1987) and establishing the new Queensland University of Technology.

This Bill is one of a legislative package of five Bills which I intend to introduce to the House today. To put this package in context—it is the first stage of a comprehensive and systematic review of legislation in my portfolio. A major feature of this process has been and will be extensive consultation with all major groups involved in education in Queensland.

During the last decade, there have been major changes in our society and many of these affect our education system. Through review of legislation, I am attempting to provide a framework with sufficient flexibility to cope not only with these changes but also with the ones likely to occur in the foreseeable future.

The Queensland University of Technology Bill arises in part from recent changes to the higher-education sector proposed by the Commonwealth Government. Since 1965, the Australian higher-education sector has comprised universities and colleges of advanced education; a division commonly known as the "binary system". From the outset, the differences between universities and colleges of advanced education occurred in provisions for research; in procedures for accreditation of courses; in the range and types of courses offered; and in levels of academic awards. With the passage of time, these distinctions have become less clear cut.

Consequently, the Commonwealth Government proposes to end the binary system and put in place arrangements for a unified national system of higher education where institutions will be funded primarily on the basis of merit and achievement.

I must point out that advanced education institutions will interact with Commonwealth agencies in the same manner as the universities with regard to funding for their teaching and research activities. The mechanisms planned by the Commonwealth will involve competitive bidding by institutions for funds for enrolment growth and research initiatives.

The end of the binary system raises questions about the continuing viability of smaller colleges and universities, about alternative groupings of higher-education institutions and about the status of present institutions.

The Queensland Institute of Technology, established in 1965, now has more than 9 000 students and an annual budget of approximately \$60m. It has developed over 23 years to take on the quality and reputation of a specialist technological university recognised both nationally and internationally in terms of its graduates, staff, professional courses, and applied research and scholarship. It has plans to increase in size by more than 50 per cent by the year 2000 on its present site and to extend its role in transfer of technology to business and industry.

The Queensland Institute of Technology, along with many other institutions in the advanced-education sector, has grown and matured in respect of the nature and range of courses offered and is moving away from diplomas towards degrees, graduate diplomas, and higher degree awards. Further, the Queensland Institute of Technology has developed a close productive relationship with industry and commerce and has demonstrated a capacity for high-quality applied research.

The Queensland Institute of Technology is showing a lead to higher education nationally in attracting non-grant income, which accounts for 20 per cent of the 1988 budget. This non-grant income is being earned because the institute, mainly through its applied research and consulting services, is performing an important role in the Government's plans for the State's economic development. It is also developing an export market for its courses with fees from overseas students expected to reach \$2.5m by 1991.

Other Australian States have recognised that the balanced development of higher education requires a specialist university of technology. In two States, the major institute of technology has been changed to the University of Technology.

The Queensland Institute of Technology is the first of Queensland's colleges of advanced education to seek university status.

Society has a clear and continuing interest in its universities and in seeing that the term "university" is not debased or misapplied. Society is also entitled to see set out clearly and precisely the services that universities will provide in return for access to large amounts of public funding.

It is recognised that the public esteem accorded to universities must be safeguarded by ensuring that any institution assuming this title is capable of maintaining standards of academic excellence which the Australian community expects of its universities. In order to provide this safeguard in respect of Queensland institutions seeking university status, the Queensland Government, on the advice of the chief executive officers of

existing higher-education institutions, has adopted guide-lines for the establishment of new universities in Queensland.

These guide-lines require that an institution must have the following features in order to become a university—

- the offering of courses and the awarding of degrees and other awards covering a broad range of intellectual inquiry;
- a commitment to research to extend the boundaries of knowledge;
- the preservation, transmission and enrichment of learning through teaching and publications;
- the objective pursuit of knowledge and the development of wisdom; and
- responsiveness to the needs of the various communities which the university serves.

The guide-lines establish a two-stage procedure for dealing with applications. In the first stage, an institution seeking university status provides a written submission for my consideration. If this is accepted, the second stage involves a rigorous assessment of the institution by an expert advisory committee appointed by me and including one member nominated by the institution. Following its examination, the advisory committee reports to me whether, in its opinion, the institution should be accorded university status.

In order to fulfil its role in Queensland's development, the Queensland Institute of Technology seeks the greater autonomy which its establishment as a university would bring. In particular, the institute requires the flexibility to be more entrepreneurial in its dealings with industry, the authority to accredit its own courses so that it can respond quickly to industry needs, the capacity to recruit staff of the highest calibre, and a name which reflects the quality and nature of the institution internationally.

The proposal from the institute for university status was assessed by an advisory committee composed of—

- Professor Ralph Doherty, Pro-Vice-Chancellor for Health Sciences at the University of Queensland, and former Director to the Queensland Institute for Medical Research;
- Professor Don Aitken, Professor of Political Science at the Australian National University, and Chairman of the Australian Research Council;
- Professor Roger Scott, Director of Canberra College of Advanced Education, and former Chairman of the Professorial Board and Professor of Public Administration at the University of Queensland;
- Mr Peter Ellis, Director-General of the Department of Industry Development; and
- Dr Peter Botsman, Chief Advisor (Post-Compulsory Education) to the Minister for Education, Youth and Sport, and former Director of the Brisbane College of Advanced Education.

The advisory committee recommended that the application be approved and I concurred with that recommendation. The new Queensland University of Technology will be a central-city university for our State capital, with predicted enrolments growing to 17 000 by the year 2000. Applied research, marketed through Q Search, is already worth \$5m per year, and will be greatly expanded.

The university will respond in other ways to the demands of Queensland business and industry. It will attract the best students, staff and research contracts to develop a more diversified State economy, competing internationally for research contracts and overseas students.

The university will continue to offer undergraduate degree courses, together with its specialist postgraduate programs which now include 10 masters degrees. As a specialist technology university, it will work closely with Queensland business and industry in both professional education and research within the faculties of built environment,

business, engineering, information technology, health science, law and science. Conferral of university status on the institute will also raise its profile in competitive bidding for Commonwealth funds.

In more general terms, the population and wealth of Queensland are such that additional major universities will enhance and complement offerings and roles of the existing ones. The State has only 14.5 per cent of university students but 16.5 per cent of the national population, and is predicted to contain 18.4 per cent of the national 15 to 19-year-old population by 2001.

I reiterate that the Queensland Institute of Technology has met all the criteria for establishment as a university and it is time for the contribution to study and research made by the institute to be given the recognition it deserves. The establishment of the Queensland University of Technology will capitalise upon the contributions of the institute and ensure a more balanced development of higher education in this State.

I would like to draw members' attention to several features of this Bill. While much of this Bill is derived from existing university legislation, it has been compiled and strengthened with great care to provide a model for legislation required for such institutions in the future. In particular, it clearly provides for the university to enter into commercial enterprises for the benefit of the university. I anticipate that similar provisions will be included in other State university legislation in the next session.

The council of the proposed university, while representative of the wider community, has been kept to a workable size, comprising a maximum of only 23 members.

The existing union of the Queensland Institute of Technology is, by virtue of the legislation, transformed into the student guild of the university. Student membership of the union has been compulsory. It is intended that compulsory guild membership will also apply for 1989. This is, however, a transitional arrangement and will be changed when the new council has had an opportunity to develop and implement appropriate new subordinate legislation. By the beginning of the 1990 academic year, I anticipate that the university council will have a statute in place providing for conscientious objection to compulsory guild membership, as is currently the case with the University of Queensland student union. Before any objections are raised to this reasonable provision, I look to put on record my admiration for the contribution the union has made to the capital development of the institute and my advice to students of the new university is to join and contribute to the student guild.

I commend the Bill to the House.

I now seek leave to have the remainder of my speech, comprising a clause by clause overview of the legislation, incorporated in *Hansard*.

Leave granted.

Clauses 1 and 2 cite the short title of the Bill and provide for the new university to commence on 1 January 1989 (or later date if delays occur).

Clause 3 divides the Bill into its component Parts and Divisions of Parts. Clause 4 provides an interpretation of terms used in the Bill.

Clause 5 provides for the establishment and incorporation of the University while clause 6 provides for its functions and powers.

Clauses 7 to 14 establish the framework of the University.

Clauses 7 and 8 specify the establishment and constitution of the Council. Clause 9 provides for members of the Council to assume office on a day appointed for that purpose by the Governor in Council by Proclamation published in the Gazette. Clauses 10 and 11 provide for the constitution and functions of Convocation. Clauses 12 to 15 provide for the establishment and operation of the Queensland University of Technology Student Guild.

Clauses 16 to 33 detail generally, administrative provisions relating to the operation of the Council. Clauses 34 to 42 provide for the powers, authorities and duties of Convocation, and detail generally administrative provisions relating to the operation of Convocation.

Clauses 43 to 45 provide for the making of regulations, statutes, and rules necessary for the carrying into effect of all or any of the various provisions of the Bill.

Clauses 46 to 49 provide for the establishment and operation of companies, joint ventures, and the like to exploit commercially any facility or resource of the University including study, research or knowledge, or the practical application thereof.

Clause 49 provides specifically for accountability requirement in respect of any companies so formed and associated with the University.

Clauses 50 to 52 provide for the Council to prepare an annual report; for the publication of Proclamations, Orders in Council, regulations, and Statutes; and in all aspects of the University that no test of religion, politics, race or sex shall be administered.

Clauses 53 to 56 provide for the establishment of residential and other colleges within the University.

Clauses 57 to 67 provide generally for the operation of the University in respect of property, budget, investment, superannuation, and general finance and administrative provisions. In particular, Clause 58 specifies the University's financial year.

