Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 6 APRIL 1989

Electronic reproduction of original hardcopy

THURSDAY, 6 APRIL 1989

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—

Designation of Dress-optional Areas by Local Authorities

From **Mr Stephan** (793 signatories) praying that the Parliament of Queensland will take action to permit local authorities to designate suitable locations as dress-optional areas.

Petition received.

PAPERS

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

Reports—

Premier's Department for the year ended 30 June 1989

Queensland Institute of Medical Research Trust for the year ended 30 June 1989.

The following papers were laid on the table—

Regulations under—

Food Act 1981-1984

Health Act 1937-1988.

OVERTIME PAID IN GOVERNMENT DEPARTMENTS

Return to Order

The following paper was laid on the table—

Return to an Order made by the House, showing the amount of overtime paid in each Government department (all funds) in 1987-88.

MINISTERIAL STATEMENT

Telecommunications Regulation and Control

Hon. R. E. BORBIDGE (Surfers Paradise—Minister for Industry, Small Business, Technology and Tourism) (10.03 a.m.), by leave: The 25 May statement by the Federal Department of Communications and Transport pre-empted changes in the field of telecommunications regulation and control within Australia.

The Queensland Government is a major user of telecommunications services with significant terrestrial and satellite-based networks which are essential to the efficient provision of Government services. Furthermore, the Government is keen to ensure that the private sector within Queensland is not disadvantaged by overregulation in the telecommunications area which could stifle economic development in the State. The State also has extensive social obligations to the people of Queensland and is concerned that any changes to telecommunications regulations do not affect the provision of services to residents of Queensland's remote and regional areas at fair and reasonable prices.

Last week the Queensland Government received a draft of the Federal Telecommunications Bill 1989 and was invited to make comments by Monday, 3 April 1989. It is outrageous that the Federal Government would allow only days for the States to consider proposed legislation which could have such significant implications for telecommunications and which in turn could affect economic development within Australia. My department has made a submission to the Federal Government in relation to anomalies identified in the draft legislation. However, I call upon the Federal Minister for Transport and Communications to defer the proposed legislation and introduce some common sense into the debate of this matter, which is vital to the future of the country.

MINISTERIAL STATEMENT

Toowoomba Hotel Incident Involving Police Officers

Hon. T. R. COOPER (Roma—Minister for Police and Minister for Emergency Services and Administrative Services) (10.04 a.m.), by leave: I have already made a public statement to the effect that a number of police would be charged following investigations into alleged misbehaviour by police during a football carnival in Toowoomba.

Since that time investigations have continued and considerable advances have been made, as I will shortly explain to the House. Before doing so, however, I am obliged to deplore the disgraceful implications in the questions from the other side of the House that police officers should be entitled, unlike the rest of the community, to leave hotels without paying their bills. If the honourable member had taken the trouble to try to discover the purpose and effect of the Regulatory Offences Act, he would have learned that it is designed precisely for the sorts of cases that occurred in Toowoomba—that is, leaving relatively small bills unpaid at hotels, bills that would probably not be worth pursuing by the hotel-owner because of the expense of any legal proceedings. This is why the Regulatory Offences Act was passed, and the cases are, I am informed, appropriate ones for prosecution under it.

No Government could have made a more timely response to the Toowoomba incidents than this one. Within less than 24 hours of the surfacing of the public complaints, a task force had been appointed and had commenced its investigation. I was in receipt of an interim report as early as 29 March and by Friday last six charges had been laid. Not all, I emphasise to the House, were for breaches under the Regulatory Offences Act. Three serious charges relating to obscene or offensive conduct were laid under the Vagrants, Gaming, and Other Offences Act.

Yesterday evening I received a further oral report on progress. The position now is that, in all, nine charges have been laid against six policemen and one civilian, consisting of—

- 4 for obscene behaviour;
- 3 against the Regulatory Offences Act; and
- 2 under sections 335 and 339 of the Criminal Code for serious assaults.

I am informed that additional charges are still likely to be laid. Among other things, I expect that there will be charges under the Police Rules, and investigations of apparent failures to report misconduct by senior members of the police force who accompanied the teams.

It is impossible at this stage to say precisely how many charges will eventually be laid. That will depend on a proper evaluation of the evidence. Surely not even the Opposition would want charges laid merely for the sake of building up the numbers. However, at this stage I am told there is a real prospect of up to a further nine charges—seven for obscene behaviour and two for assault. In addition, the conduct of up to a further 40 or so policemen whose presence at the carnival has been established will require further internal investigation, with disciplinary charges to follow in some cases. It would not be right to go into the details of any particular case because of the risk of

prejudice to a fair trial. By the same token, it would not be right to engage in a witch-hunt.

I am further informed by those responsible for the task force that they have been able to make observations on the attitudes of some police officers to misconduct by their fellows, of some deficiencies in the police disciplinary rules, and means by which investigations of police misconduct may be improved. I propose to pass these observations on in an appropriate form to Mr Fitzgerald, QC, for his consideration in making his report.

Before sitting down, I would again emphasise the total undesirability of the approach of the Opposition, which seems to be that, because policemen may have left only small bills unpaid, they ought to be given special treatment.

The establishment and work of the task force constituted a very speedy, flexible and innovative response to a situation that suddenly developed. There is no way in which the situation could have been better handled. On receipt, this week I expect, of the final reports of Messrs Callinan and Carrigan, the active involvement of those gentlemen will cease, save for consultation when required on further investigations between Mr Carrigan, Mr Redmond and myself.

While I hold this portfolio, I make it clear to the House that the police force will have to conform to the law in every way.

QUESTIONS UPON NOTICE

1. Information Supplied to Director of Prosecutions on Male Child Prostitution

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

"With reference to the deep public outcry and concern concerning unresolved child sex outrages over about 10 years of National Party Government in Queensland—

(1) Was his Government's Director of Public Prosecutions, Des Sturgess, warned by the principal of a leading television current affairs program in or about early 1985 about a national boy sex network involving Brisbane?

(2) Was Mr Sturgess given detailed confidential information including allegations of involvement of Brisbane businessmen and two Brisbane barristers?

(3) Did this detailed information include photographs of Filipino boys, aged 13 or 14, imported into Australia under tourist visas and then used for sexual purposes in south-east Queensland motel units, particularly the Gold Coast?

(4) What action was taken on that information from responsible sources?

(5) Were Federal authorities briefed and, in particular, the Immigration Department and Federal Police with its links to Interpol?

(6) What arrests, if any, have resulted and, if any, who were arrested and on what charges in Queensland or elsewhere?

(7) Are Mr Sturgess' findings on this confidential information included in his still unsighted reports on the child sex question and, again, has any police action resulted?

(8) Are any of the people convicted, suspected or mentioned in transcripts or records of interview in regard to this seemingly forgotten matter now resurfacing in the latest investigations?

(9) Finally, will he check this information (as the source of the original details to Des Sturgess is easily available) and then report to Parliament on 6 April?"

Mr AHERN: (1 to 9) Allegations and suspicions concerning persons involved in a national child sex network were made to the Director of Prosecutions by many people.

Mr Sturgess, QC, cannot recollect, after so many years, whether one source of information was from the principal of a leading television current affairs program. Any allegation of this nature accompanied by information capable of being investigated was passed on to the Police Department for investigation and prosecution if possible.

The persons to whom Mr Sturgess spoke about a national boys sex network were from all walks of life. They included professional people, parents, police and the offenders and their victims. Early in his inquiries it became clear to Mr Sturgess that the information he was receiving was taking two directions; one led to possible criminal involvement of certain persons and the other towards the need for reform. Mr Sturgess has advised that his findings on a child sex network were not contained in his confidential report.

The Criminal Code was recently amended to extend the range of offences in relation to sexual abuse, to increase penalties substantially, to change evidentiary requirements with regard to the corroboration of the evidence of children and to substantially change court procedures which may be used in receiving evidence from children. These amendments form but a part of a co-ordinated strategy by the Government to combat the complicated problem of child sexual abuse.

Mr Burns interjected.

Mr AHERN: I beg the honourable member's pardon?

Mr Burns: You ought to sack Sturgess if he can't remember the names of some of his fellow barristers. Channel 9 gave him photos and all.

Mr SPEAKER: Order!

Mr Burns: The Channel 9 people gave him the photos and all.

Mr SPEAKER: Order! The question has been asked. It is on notice. The Premier is attempting to answer it.

Mr Burns: He asked me.

Mr SPEAKER: Order! I warn the member for Lytton under Standing Order No. 123A.

Mr AHERN: Mr Speaker, in deference to you, I thought it was important that that interjection by the member for Lytton be recorded.

The recent publication *Child Abuse* by the Co-ordinated Committee on Child Abuse further supports the Government's strategy.