Clauses 68 to 72 provide for transitional and special arrangements for the discontinuation of the Queensland Institute of Technology and the establishment of the Queensland University of Technology. The Queensland Institute of Technology and its Council shall cease to exist on the commencement of the Queensland University of Technology.

Clauses 73 to 76 provide for transitional arrangements for the discontinuation of the Queensland Institute of Technology Union and the establishment of the Queensland University of Technology Student Guild.

Clause 77 provides for the first Council of the University. The first Council shall consist of those members of the Council of the Queensland Institute of Technology holding office immediately prior to the commencement of the University. It is the responsibility of the first Council to make all necessary Statutes and take all necessary steps to ensure that a Council is duly constituted pursuant to clause 8 by 30 June 1989 or such later date as is specified in a Proclamation made at any time prior to 30 June 1989.

Clause 78 provides for the first Vice-Chancellor of the University to be the person who immediately prior to the commencement of this Act held office as Director of the Institute. The period and conditions of appointment of the first Vice-Chancellor shall be as determined by the first Council by resolution in that behalf, and approved by the Governor in Council.

Clause 79 provides for the members of the first Council to elect, at their first meeting, a Chancellor and a Deputy Chancellor. The Chancellor and Deputy Chancellor elected by the first Council shall vacate their offices when the duly constituted Council assumes office.

Clause 80 provides for casual vacancies on the first Council.

Clauses 81 and 82 provide for transitional arrangements in respect of the enrolment of students and the granting of awards.

Clauses 83 and 84 provide for compliance with accounts and audit requirements and with annual reporting requirements in respect of the financial year of the Council of the Institute ending 31 December 1988.

Clause 85 provides for savings of various approvals, authorities, directions, orders, and the like made under relevant sections of the Education Act 1964-1988.

Clause 86 provides for all by-laws made by the Council of the Institute under the Education Act 1964-1988 and all rules made by the Council of the Institute pursuant to those by-laws to be the Statutes and rules of the University made by the Council.

Clause 87 provides for a reference in any other Act, by-law, regulation or other statutory instrument to the Council of the Institute to be read as a reference to the Council of the University, and a reference to the Institute to be read as a reference to the University.

Clause 88 allows a mechanism whereby any necessary transitional arrangement not covered by Part VI (Transitional and Special Arrangements) can be remedied by subordinate legislation.

Debate, on motion of Mr Braddy, adjourned.

EDUCATION (TEACHER REGISTRATION) BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.29 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to establish a Board of Teacher Registration to provide for the registration of teachers in Queensland to amend the Education Act 1964-1988 in certain particulars and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.30 p.m.): I move—

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

I present to the House a Bill to provide for the registration of teachers in Queensland and for the creation of a Board of Teacher Registration to replace the Board of Teacher Education constituted under the Education Act 1964-1987. At the outset, I would like to put this Bill in context within the legislative package I am introducing today.

The current Education Act 1964-1987 provides for education in Queensland in general, the establishment and operation of the State school system, as well as for the establishment and operation of colleges of technical and further education and the following statutory authorities—

- (a) Board of Advanced Education;
- (b) Board of Teacher Education;
- (c) Board of Secondary School Studies;
- (d) Board of Adult Education; and
- (e) councils of colleges of advanced education.

The growth and expansion of educational services during the life of this Act have led to a situation in which the single Act is unnecessarily long and complex.

In view of the Government's program of legislative reform which emphasises minimum intervention, clarity and accessibility, it appeared timely to develop a series of short specific-purpose Acts to replace the present large and cumbersome Act. This will permit Government to bring a sharper focus on education policy objectives and ensure that legislation is consistent with current community needs and expectations.

This particular Bill is designed to replace the current Board of Teacher Education with a board to deal specifically with teacher registration.

As I indicated in my previous speech in relation to the Queensland University of Technology Bill, the end of the binary system in higher education will place responsibility for accreditation of courses, including courses of teacher education, squarely with the institutions of higher education. This Commonwealth initiative will also result in institutions of higher education assuming an increasing role in conducting research into teacher education. Consequently, the continuing need for a Board of Teacher Education with major responsibilities in these areas is called into question.

In this context, the title of the new board reflects the intention that the new Board of Teacher Registration be focussed predominantly on the registration of teachers, passing many other functions of the Board of Teacher Education to the higher education institutions themselves. Under such circumstances, the influence of a registration authority on the quality of teacher education becomes less direct than that exercised in the past by the Board of Teacher Education. None of this, of course, detracts from the new board's responsibility to assess the fitness of applicants, in all aspects of the public interest, to be registered as teachers in Queensland.

Clearly, the States have a major responsibility for education under the terms of the Australian Constitution. Consequently, it is clear that the authority with responsibility for teacher registration should be a State statutory authority. There is a real need for an ongoing statutory authority with responsibility for teacher registration which reflects a true collaboration among State and non-State employing authorities, teacher education institutions, the teaching profession, teacher organisations and the general community.

Such a collaboration is seen as desirable, not only to give balance to the registration process, but also to link decisions on teacher registration with those pertaining to teacher education, teacher employment and the profession itself, and with key issues being addressed by teacher organisations and the general community.

For these reasons, the composition of the new Board of Teacher Registration has been planned to include an increased representation of practising teachers. This will ensure that the board responsible for registering teachers has an enhanced capacity to regulate and conduct its own affairs on such matters. Accordingly, provision is made for elections of representatives of practising teachers by their peers. To further complement this arrangement, it would be my intention to appoint a practising teacher as chairman of the new board.

The Bill also allows for the Board of Teacher Registration to recover the main costs of its operations from registration fees. Although the new board will continue to have a review function, the changed circumstances dictate that this will increasingly need to be funded from fee-based income or from specific-project grants that may be made from time to time to enable the board to compile advice on specific issues. The costs associated with elections of practising teachers to the board will also need to be recovered from registration and other fees. In addition, the new board has a clear head of power to generate income by sale of materials developed by it in the course of its functions. It is believed that the greater emphasis on the user-pays principle is consistent with the intent of the Bill to enhance the capacity of the teaching profession in the regulation of the conduct of its members.

In terms of the registration process itself, the Bill provides for the new board to be given expanded powers to—

- deal with teachers who are incompetent in the performance of their duties;
- take action against teachers who fail to advise the board if they are convicted of an indictable offence;
- proceed against persons who are employed to perform the duties of a teacher and who are not registered as a teacher with the board;
- provide greater flexibility in the assessment of disciplinary cases by the use of a power to substitute provisional registration in lieu of full registration;
- extend teacher registration requirements to pre-schools and kindergartens which purport to offer an educational program in the years preceding Year 1; and
- enforce decisions taken pursuant to the Act through appropriate penalty provisions.

I would like to elaborate on two matters in particular. Firstly, on the issue of teacher competence, I believe that the profession and the community at large will welcome the powers provided for the board to take action to ensure that the registration of teachers considered by employing authorities to be incompetent is appropriately reviewed. This provision is not a new idea. In fact, the parliamentary select committee made a specific recommendation in this regard in its report. The second point I would emphasise is that the proposed Board of Teacher Registration is a body on which teachers have a solid representation. The previous board's membership included only three practising teachers out of a total membership of 15. The proposed board has nine including the chairman, out of a total maximum of 16. This is an appropriate level of teacher representation, given that the body is intended to regulate the professional standards of the teaching profession.

As with all new legislation proposed for my portfolio, there has been extensive consultation, building on that commenced in 1987, with interested parties. I am pleased to report that the response to the provisions of this Bill has been favourable. The provisions of this Bill have the effect of discontinuing the Board of Teacher Education, established under the Education Act 1964-1987, and—

- (a) establishing the Board of Teacher Registration and providing for its functions and powers;

- (b) prescribing the means by which persons shall be entitled to be registered as teachers;
- (c) prescribing the means by which persons may be removed from the register of teachers, including inquiry and appeal provisions;
- (d) providing for the board to be increasingly self-funding;
- (e) permitting, for the first time, the board to examine teacher competence, as suggested in recommendation 8.59 of the final report of the Select Committee on Education in Queensland; and
- (f) providing for the transfer of the staff of the Board of Teacher Education to the new board and for their transition from Crown employee to public servant status, and for the transfer of property, rights and liabilities to the new board.

I commend the Bill to the House.

I seek leave to have the remainder of my speech, comprising a clause-by-clause overview of the legislation, incorporated in *Hansard*.

Leave granted.

Clauses 1 and 2 cite the short title of the Act and provide for the commencement of the various provisions by Proclamation. Clause 2 provides for a staggered commencement to allow some flexibility in the timing of the dissolution of the Board of Teacher Education and the establishment of the new Board of Teacher Registration. This provision is particularly relevant in the light of the need for the Board to prepare appropriate subordinate legislation for other transitional arrangements to be undertaken.

Clause 3 divides the Act into its component Parts. Clause 4 provides for the interpretation of particular terms used in the Act. Clause 5 provides for the constitution of the Board of Teacher Registration and the composition of its membership. Clause 6 prescribes the revised functions and powers that shall apply to the new Board.

Clause 7 enables the Board to make by-laws and rules. Clauses 8 to 22 detail administrative provisions relating to the operation of the Board. Clauses 23 to 30 detail the financial and accountability arrangements that shall apply to the Board. Clause 31 specifies that the appointment of the executive officer and other officers of the Board shall be pursuant to the Public Service Management and Employment Act. It also provides for the executive officer's attendance and speaking rights at Board meetings.