2. Sacking of Ipswich City Council Town Clerk, Mr H. B. Edmonds

Mr INNES asked the Minister for Local Government and Racing—

"With reference to the sacking of the Ipswich City Council Town Clerk, Mr Brian Edmonds, who appears to have been a highly regarded and competent administrator but who had clearly had differences with the bombastic bully boy and rate payer funded high-living Alderman Paul Tully, the chairman of that council's Finance Committee, who appears to run the Ipswich City Council—

(1) Is his department investigating the circumstances of the sacking and, if not, will it?

(2) Did the Town Clerk seek advice recently on whether the Local Government Act authorised the payment of certain telephone accounts, and were those accounts incurred by Alderman Tully on a trip to Canberra?

(3) If a senior officer of local authorities is sacked because he seeks advice on legal powers relating to financial expenditure of the local authority, isn't the whole question of accountability undermined, and will he ensure that this has not happened?"

Mr RANDELL: (1) The former Town Clerk of the Ipswich City Council has rights of appeal available to him in respect of his dismissal by the council. In the circumstances, it would be inappropriate for the Local Government Department to intervene at this stage.

(2) Advice was sought from the Local Government Department by the former Town Clerk in respect of the powers of a local authority to reimburse members for telephone expenses, but no details were given of specific expenses.

(3) As I have already stated, the former Town Clerk has rights of appeal available to him in respect of his dismissal and, in the event of those rights being exercised, it might be expected that the appellate body would examine all pertinent matters, including the matter raised by the honourable member, if it is deemed to be pertinent.

3. Resignation of Chairman of Police Complaints Tribunal

Mr R. J. GIBBS asked the Minister for Justice and Attorney-General and Minister for Corrective Services—

> "With reference to the recent sudden resignation of the Chairman of the Police Complaints Tribunal, Judge Morley and to the fact that Judge Morley has been in the position for less than 12 months and that his resignation will occur at a time when the tribunal itself says it has 900 cases outstanding—
>
> Will he give an assurance that there were no other reasons, or other factors influencing Judge Morley's decision to resign other than those he has stated publicly?"

Mr CLAUSON: I will clarify the position for the honourable member. Judge Morley did not resign. In accordance with the provisions of the Police Complaints Tribunal Act, Judge Morley was appointed chairman of the tribunal for a term of one year, which expired yesterday. He has indicated to me that he will not be seeking a further term.

4. Funding of Public Transport Improvements outside Brisbane

Mr SLACK asked the Minister for Transport—

> "Following the extensive capital involvement in public transport in the Brisbane region over the last decade, what is the Government's intention for funding public transport improvements in other areas of the State?"

Mr McKECHNIE: A new funding scheme, which will provide funds for urban public transport improvements, came into effect at the beginning of this year. Funds are to be provided under the Australian Centennial Road Development Program as a result of representations by the Queensland Government and senior officers of the Department of Transport over the last two years. The precise amount to be allocated towards public transport from the overall fund is yet to be determined. However, the indications are that sufficient funding will be available to support joint projects with both local authorities and private developers in the major provincial cities.

In anticipation of the program, my department has been holding discussions to determine appropriate high-priority projects. As a result, it is hoped that funding packages can be achieved to enable urban bus terminal projects in Cairns, Townsville, Toowoomba, Caloundra and Southport to go ahead as early as possible. Rockhampton City Council has requested funding for new urban buses under a joint project, and my officers are developing the parameters for such a project in conjunction with council workers.

A need has also been recognised for the upgrading of bus-stop facilities in many provincial cities and neighbouring shires. Following submissions from various local authorities in this regard, Department of Transport officers will be reviewing the scope of work required to determine once again the basis for joint projects with various councils. Cities such as Bundaberg, Mackay and Thuringowa, and the Mulgrave, Pioneer, Woongarra, Gooburrum, Fitzroy, Maroochy and Noosa Shires could benefit from this program.

These projects will be put in place over the next five years and will represent a major enhancement to public transport in these centres.

5. Medical Practitioners in Country Areas

Mr SLACK asked the Minister for Health—

"What action has been or is being taken to encourage medical practitioners to service country areas?"

Mr I. J. GIBBS: A recent decision of the Queensland Industrial Conciliation and Arbitration Commission has resulted in significant improvements in terms and conditions of service for medical superintendents with right of private practice in the smaller country centres. In addition, the State Health Department has established a rural health committee which has the specific task of developing incentives to enhance country positions for medical practitioners.