Clauses 32 to 35 provide for the Register of Teachers kept by the Board of Teacher Education to continue in force and to be maintained by the new Board. Conditions for the granting of registration and provisional registration where teachers may temporarily not possess the qualifications for full registration, are also specified. Clause 36 seeks to rectify deficiencies surrounding the issue of unregistered teaching personnel. Those deficiencies were that—

- (a) the existing teacher registration provisions were not binding on the Crown. The proposed provisions are binding on the Crown which is appropriate given that the Crown is the largest employer of teachers in the State;
- (b) the existing penalty provisions did not reflect the importance of the provisions and consequently penalties have been increased to appropriate levels;
- (c) an onus was not placed on an unregistered teacher not to be employed as a teacher. The new provision expresses this requirement.

Clause 37 provides for registered teachers to advise the Board if they have been convicted of an indictable offence. Existing provisions relating to this issue do not place this requirement on teachers. Clause 38 details the procedure by which the Board may remove the name of registered teachers from the Register. Clause 39 enables the Board, with or without inquiry, to caution, suspend teachers, remove their name from the Register, or substitute provisional registration, if they have been—

- (a) convicted of an indictable offence;
- (b) guilty of drunkenness or drug addiction;
- (c) guilty of misconduct;
- (d) suffering mental illness (no power of caution in this case);
- (e) guilty of incompetence.

The ground of incompetence has been added to make the Board's powers more relevant and comprehensive but it may only proceed to inquire into a teacher's competence where that teacher has been dismissed or has resigned in circumstances which might question that teacher's continued suitability for employment.

Clause 40 is a machinery provision outlining the mechanism for the restoration of a teacher's name to the Register.

Clause 41 provides for principals of schools to provide the Board with information on persons teaching at the school so as to ensure that only registered teachers are teaching in Queensland schools. Clauses 42 to 45 detail the powers and means by which the Board may conduct an inquiry or establish a committee of inquiry in the performance of its functions.

Clause 46 specifies appeal provisions that may be instituted against the Board in respect of its decisions. Clauses 47 to 54 detail general provisions affecting the administration of the Act and other sundry matters. Clauses 55 to 59 provide for the dissolution of the Board of Teacher Education and for transitional arrangements between the two Boards.

Clauses 60 and 61 provide for transitional arrangements affecting staff of the Board of Teacher Education. Clause 62 provides for special administrative arrangements to facilitate the first constitution of the Board of Teacher Registration. Clauses 63 to 84 are machinery provisions which seek to remove all references to the Board of Teacher Education in the Education Act and to substitute the title of the new Board where appropriate.

Debate, on motion of Mr Braddy, adjourned.

EDUCATION (SENIOR SECONDARY SCHOOL STUDIES) BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.36 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to establish a Board of Senior Secondary School Studies to provide for its functions and powers to amend the Education Act 1964-1988 in certain particulars and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.37 p.m.): I move—

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

I present to the House a Bill to establish a Board of Senior Secondary School Studies. It is widely accepted that profound and fundamental changes have occurred both in the patterns of students' educational choices and in the structure of Queensland's education system in recent years.

Some 30 years ago, Scholarship, or Year 8, was the exit point for many students. Scholarships became irrelevant during the 1960s as most young people continued their schooling to Year 10, the Junior year. Of course, such a fundamental change in students' pattern of exiting was only a reflection of the wider community acceptance that a longer period of schooling was required in order to adequately equip young people for a changing society. The Board of Secondary School Studies, established in the early 1970s, came into existence at a time when considerable emphasis was placed on Year 10 as an exit point and when an exit certificate, the Junior certificate, was generally held in high esteem by the community. Indeed, this certificate held relevance for the majority of students and employers, as Year 10 was the main exit point from school.

Today, an increasing proportion of students is remaining at school beyond Year 10. In 1986-87, 74.9 per cent of all secondary students progressed from Year 10 to Year 11. This progression rate increased to 81.6 per cent in 1988 and it is estimated that 91.5

per cent of these students will continue from Year 11 to Year 12 in 1989. Moreover, almost all of those who now make the progression into Year 12 complete that year.

Progression rates of this magnitude show that Year 12 is rapidly becoming the key exit point from schools to employment as well as to further education. They emphasise that senior secondary education is no longer concerned exclusively, or even predominantly, with preparing students for entrance into universities and other institutions of higher education.

What then does this change of focus mean for the Junior certificate and for the way in which education will be approached in the future during the compulsory years of schooling?

It is apparent that many employers are seeking more detailed exit statements for the diminishing number of students who choose to leave at Year 10. These are best provided by schools themselves. Moreover, the previously detailed moderation of student assessment leading to Junior certification has already been relaxed in favour of more general oversight of procedures by the Board of Secondary School Studies, which now concentrates most of its energies on the senior secondary years. The Department of Education has responded to recent developments by taking steps to rethink curriculum for the compulsory years of schooling and is proceeding to sequence learning so that it flows unbroken across the transition from primary to secondary school as well as throughout secondary schooling.

The Board of Secondary School Studies has recognised the changes that are occurring and has established a task force to review the future of the Junior certificate and report to me in due course. The report will be developed into a Green Paper to generate public discussion and comment. In this way, all relevant stake-holders will have an opportunity to express their views on the future of the Junior certificate. I would expect, however, that the main issue of debate will be when and how changes should be made to Junior certification rather than whether they should be made.

Given these developments, this Bill proposes the establishment of a Board of Senior Secondary School Studies to focus predominantly on curriculum matters and accreditation for senior secondary education in Queensland while maintaining a limited interim role in relation to Junior certificates. The proposed Ministerial Consultative Council on Curriculum will become progressively the major intersystemic forum to address curriculum in Years 1 to 10 and appropriate linkages with the pre-compulsory and post-compulsory education sectors. The council's role will be advisory, leaving the ultimate responsibility for education in the compulsory years with education systems and schools.

In respect of senior secondary education, the Board of Senior Secondary School Studies will—

- (a) provide advice generally;
- (b) issue certificates;
- (c) approve syllabuses for those subjects developed by schools, school systems, authorities, other institutions or the board itself which are designated, or are to be designated, board subjects on the Senior certificate;
- (d) approve work programs for those subjects which are designated, or are to be designated, board subjects or board registered subjects on the Senior certificate;
- (e) concern itself with assessment of students in relation to board subjects for the award of Senior certificates; and
- (f) concern itself with recording of results in board subjects, board registered subjects and recorded subjects on Senior certificates issued to students.

The provisions of the Bill have the effect of discontinuing the Board of Secondary School Studies, which was established under the Education Act 1964-1987, and—

- (a) establishing the Board of Senior Secondary School Studies and providing for its functions and powers;

- (b) establishing the means by which the board may focus upon the accreditation of curriculums developed by schools and other institutions, student assessment and certification, and tertiary entrance requirements in the post-compulsory years of schooling;
- (c) providing on an interim basis for continuing operations in relation to the Junior certificate; and
- (d) providing for the transfer of staff, property, rights and liabilities of the Board of Secondary School Studies to the new board.

With a predominant focus on the senior secondary years, the board will be well placed to make a significant contribution in relation to the functions just mentioned, together with the provision of advice in respect of tertiary entrance and the undertaking of certain procedures in relation to tertiary entrance as directed from time to time.

I commend the Bill to the House.

I now seek leave to have the remainder of my speech, comprising a clause-by-clause overview of the legislation, incorporated in *Hansard*.

Leave granted.

Clauses 1 and 2 cite the short title of the Act and provide for the commencement of the Act. Clause 2 provides for a staggered commencement to allow some flexibility in the timing of the dissolution of the Board of Secondary School Studies and the establishment of the new Board of Senior Secondary School Studies.

Clause 3 divides the Act into its component Parts and Divisions of Parts while clause 4 provides an interpretation of terms used in the Bill.

Clause 5 provides for the establishment and constitution of the Board and clause 6 provides for its functions and powers. Clause 7 provides for the Board to make by-laws and rules necessary for the carrying into effect of all or any of the various provisions of the Act.

Clause 8 provides for the Board to observe and give effect to directions issued by the Minister in respect of policy matters.

Clauses 9 to 24 detail administrative provisions relating to the operation of the Board.

Clauses 25 to 32 provide generally for financial and accountability provisions relating to the operation of the Board.

Clause 33 relates to officers of the Board and specifies that officers, including the executive officer, shall be appointed under and in accordance with the Public Service Management and Employment Act.

Clauses 34 and 35 provide for the constitution, functions and powers of the Moderation Committee which provides advice to the Board and performs certain tasks on behalf of the Board. Clauses 36 and 37 provide for the constitution, functions and powers of subject advisory committees which, in respect of specific subjects or groups of subjects, provide syllabus and other advice to the Board.

Clauses 38 to 41 detail general provisions relating to the administration of the Act: making of regulations, annual reports, power of delegation by the Minister, and the publication and tabling of Proclamations etc.

Clauses 42 to 47 provide for transitional and special arrangements for the discontinuation of the Board of Secondary School Studies and the establishment of the Board of Senior Secondary School Studies including the transfer of property vested in the former Board, accounts and audit requirements and annual reporting requirements yet to be completed at the time of transfer, savings and special provisions for the first constitution of the Board.

Clauses 48 to 54 detail machinery provisions to remove all references to the Board of Secondary School Studies from the Education.

Debate, on motion of Mr Braddy, adjourned.

EDUCATION (CONSULTATION ON CURRICULUM) BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.42 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to establish a Ministerial Consultative Council on Curriculum to provide for its powers and functions and for related purposes.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.43 p.m.): I move—

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

I present to the House a Bill to establish a Ministerial Consultative Council on Curriculum. Essentially, the role of the council will be to identify emergent curriculum needs, to promote informed debate on issues relevant to the school curriculums in Queensland, and to provide broadly representative advice on such matters. The council will focus on curriculum for Years 1 to 10 and on linkages with the pre-Year 1 and post-Year 10 education sectors.

The membership of the council is broadly based, and includes representatives of State and non-State education at both system and school levels, and representatives of parents, teachers, teacher-educators, higher education, industry and commerce, and the wider community.

Thirty years ago, Year 8, or Scholarship as it was then known, was the exit point for many students. During the early 1960s, the Scholarship examination became irrelevant and was phased out as most students continued their schooling to Year 10. When the Board of Secondary School Studies was established in the early 1970s, considerable emphasis was placed on procedures related to the provision of a Year 10 exit certificate as it was at this level that the majority of students chose to exit from school.

By 1988, however, 81.6 per cent of students progressed from Year 10 to Year 11 and most of these are expected to complete Year 12. These developments place new demands on schools and school systems to reconsider curriculums for the compulsory years of schooling.

The Department of Education has responded to these developments by taking steps to prepare revised curriculums for the compulsory years of schooling, providing carefully sequenced learning that flows unbroken across the primary and secondary years of school. If educational programs of this nature are to be introduced, however, there is merit in providing opportunities for non-Government schools and school systems to participate with the department in co-operative curriculum development initiatives that capitalise on the expertise available in all sectors of education.

It is recognised that many small non-Government schools and school systems have neither the infrastructure nor the resources to mount major curriculum development initiatives in their own right. Some of these have in the past been happy to adopt curriculums developed by the department or by other authorities. Others would probably appreciate the opportunity of co-operative involvement with a larger system like the Department of Education, provided this does not prejudice their independence. Still others would prefer to set their own directions and develop their own curriculums.

It must also be recognised that the Department of Education has a responsibility to ensure that quality curriculums are developed and implemented throughout the State school system in a manner consistent with the obligation to make appropriate public education during the years of compulsory schooling available to all. In this context, it would appear desirable to promote actively a co-operative approach to curriculum development for the compulsory years of schooling in a manner which recognises the major responsibilities of the Department of Education for the State education system but which also recognises partnerships with those schools and systems in the non-Government sector which seek to be involved.

The aim is to develop curriculums for the compulsory years of schooling, Years 1 to 10, which provide a broad, general education for all students, and which are flexible,

responsive and relevant to their needs. Such curriculums would also forge strong links with educational services for pre-school children and with those catering for students in the post-Year 10 period. On the assumption that responsibility for curriculum development and implementation should reside in an integrated form with school systems and schools during the compulsory years of schooling, there is a need to establish under separate legislation a Consultative Council on Curriculum to fulfill an independent review function and to provide objective and broadly representative advice. Such a council would provide a valuable voice to Government from the many groups with interests in curriculum and views on curriculum in Queensland.

The Ministerial Consultative Council on Curriculum will be particularly concerned with—

- identifying emergent curriculum needs;
- promoting informed debate on issues relevant to school curriculums; and
- providing advice to me on broad directions for school curriculum development.

While it would not be responsible for curriculum development, approval or implementation, the council would have a role in challenging schools and school systems to approach curriculum development in a creative, forward-looking manner and to take due notice of significant views within the community, including those expressed by the industry and commerce sectors.

This Act would ensure that a wide range of informed views concerning educational needs and services is systematically and continuously made available to me. It is, however, a process that would influence curriculum for the compulsory years of schooling through consultative and advisory processes rather than through regulation or formal control. Such an approach is preferred for the compulsory years of schooling rather than the less flexible statutory arrangements under which the Board of Secondary School Studies presently operates and under which the Board of Senior Secondary School Studies will operate.

At this point, I would like to place on record the Government's appreciation of the work of the many people who have served on the discontinued boards or council in the past. Their contribution to education in Queensland has been significant.

I now seek leave to have the remainder of my speech, comprising a clause-by-clause overview of the legislation, incorporated in *Hansard*.

Leave granted.

Clauses 1 and 2 cite the short title of the Act and provide for the commencement of the Act. Clause 3 divides the Act into its component Parts and Divisions of Parts while clause 4 provides an interpretation of terms used in the Act.

Clause 5 provides for the establishment and constitution of the Council and clause 6 provides for its functions and powers. Clause 7 provides for the Council to observe and give effect to directions issued by the Minister in respect of policy matters.

Clauses 8 to 23 detail administrative provisions relating to the operation of the Council. Clauses 24 to 30 provide generally for financial and accountability provisions relating to the operation of the Council.

Clause 31 relates to staff of the Council and specifies that the Minister may provide staff as he considers necessary and desirable out of the resources available to him.

Clauses 32 to 36 provide for the Council to make regulations and to prepare annual and other reports, and provides for the publication and tabling of Proclamations and for the power of delegation by the Minister. Clause 37 allows for special arrangements for the first constitution of the Council.

Mr LITTLEPROUD: I commend the Bill to the House.

Debate, on motion of Mr Braddy, adjourned.

STUDENT EDUCATION (WORK EXPERIENCE) ACT AMENDMENT BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.48 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Student Education (Work Experience) Act 1978 in certain particulars.”

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (8.49 p.m.): I move—

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

I present to the House a Bill to amend the Student Education (Work Experience) Act 1978 under which students attending specified types of institutions operated by the Department of Education, the Department of Employment, Vocational Education and Training, and the Department of Family Services are able to obtain work experience as part of their education. Specified institutions include State and non-State secondary and special schools and State special education units; State senior colleges and colleges of technical and further education; and institutions for the training of children.

In the 10 years since this Act was passed, contexts in both education and the workplace have changed to the extent that it is now desirable for sections of the Act to be modified. All of the changes proposed are of a machinery nature and are designed to improve the operation of work experience. Currently, certain sections of the Act limit the duration of work experience arrangements to not more than 10 days per term and not more than 30 days per year, with the added restriction that the length of an individual work experience not exceed 10 days.

Since 1981, schools, colleges of technical and further education and senior colleges no longer operate on a term basis, having changed to the semester system. The current restriction, therefore, on the duration of arrangements on a per term basis is no longer relevant. From information obtained during a review of the work experience program undertaken in 1987 and 1988, it is apparent that the ceiling of 30 days of work experience per student per year generally meets the requirements of all participating institutions.

This Bill removes all reference to 10-day limitations for an individual work-experience arrangement and reference to school terms, but retains the 30 day per year limitation provision.

During the review, it was drawn to my attention that the prescribed school year limited work experience activities to a standard school year for those students in institutions conducted by the Department of Family Services. I was requested to consider preparing amendments to the Act which allow for expansion of the school year for institutions conducted by the Department of Family Services, therefore allowing greater opportunities for students in such institutions to gain much-needed work experience within a time-frame more appropriate to such institutions. This Bill provides for the special needs of those children; needs which are different in many respects from those of students in State and non-State schools. I anticipate that the school year for such institutions will be the calendar year.

Further, after a work-experience arrangement is entered into but before such work experience occurs, the Act prescribes that workers' compensation coverage for students be arranged as well as indemnification of work experience providers in respect of claims by students accidentally injured during work-experience activities. The proposed amendments lift the stipulated insurance coverage to indemnify work experience providers from \$500 000 to \$2m. The latter figure is a more realistic coverage in view of escalating

civil damages awards being made by the courts. Furthermore, the amendment proposed to section 11 deletes the requirement that Suncorp be the mandatory provider of such insurance coverage.

The Act presently provides for work-experience arrangements to be in writing and for approval of the Director-General of Education in cases where students are less than 15 years of age and where work experience is to occur in a factory. This provision is deficient in that it fails to allow for approval of arrangements. Such approval is vital in terms of my responsibility to ensure that workers' compensation and insurance provisions are in place in respect of each work-experience arrangement. Since 1978, the Director-General of Education has informally assumed a role in respect of approval to ensure that these requirements of the Act are met.

This Bill now provides for work-experience arrangements to be formally approved by the chief executive (or delegated officer) of the department arranging such work-experience activities. It should be noted that the director-general's approval responsibility in relation to students less than 15 years of age continues unchanged.

As the amendments contained in the Bill impact on the operations of work experience activities conducted by the Department of Employment, Vocational Education and Training, and the Department of Family Services, my colleagues the Honourable the Minister for Employment, Training and Industrial Affairs, and the Honourable the Minister for Family Services and Welfare Housing have been consulted on these amendments and concur with the changes proposed.

As most members of this House will be aware of the benefits accruing to students who undertake work experience activities, I shall not labour the point unnecessarily. Such integration and application of curriculum to real work situations creates practical learning experiences which benefit the personal development of students. It provides opportunities for the practical application of skills learned within schools and allows students the opportunity to increase their level of skills while working alongside qualified and experienced persons.

The recent review of the Act and the amendments proposed in this Bill will further assist the relevant departments to use work experience as a progressive and vital part of our education system.

I now seek leave to have the remainder of my speech, comprising a clause-by-clause overview of the legislation, incorporated in *Hansard*.

Leave granted.

Clause 1 cites the short title of the Act.

Clause 2 has the effect of amending section 1 of the Student Education (Work Experience) Act to read Education (Student Work Experience) Act and provides for construction of references.

Clause 3 defines the Principal Act as the Student Education (Work Experience) Act 1978 and changes the citation of that Act to Education (Student Work Experience) Act 1978-1988 in line with the citations of other legislation in the portfolio.

Clause 4 expands the definition of "school" to include special education units administered by the Department of Education; State colleges of technical and further education and State senior colleges administered by the Department of Employment, Vocational Education, and Training; and institutions for the training of children administered by the Department of Family Services. Previously, these types of units and institutions were classified as schools by regulation and were, in that way, covered by the provisions of the Act.

Clause 5 removes reference to written consent of a parent from section 4. Such reference is inappropriate in this section as section 8 (Conditions of work experience) provides comprehensively for such provision. In addition, this clause clarifies and qualifies the meaning of the word "calling".

Clause 6 amends the citation of the Act which provides for employment, vocational education and training, and removes reference to a school term which is no longer retained in an educational system which is arranged on a semester basis. In the past, secondary and special schools have continued to operate under the limits of 10 days maximum for each work

experience arrangement and 10 days for each third of a year. Such action has limited the full potential of work experience programs. This new section addresses and removes those limitations.

Clause 7 removes reference to a 10 day period of work experience and removes reference to a maximum period of work experience in any school term or equivalent division of a school year as this is already covered in section 8 of the Act (Conditions of work experience).

Clause 8 limits, to students who are under the age of 18 years, the current provision which requires written consent of a parent before work experience is able to be undertaken. In addition, this clause removes reference to a maximum period of work experience in any school term or equivalent division of a school year and clarifies and qualifies the meaning of the word "calling".

This clause also allows for special education units, State colleges of technical and further education, and State senior colleges to operate on a school year as prescribed by either the unit, college, or education authority as the case may be. Following the inclusion of institutions for the training of children administered by the Department of Family Services in the legislation, such institutions or authorities administering such institutions require the ability to offer work experience on the basis of a "school year" defined to best suit their students, circumstances and purposes.

Clause 8 also provides for the permitted number of students in respect of any work experience person or body to be equal to the maximum number of persons, other than apprentices, who are in the full-time employment of that person or body; or is equal, in special circumstances only, to the number of persons as may be approved by the Minister.

The provision "special circumstances ... be approved by the Minister" has been added for greater flexibility.

Clause 9 provides for work experience arrangements to be approved by the chief executive (or delegated officer) of the Department which arranges such work experience activities.

In addition, this clause provides, for the purposes of workers' compensation (section 10 refers) and insurance (section 11 refers), that the chief executive of the Department of Education be notified at least 14 days prior to the arrangement of work experience pursuant to section 8A(b) and (c) of the approvals provided for in the preceding section. In this way, I can ensure that my responsibilities under the Act in respect of workers' compensation and insurance coverage have been met.

Clause 10 provides for workers' compensation arrangements to be made in respect of all students involved in work experience, and to this end, lists comprehensively the "school" locations from which such students may be drawn.

Clause 11 is a machinery provision which removes reference to the State Government Insurance Office as the mandatory provider of insurance and provides for the amount payable under an insurance contract by way of indemnity in respect of any claim or action arising out of injury to be increased from \$500 000 to \$2 million in line with increases in the quantum of personal accident cases since the original legislation was introduced.

Mr LITTLEPROUD: I commend the Bill to the House.

Debate, on motion of Mr Braddy, adjourned.

CHEMICAL USAGE (AGRICULTURAL AND VETERINARY) CONTROL BILL

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (8.54 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to control the use of certain chemicals and the use of substances in or on which is the residue of certain chemicals and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (8.55 p.m.): I move—

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

The judicious and proper use of agricultural and veterinary chemicals is important to the production of food and fibre, the backbone of this nation's economy. The advent of a wide range of effective agricultural and veterinary chemicals has played an important part in developing this primary resource to meet the needs of a growing world population.

Be it on the farm, in the home or around the back yard barbecue, most of us use some form of agricultural or veterinary chemical virtually every day. In Queensland, as with the rest of Australia, an effective process of evaluation and control of the sale of agricultural and veterinary chemicals has been in place for many years.

In terms of the Agricultural Standards Act, all agricultural and veterinary chemicals require registration before they are permitted to be sold in Queensland. The registration, which extends to labelling, also states the conditions of sale, including the crops or pests for which the chemical has been approved, the rate of application and, in relevant circumstances, the required minimum period between spray and consumption of the product. Queensland has a close relationship with all other State and Territory authorities in developing common registration requirements, including label wording and design.

Extensive consultation has been undertaken by me with other State Ministers and the Commonwealth Minister for Primary Industries and Energy concerning an integrated Australiawide agreement to regularise a common process of pre-registration clearance of agricultural and veterinary chemicals.

Queensland will continue to maintain a high standard of registration of agricultural and veterinary chemicals and the surveillance of the requirement of the Agricultural Standards Act that only chemicals registered for use in Queensland are offered for sale. However, I believe that the community at large requires a greater level of protection from improper use of chemicals, augmented now by improved analytical techniques which make identification of even minute residue traces feasible.

The Queensland Government has always reacted quickly and positively to claims concerning the improper use of agricultural and veterinary chemicals. Honourable members will recall that in May last year, when United States authorities raised the issue of organochlorine residues in meat shipped to that market, I took immediate steps to have chemicals such as dieldrin banned for use on both domestic and export products. Other States took similar measures resulting today in Australia having probably the most residue free food in the world.

To achieve this result, I required the collaboration of my colleague, the Honourable the Minister for Health to make available certain powers under the Health Act to effect the ban and that was forthcoming. I am appreciative of the immediate and total support given in this regard. Whilst the Government was therefore able to ban the use of chemicals which were injurious to human and animal health and to the environment, other deficiencies became apparent because of the absence of specific chemical use legislation.

In order to provide the opportunity for wide community debate, on 30 November 1987 I distributed a Green Paper on possible legislative action to control the use of agricultural and veterinary chemicals in Queensland. During the three months that the Green Paper was open for public discussion, extensive community comment was received on a range of proposals. It is interesting to note that there was unanimous support for tight legislative controls over the use and more particularly, the misuse, of the more persistent chemicals.

The Bill presently before the House contains important provisions concerning the misuse and possession of proscribed chemicals which would cause damage to human or animal life, the environment, property or trade. With regard to chemical misuse, two approaches have been adopted. The first involves controls over the use of agricultural and veterinary chemicals themselves while the second deals with the use of human and animal foodstuffs that contain chemical residues.

The most important mechanism of the first phase is the proposed provision that would allow the Minister for Primary Industries to recommend to the Governor in

Council that the use of a chemical be banned. This would be appropriate if the Minister believed it was in the public interest to do so having regard to harm the chemical may cause to human or animal life, the environment, property or trade. Any person who subsequently used the chemical would be liable to a penalty of one hundred penalty units.

Under the legislation, it will not be permissible to use a chemical, as defined in the Bill, unless that chemical has first been registered for sale in this State. The existing registration process enables the safety and efficacy aspects of a chemical to be assessed based on currently available data. Recommendations and directions in respect of each chemical are approved, or rejected, after careful consideration.

Apart from this formal process, the Agricultural Standards Act also allows for the Agricultural Requirements Board to approve the use of a chemical other than as specified on the label. This practice is not common but is applied to accommodate what are considered "minor uses" where the use is such that it does not warrant the cost of complying with the registration requirements. However, board approval is given only after thorough investigation to ensure that no residue problem would arise. This could accommodate the type of situation where, for example, endosulfan is registered in Queensland, or in any other State, for the control of a number of pests and subsequently was given special board approval for use against oriental corn borer in rhubarb.

The legislation will make it an offence to use a chemical in a manner or for a purpose that has not been approved, or to make claims or recommendations or to give directions that were not approved. Certain practices which are not strictly in accordance with the approval but which would not give rise to unacceptable residues would be exempted. An example would be the use of a herbicide in a minimum tillage situation at a concentration less than that directed on the label.

Mr DEPUTY SPEAKER (Mr Row): Order! There is too much audible conversation on my right. If interviews are to be carried out, they should be carried out in the room adjoining the Chamber.

Mr HARPER: It has become apparent that the provision may not accommodate the highly desirable practice of applying a chemical at a low rate, expressed in litres per hectare, but at a higher concentration or in a less diluted solution. This practice may have advantages, possibly as a means of minimising spray drift without increasing the quantity of chemical applied to the target crop. If this matter cannot be resolved administratively, it may be necessary for me to move an amendment in Committee to clause 4 (2) to authorise the application of a chemical at a lower rate but at a higher concentration than appears on the label.

The improper disposal of chemicals and their packages can have as damaging an effect on life, trade, property and the environment as non-approved usage. The Bill therefore proposes that disposal in a way that was likely to cause harm would be prohibited. Likewise, the reuse of chemical containers for purposes other than those for which they were intended may also cause problems especially when used in association with animal feeds. The only use that will be permitted will be for containing a chemical but only after all traces of the previous chemical have been removed. This would not prevent fertiliser bags, for instance, being used to hold such things as tractor parts provided that the fertiliser had not been mixed with a chemical.

The second prong of the attack on chemical misuse centres on restricting the use of agricultural produce and manufactured stock foods that contain chemical residues in excess of maximum permissible levels. The provision would also apply to plants, land and other substances that contain chemical residues at levels that were likely to cause unacceptable residues in or on agricultural produce or in manufactured stock food with which they might be associated.

The Bill empowers an inspector to direct that these materials not be used, destroyed or disposed of for up to three days to enable analyses to be conducted to determine the

level of the residue and a basis for further action. The standards officer of the Department of Primary Industries would be able to extend the period by issuing similar directions.

The person in possession of material which was the subject of a direction would be able to apply to the Standards Officer for approval to deal with the material in a way that was not likely to cause harm to life, trade, property or the environment. It is proposed that failure to comply with a direction would carry a maximum penalty of 100 penalty units.

However, in the extreme instances in which the residue level was such that produce, feed or plant could not be safely used for any purpose, it is proposed that the Minister for Primary Industries be authorised to order its destruction.

To emphasise the importance which the Government places on the control of chemicals misuse, possession of a banned or proscribed chemical will be treated as a serious offence, carrying a penalty of 100 penalty units. To meet special circumstances, including the possession and use of certain chemicals for research purposes, provision is made for the written permission of the Minister to be obtained.

A major weapon that will be available to the Minister to combat the problem of chemical residues will be the power of recall. If the Minister is of the opinion that the use of a chemical, agricultural produce, manufactured stock food or any other material would be harmful to life, property, trade or the environment, it is proposed that he have the power to direct a manufacturer, producer or other person responsible for placing the material on the market to recall it from all persons who have it in their possession. The Minister would also be empowered to give directions as to what was to be done with the recalled material. The Crown will not be liable for compensation.

This Bill provides the necessary legislative authority to regulate the proper use of agricultural and veterinary chemicals in Queensland. Whilst it will provide a mechanism to control misuse and illegal possession of banned chemicals, reliance must still be placed on the support and common sense of the individual.

I appeal to all members of the community who need to use agricultural or veterinary chemicals to read the label before use and to follow the label requirements exactly. They are there for our protection, as well as for efficient insect and disease control.

In the case of chemicals to be banned or proscribed under this legislation, it is my intention to introduce an amnesty during which my department will receive banned chemicals for proper disposal. During the chemical retrieval program which I introduced late last year following the organochlorine residue problem, some 150 tonnes of chemicals were received and disposal has now been safely effected. I place on record my appreciation of the strong support of most of the local authorities in Queensland during that recall program.

Details of the next receival program and amnesty will be announced shortly after the proclamation of this Act. Thereafter, an amnesty for 60 days will be applied to enable surrender of quantities of banned chemicals which may be held.

The Bill complements extensive existing legislation relating to agricultural and veterinary chemicals in Queensland.

In broad terms, the Agricultural Standards Act requires the registration of agricultural and veterinary chemicals as a necessary pre-condition to their sale. The Agricultural Chemicals Distribution Control Act regulates the aerial spraying of all chemicals and the ground application of herbicides whilst the Stock Act contains provisions relating to the use of chemicals with livestock.

This Bill extends the legislative provisions to provide a means of controlling the uses to which agricultural and veterinary chemicals may be put, including prohibition on the possession of banned chemicals, and the recall of chemicals and products which could cause damage to human or animal life, the environment, property or trade. Whilst this Bill is a major advance, it is not the end of the story.

I am currently considering further legislative options which would increase the degree of control over the use of agricultural and veterinary chemicals both by aerial and ground application. Particular attention is being given to increased regulation in areas where there might be conflicting community expectations such as where urban development and intensive farming operations exist side by side.

I commend the Bill to the House.

Debate, on motion of Mr Vaughan, adjourned.

LANG PARK TRUST ACT AMENDMENT BILL

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (9.09 p.m.), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Land Park Trust Act 1962-1986 in certain particulars.”

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (9.10 p.m.): I move—

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

This is a short Bill that is designed to restructure the provisions of the Lang Park Trust Act 1962-1986. The present trust consists of five trustees, being a representative of the Government, one from the Brisbane City Council, two from the Queensland Rugby Football League and one from the Queensland Rugby Football League (Brisbane Division). At the moment these are all nominated by the respective bodies they represent.

The trust will now consist of six trustees. However, the present representation of two by the Queensland Rugby Football League will be reduced to one, and the other position will be taken by a representative of the users of the playing facilities administered by the trust. The present Government representative is no longer to be defined as such. This position and the new additional position will be filled by the Governor in Council on the recommendation of the Minister. It is the Government's intention that all groups competing at Lang Park be able to have an input into the administration of the trust.

In future all trustees will be appointed by the Governor in Council on the recommendation of the Minister. The Brisbane City Council, the Queensland Rugby Football League and the Queensland Rugby Football League (Brisbane Division) will be requested to nominate a panel of three persons. In the event that no person on a panel is acceptable to the Minister, he may request a further panel of names to be supplied. Where they are still unacceptable, he may then nominate a person who, in his opinion, represents that body. Such a person will be deemed to be a nomination of the relevant body.

As there is no formal organisation of users, the Minister will nominate this trustee from a person who, in his opinion, represents the users of the playing facilities. Trustees will, in future, be appointed for a fixed term of three years. At the moment they serve until a fresh nomination by the body they represent is made.

No new trustees may be appointed if they have attained the age of 70 years and must vacate office, if serving, when that age is reached. As a transitional measure, the present trustees will continue to serve until new trustees are appointed or present trustees reappointed.

The chairman of the trust will in future be appointed by the Governor in Council on the recommendation of the Minister from amongst the trustees. The deputy chairman

will be elected by the trustees from amongst their number. A secretary will in future be appointed by the Governor in Council on the recommendation of the Minister. He shall not serve after attaining age 65. He may be paid fees and allowances as determined by the Governor in Council.

At the moment, the conduct of the business of the trust is provided for in by-laws which are made by the trust with the approval of the Governor in Council. The normal provisions relating to meetings, such as quorums, etc., will now be provided for in the Act. The by-laws will, in the main, relate to the public use of the trust area.

This Bill is designed to standardise the procedures for the conduct of the trust and to overcome some perceived problems in its administration and relationships with other users.

I commend the Bill to the House.

Debate, on motion of Mr Vaughan, adjourned.

FOREIGN OWNERSHIP OF LAND REGISTER BILL

Second Reading

Debate resumed (see p. 2080).

Mr De LACY (Cairns) (9.13 p.m.): I did not think that I would ever see the day when a foreign land-ownership Bill was introduced into this House. For many years the Labor Party has been calling for such legislation, and for many years the National Party has been saying that it would not introduce it. Members of the National Party have called members of the Opposition everything from rabble-rousers to socialist, anti-Queensland, anti-foreign investment, and anti-development of the State. With the introduction of this legislation, I will never cease to be amazed at how the leopard changed its spots.

Even the Minister for Education introduced legislation tonight putting members of the Teachers Union—would you believe—on a variety of boards. The Minister seems to have lost his way in life. He is not even union-bashing. He is losing his personality and his way. However, I have to admit that much of the legislation that he is introducing is very good. The Opposition has been calling for such legislation for a long time.

In his second-reading speech, the Minister in charge of this Bill stated that it is pioneering legislation which is not in place in any other State. That is a nonsense argument. A foreign land-ownership register is needed in Queensland. For at least the last 10 years it has been part of the Labor Party's policy. Virtually all sections of the Queensland community, including that section of the community which the National Party would call its own, that is, the grazing fraternity, have called for it. The grazing fraternity has been very concerned about the sell-off of our national estate to foreign people. It has simply not believed that the National Party was prepared to introduce this legislation.

As late as August this year, the *Queensland Graingrower*, which is the official magazine of Queensland grain-growers, referred to the need for a foreign land-ownership register. In an article titled, "Tougher foreign land policy call", reference was made to a motion moved at a meeting of the Queensland Graingrowers Association in the Callide district. It was moved by a Mr David Lawrie. He said that he had—

"... changed his mind from his previous 'free enterprise' attitude after a recent trip to Thailand."

The article also quotes a Mr Malcolm Crocker, who said that the Queensland Graingrowers Association would have—

"... 'a real up-hill battle' with the resolution because although it was National Party policy to establish a foreign land-ownership register, the party has no intention of carrying through the policy."

National Party supporters have been burnt often. I know that such a register has been the policy of the National Party. Every time the National Party held a conference, its members would all beat their breasts and say, "Let's have a foreign land-ownership register." Then, of course, the Premier, Mr Bjelke-Petersen, would say, "No, it is not on." I do not know why the National Party bothers to have conferences if the parliamentary party does not take any notice of them.

Mr Stephan: That's why you don't have conferences.

Mr De LACY: The Labor Party has conferences. This year it has held two. The main thing is that when the Labor Party holds a conference and policies are arrived at, at least the parliamentary party considers them.

Mr Austin interjected.

Mr De LACY: Fancy National Party members talking about closed meetings! Did the National Party have a big closed session at its meeting in Mackay while everyone had a brawl? Of course it did. The Labor Party has always had its policies open to the public. They are published. Its policy conferences are open to the media. Honourable members opposite could learn a lot from the Labor Party. In fact, they are learning a lot. In many cases the Government is even adopting our policies.

Mr Malcolm Crocker said—

"It is just a public gimmick. With the present attitude of the National Party they have no intention of bringing it in."

According to the article, when Mr Lawrie used his right of reply he said—

"Japanese tourists were never seen at Yeppoon, that airline tickets, meal vouchers and tour packages were bought in Japan and little money was actually spent in Australia by the Japanese who used the Iwasaki resort. 'All that profit stays in Japan. I must admit that I was for Iwasaki originally but I have certainly changed my mind.'"

It seems that the State Government has changed its mind. That is something that is welcomed—and warmly welcomed—by the Labor Opposition. The whole issue of the sell-off of our estate—our valuable land—to foreigners is an issue that I think will occupy a great deal of the time and attention of this House, as well it should, during future years.

The foreign land-ownership register is only the first step. It does not prevent any foreign person from purchasing land in Australia, but it is an essential first step because until it is established we will only ever be working in the dark. A reasonable policy cannot be formulated unless, firstly, the statistics and the vital information on which to make decisions are available. There is substantial argument in favour of foreign investment. I know that the Minister for Finance will leave shortly on another junket to Japan to tell the Japanese people that even though a foreign land-ownership register is being introduced and everybody in Queensland hates them, their money is still wanted.

Only a fortnight ago on a talk-back program the Minister dragged out that hoary old chestnut that Sir Joh Bjelke-Petersen used to use, "They can't take their land with them. It is all right to sell it because they can't take it to Japan." That is a comment that really does not go down too well with the average person in Australia.

Some of the reasons why foreign investment is needed and desirable—or it is suggested that it is needed—are that it creates valuable facilities that Australians might not provide; it guarantees a larger and more sustainable flow of tourists; and it creates jobs. In a macro-economic sense I think a good reason probably exists for encouraging foreign investment, in that it helps to service our very large foreign debt. Sooner or later, Australians need to wake up to the fact they cannot live beyond their means. I know that every second politician in Australia is saying that very thing. However, in recent years, we have consumed at a much greater rate than we have produced. As a consequence, Australia has a foreign debt of alarming size.

One of the ways of servicing—paying the interest, if you like—that foreign debt is to encourage foreign investment in Australia. One of the problems with Australia's political system is that it is adversarial—that Governments must govern and Oppositions must oppose; that they cannot get together and address these very difficult problems. Many ordinary Australians that I talk to say that if the options were put as plainly as that—that we either sell off our land to foreigners or we tighten our belt—then they would opt for tightening the belt. But that sort of option is never put to the ordinary person in the street. They do not see a great deal of advantage in foreign investment.

In defence of the Federal Labor Government I must say that the reason why it relaxed the controls on foreign investment was simply that it had to face up to servicing that large overseas debt. I must say that Labor Party people in Australia do not support the action that was taken by the Labor Government to relax those controls. I think that the Minister knows the action to which I am referring. It was when the Foreign Investment Review Board removed the requirement for a 50 per cent Australian equity, that the investment had to be for the benefit of Australians, and a variety of other guide-lines that had previously applied to foreign investment.

As all honourable members would be aware, I live in Cairns. Foreign investment has been a big issue in Cairns for the last 18 months at least. At about this time last year, it was a hot political issue. Perhaps it was a hotter issue in Cairns than in any other place in Queensland. Subsequently, it also became a big issue on the Gold Coast. The reason that it became a big issue was that much valuable real estate was conspicuously being snapped up by overseas interests, particularly Japanese interests.

The average person in the street could not perceive the advantage that would accrue, but he could certainly appreciate many of the disadvantages that were accruing. The major disadvantage was the way in which the price of real estate was being pushed up. People blamed foreign investment for the fact that the price of housing, land and a variety of other commodities was being pushed up and was becoming more expensive very quickly. To a certain extent, that judgment was not fair, because a variety of reasons caused the price of real estate to be pushed up.

One of the reasons at that time was, and now is, that overseas investment was being substantially increased. That is the reason that Paul Keating introduced some controls over the purchase of developed residential real estate, and I am pleased that he did so. There is no discernible benefit for Australians when overseas investors purchase developed real estate. If they purchase land and develop a tourist facility or some other type of economically beneficial facility, it can easily be argued that the investment is generating wealth and employment. However, if they merely purchase developed real estate, apart from the initial macro-economic benefit of servicing the international debt, there is no local or regional benefit to be derived from that purchase. In more general terms, people could see that Australians were losing control of their own destiny. A variety of indefinable future problems were being envisaged by the ordinary person in the street.

That reaction is not unique to Australia. The United States has encountered the same type of activity. Certainly, in Hawaii a great deal of reaction has occurred against foreign people who purchase and take over national heritage and the national estate.

In Australia, the reaction against foreign investment was exacerbated by a variety of other influences, some of which were racist and some of which were xenophobic. People who served their country in World War II still bore grudges against the Japanese. Honourable members would be deluding themselves if they did not recognise the Japanese element in the debate and that that was not the primary cause of the intense community reaction against foreign take-overs.

I commend the Government for taking this first vital step and establishing a register of foreign ownership of land. The Minister is probably aware of how difficult it is to establish a register that will be meaningful. I sympathise with the Minister and compliment him on the legislation. Having examined the legislation, I think that the Minister has addressed very difficult problems. An ordinary person may think that it is the easiest

thing in the world to establish a register because foreign people simply have to register their dealings. However, how is a "foreigner" to be defined, particularly when corporations are involved? How is "foreign interest" to be defined? How can the Government ensure that people will register?

The Minister has addressed these problems by providing for penalties when breaches occur. The onus has been placed on the foreign owners of land to register their dealings. If they do not and their default is discovered, a substantial penalty can be imposed, which is probably the only way that the Minister could go.

As the Minister would know, this year I have spent some time examining Government policy in respect of industrial estates. There has been and still is fairly large land scam operating on those estates. I have raised this matter on a number of occasions in the House.

Mr Austin interjected.

Mr De LACY: No, I will not go through this matter, but there is still an issue that I want to raise with the Minister. I am not convinced that the problem has been solved at this stage.

On 25 August, a question was asked of the Minister that is relevant to this legislation. The question was—

"Is he aware that there is a widespread and well-organised land scam taking place on industrial estates in Queensland, which involves the buying and selling of Crown leases for profit by using a company share transfer scheme, a scheme which enables a person or persons unknown to the Crown to acquire a lease without reference to the department or the Minister himself?"

The Minister's reply was—

"I am well aware that in the case of a company owning land of permissible tenure types, it is possible to transfer the company to other directors and shareholders and that this is, and has been for some time, a fairly common practice. In effect, the company—and not the land the company owns—is sold and transferred. Clearly, if a transfer of the company takes place with the land being retained in the company's name—in other words, no transfer of land—I, as Minister, and relevant departments would not be notified. Possibly, in due course the Corporate Affairs people would be notified of a change of address of head office of the company.

The transfer of shares in or control of a company can, and does, take place irrespective of the tenure types of land and nature of property owned by the company. This procedure is fairly common these days and has been for some time."

If the Government has no way of knowing who is leasing Crown land or who owns the company that is leasing Crown land, how can it possibly know who owns private land in Queensland? It is a major problem. The Minister knows the case that I am talking about. The lease is put into the possession of a \$2 shelf company. Once the land is in that company's possession it can be bought and sold at will. Crown land can be bought or sold without notifying the Crown or the Land Administration Commission. The ownership can change. The owners can be Japanese, Chinese, Americans, New Zealanders, New South Welshmen, criminals or anybody at all. In the Minister's words, his department has no way of knowing who owns the company that holds the lease of Crown land. I raise that matter today so that the difficulty of having a meaningful and workable land-ownership register is recognised.

I am being critical of industrial estates, but I am not critical of the land-ownership register. I have looked through the legislation and the Minister has addressed himself as much as possible to the problems. This is probably the only way in which it could have been done; that is, put the onus back on to the people who own land and who will purchase land in the future. If it becomes obvious that they have not registered their ownership of land, they will suffer great penalties and possibly the forfeiture of the land.

I wish to address another specific issue in the Bill. There has been some publicity about it. It relates to the preferential—or otherwise—position of New Zealanders under this Bill. The Minister knows that as soon as the clause referring to permanent residence was included in the legislation, preferential treatment was given to New Zealanders, because they have preferential treatment when it comes to permanent residency in Australia. They do not have to make any application because, to all intents and purposes, in a legal sense they are all permanent residents of Australia. The Bill states that their presence in Australia is not subject to limitation as to time imposed by law. New Zealanders do have a special status and this legislation gives them preferential treatment.

I understand that the words “who is not domiciled in Australia” were inserted in the Bill specifically to catch New Zealanders, in the sense that if they are not living in Australia, they will be considered to be foreigners. Both sides of the argument that was given in the media were partly correct. New Zealanders are a little better off than the Japanese——

Mr Austin: You would not take a policy out of the media, would you? They can't even spell names correctly.

Mr De LACY: Out of the media?

Mr Austin: Yes.

Mr De LACY: Is the Minister asking whether I believe everything that I read in the media? Not altogether, no.

Mr Glasson: Your leader and deputy leader do.

Mr De LACY: I saw the article in the *Weekend Australian* in which it was stated that the Bill was racist. At that stage I had not had a close look at the Bill.

Mr Glasson: Neither did they.

Mr De LACY: No, I said that I had not had a close look at the Bill, and I was inclined to believe what was stated in the article.

The Labor Party believes that there is a need to extend the provision beyond Australian citizens, because many people who own land in Australia are English or British; they are not Australian citizens. No great purpose would be served in having them register as foreign owners of land, and it could create a great deal of offence. Of course, the problem then arises of defining exactly who is and who is not a foreigner. The Australian Electoral Commission and the State Electoral Office have arrived at a way of doing exactly that, and the Labor Party did consider moving an amendment to the Bill which said something to the effect that any person who is eligible to be enrolled on the Commonwealth electoral roll would not be considered to be a foreigner for the purposes of this register. However, when the Labor Party looked at it a little closer, the end result was not much different from what is contained in the Bill, and the Opposition is prepared to accept it.

Some individuals still believe that all people who are not Australian citizens should be on the register, and if a person does not want to put his name on the register, it is incumbent upon him to take out Australian citizenship.

Mr Glasson: Wouldn't you have a nice civil war on your hands in north Queensland?

Mr De LACY: I did not say that that is what I am proposing. I said that there are many people who suggest that that should be the case, and there is a reasonable argument in favour of it. The Opposition does not support the proposition and sees the complication involved in it.

In conclusion, I hope that the Government does not regard the establishment of this land-ownership register as the end of the debate or that the problem has been solved. There is still a massive problem in Queensland and Australia in developing a policy which, on the one hand, accommodates the conflicting demands of the need to encourage

foreign investment for a variety of reasons, and, on the other, ensures that Australia's heritage remains in Australian hands. Sometimes the amount of land that is bought by foreigners in Australia is overstated; but by the same token I strongly sympathise with those people who believe that if it means tightening their belts and accepting a lower standard of living, that is a price worth paying to keep control over Australian assets.

I know this issue crosses party-political boundaries. As I said at the outset, some of the most conservative people in Queensland—the land-holders of the central and western areas of the State—are concerned about what is happening in their industry. That is another cause for great concern; foreign interests are gaining control of whole industries in a vertical way. In the beef industry that is happening with the purchase of properties and then slaughterhouses, the marketing system, the transport system and what-have-you.

The real concern is that control passes out of Australian hands, which is not healthy for Australia. It is not healthy in a variety of ways; it means that decisions made in boardrooms somewhere else will have an impact on our lives. It is not healthy from another point of view, also. In Australians it brings to the surface that latent racism, that latent xenophobia, that exists and at all times bubbles just below the surface. That leads to a great deal of unpleasantness, which is something that we could well do without.

With those few points—not because I am getting suggestions to wind up—I say on behalf of the Labor Opposition that we welcome the Bill and we are pleased that, after many years and after a lot of urging over a long period of time, it has finally been introduced. We welcome it as an important first step.

Hon. W. D. LICKISS (Moggill) (9.39 p.m.): The study of the holding of land in Australia is a very interesting one indeed. I suppose one can say that from 1867 until 1958 restrictions on the holding of Queensland land by aliens were quite strict. It was covered, chiefly, by provisions of the Aliens Act and the Land Act. Considerable relaxation of the restrictions contained in the Aliens Act occurred in the late 1950s, and in 1965 a new Aliens Act eliminated all restrictions on foreign ownership of Queensland land.

What the House is doing tonight is providing for the recording of the dealings of land and of how foreign ownership has come into play since the introduction of the 1965 Act, which allowed aliens to hold land in Australia. That is a period of 23 years.

There is much concern about the ownership of land in Queensland, mainly because of the unknown quantity and value of land that is currently held by people who, in years past, would have fallen into the category of being aliens in Australia. Indeed, it is quite interesting to note that, in common law, there was a prohibition on aliens holding land unless there was specific legislation for the purpose of enabling them to own land. Unless otherwise provided by specific legislation, the common law has always barred an alien from holding land, or interests in land, except that certain leaseholds could be held by alien merchants.

What is really being considered tonight is the introduction of a foreign land register which, for this State, will cover a period of about 23 years. I was in the House when the former Aliens Act was repealed in 1965. It was quite clear that the reason for the repeal of that legislation was that Queensland was not attracting foreign capital for developmental purposes. In terms of the pastoral industries, it was felt that we needed to get capital in. Those industries were not developing as fast as they might have, and it was felt that capital intensification rather than labour intensification was vital to boost the economy of the State. That was one reason why the former Act was repealed in 1965.

Another reason revolved around those aliens who had been good Australian citizens—particularly in the north, where the honourable member for Cairns comes from—but who could not really hold land. For them to obtain interest in land, there was quite a messy system of trusts and other devious means. To clarify the system and to make it more workable, the legislation was introduced in 1965—and I think it was wisely introduced.

Because it is unknown how much land and what value of land is held in foreign ownership, as it is described in the Bill before the House, there has been public pressure for action to be taken. The Liberal Party supports the establishment and implementation by legislation of a foreign land-ownership register. It is unfortunate that we have not had a little more time to examine the Bill in greater detail and to get some expert advice and information. We do not believe that we in this place have all the knowledge in relation to land-dealings, conveyancing and the implications of the Bill. We would have liked a little more time but, nevertheless, we support the broad concept as outlined by the Minister in his second-reading speech.

The member for Cairns said that the Bill was not the be-all and end-all. However, it might put to rest some of the fears that people at large hold on foreign land-ownership in the State. In general terms, the Bill is to collect the intelligence, to collect the data, so that, if there is a problem, we can see the magnitude of that problem, where it is and what categories of land are affected.

I quite freely agree that there is no great sense in overseas people coming in and buying houses and developed properties at places such as the Gold Coast. That is not really the type of capital we are looking for. That capital coming into Australia will do something for our foreign debt, but if the property is bought for speculation and the capital is later taken out of the country, with a large profit, it does not really do our economy much good at all; it merely fills the pockets of those who want to speculate in our land. We are not looking for that type of investment capital; we are looking for solid capital to create development, national income and employment when we allow foreigners to own Queensland land.

If we place restrictions on the ownership of land in Queensland, we must consider the fine balance. We might be forcing investment to other States that do not impose such restrictions on the ownership of land.

Tonight, we are looking at the gathering of the general intelligence to form a foreign land register. I do not know how the registrar proposes to go about that. I imagine that it will be either part of or an extension of the land information system. With the increased use of computer programming and computer capacity, it should be possible to have the register on computer, which will facilitate its operation and its accuracy. We should be able at any stage to determine the ownership status and value of land in any area without great delay.

In general terms, the Liberal Party supports the legislation. It will see how it develops. As far as Liberal Party members are concerned, first of all we need to know what, if any, problem exists, and then it is a matter of dealing with a problem when it arises. We support the legislation.

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (9.47 p.m.), in reply: I thank the Opposition and the Liberal Party for their contributions to the debate. It is pleasing to hear in the broad context that both the Liberal and the Labor Parties accept the principle of the introduction of this land register.

Let me say how cynical people can be when they claim that the introduction of the foreign land register has been their policy and that they had something to do with its introduction. Long before the member for Cairns entered this place, when I first became Minister for Lands, I attended a grain-growers conference in Toowoomba. That conference voiced a concern that land on the periphery of Toowoomba was being purchased by overseas interests but that they were not working the land themselves. At that time, the party and I expressed the view that we were in favour of the introduction of a foreign land register. The introduction of the register can in no way be construed—or misconstrued—as an endeavour to restrict capital flow into this country, irrespective of its country of origin.

Ever since Australia was settled 200 years ago, it has been dependent on foreign investment; and for many decades in the future it will be dependent on overseas capital to carry out the required development. Therefore, in my second-reading speech I tried

to make it abundantly clear that we were concerned that we did not know by whom our land was owned. However, at the same time, there is no way that that can be construed to mean that we were against foreign investment.

Regrettably, the Opposition spokesman on Land Management is not in the Chamber tonight. I have great respect for Mr Eaton's sincerity in his role as Opposition spokesman on the portfolios that I hold. However, I am disappointed that he holds such a grudge against those he termed as the rich and the greedy. Because a person owns large areas of land, he is not necessarily rich or greedy. It will be a sad day if Mr Eaton and his Labor Party colleagues occupy the Government benches in this Chamber. They show contempt for certain sections of the community, both on shore and off shore, in relation to the ownership of our land both now and in the future.

When I said that the Government wanted to make it clear that Japanese investors were welcome in Queensland, I saw Mr Lickiss nod his head. Regrettably, a person who did this country a great deal of harm—he was a candidate at the South Coast by-election—is a person named Whiteside. He did irreparable damage to the image of the State of Queensland and to the Commonwealth of Australia.

My colleague the Minister for Finance reminded me that Mr Greiner, the Premier of New South Wales, and the Premier of Western Australia have taken the positive step of visiting Japan to assure the Japanese that their capital is welcome in New South Wales and in Western Australia. Therefore, the Minister for Finance is not going on a junket to Japan. He is going there for two purposes. One is to restructure loans on behalf of this State; the other is to assure the Japanese and attempt to repair and rebuild some of the bridges that have been destroyed by irresponsible people such as Mr Whiteside who have made them feel that they are not wanted in the State of Queensland. It is appropriate that the Minister should undertake that trip to assure the Japanese that we are not against their capital being invested in this country.

I repeat what I said in the debate on the Land Management Estimates. People must realise how dependent we as a State and a nation are on the Japanese people for the sale of our commodities. The prime market for our six biggest export-earners is Japan, so we cannot be so greedy and so one-eyed as to say, "Sure, we want you to buy all our commodities; but we don't want your dirty capital in our State of Queensland." Unfortunately, that is virtually what Mr Whiteside and the 1 500 people at the meeting down the coast said.

I led an all-party delegation round the Pacific rim. When I arrived in Tokyo, it was made abundantly clear to me through our trade commissioner in Japan that the Japanese were insulted and, indeed, appalled at the thought that that is how they would be treated.

I thank honourable members for their contributions. I make it abundantly clear that this legislation will enable the situation to be monitored. Then the Government will be in a position to know who owns our land and whether it should be of concern to us.

Motion agreed to.

Committee

Clauses 1 to 45, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

SPECIAL ADJOURNMENT

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (9.55 p.m.): I move—

"That the House, at its rising, do adjourn until Tuesday, 8 November 1988."

Motion agreed to.

The House adjourned at 9.56 p.m.