6. Sugar Inquiry

Mr CASEY asked the Minister for Primary Industries—

"With reference to the recommendations of the sugar industry working party report of August 1985, known as the Savage Report, a joint effort of the Queensland and Commonwealth Government—

What action has been taken, initiated or considered by the Queensland Government to implement the following recommendations of the report namely (a) (no. 10) the establishment of a single sugar industry authority, (b) (no. 12) the development of other innovative sugar based products, (c) (no. 28) the complete review of the current toll refining arrangements and (d) (no. 31) the replacement of the existing cane testing service?"

Mr HARPER: (a) The membership of the Sugar Board has been widened to include the appointment of members based on nominations from the milling and growing sectors of the industry. In addition, the board now includes members with special qualifications in business and finance. The board's responsibility is to acquire and market the sugar crop, manage the terminals and arrange seasonal finance. The board will be taking a greater direct role in the marketing of the crop in future.

(b) There are no impediments to the development of other innovative sugar-based products by mills or indeed by any commercial organisation. The Queensland Government welcomes and supports any such industry initiatives.

(c) It has been the role of the Sugar Board to monitor the toll-refining arrangements which have existed between the board and the two domestic refiners. However, since the Federal Labor Government's ill-conceived decision to remove the embargo—which the honourable member for Mackay supported and then did a backflip on—the refiners have indicated to the Sugar Board that they will no longer undertake toll refining. I am confident that the Sugar Board will make commercial arrangements for the sale of raw sugar to refineries on the best terms possible.

(d) I am fully aware of the importance to the industry of an independent assessment of sugar quality and I am considering a substantial upgrading of the cane-testing service and the streamlining of its management. These proposals are being developed with the industry and, as appropriate, a consultative process will be maintained with both the growing and milling sectors of the industry.

7. Florence Bay Development

Mr BURREKET asked the Minister for Industry, Small Business, Technology and Tourism—

"Will he advise of past negotiations and discussions with the Townsville City Council on the proposed Florence Bay development and advise on the

referendum currently being conducted by the Townsville City Council on the Florence Bay issue?"

Mr BORBIDGE: The Government, through the Queensland Tourist and Travel Corporation, recognises the important role of council in regional issues and has had extensive consultation with the Townsville City Council on the proposed Florence Bay development.

Discussions began back in 1981, when the then Tourism Minister, Mr Elliott, approached the then Acting Townsville Mayor, Mr McElligott, to discuss the development. I understand that the honourable member for Thuringowa is now leading a group against the development at Florence Bay.

In a letter to Mr Elliott dated 25 March 1981, Mr McElligott said that the Townsville City Council welcomed the development in the Townsville region and was keen to accept Mr Elliott's invitation to participate in discussions on all aspects of the potential tourist resort.

The letter contains the following—

"Dear Mr. Minister,

Thank you for the opportunity to speak with you on Wednesday evening concerning the proposed development of a Tourist Development at Florence Bay, Magnetic Island. Your willingness to make your valuable time available for those discussions is very much appreciated.

I wish to confirm my advice to you that the Townsville City Council welcomes the development of such a complex in the Townsville region and understands the choice of Florence Bay for the location of that complex. However I also confirm that the Council and I believe a significant proportion of the Townsville community would have preferred another location.

I am anxious to accept your invitation to the Council to take part in discussions with regard to all aspects of the potential development. I assume that the next step will be the drafting of tender documents and I look forward to discussions between the Council and your officers in regard to the wording of these documents.

Thank you again for talking with me,

Yours Sincerely

K. V. McELLIGOTT
Acting Mayor of the City of Townsville"

It would appear that some people have a credibility problem with Florence Bay.

In anticipation of the Florence Bay development, the QTTC contributed funds towards headworks for a water supply pipeline to Magnetic Island. The council has received $27,000 per annum for six years from the QTTC—a total of $162,000. In correspondence, the council has insisted that the QTTC continue to pay this money every year. Contact with the council through meetings and correspondence was stepped up in 1987, when it was decided to call for expressions of interest.

Consultation since then has included—

Meetings

October 1987. QTTC met with Mayor Reynolds and the town-planner to advise it would be calling for expressions of interest for Florence Bay. The council received a copy of the documents.

May 1988. Meeting held at corporation's request to discuss the joint-venture arrangements with QTTC and a private developer.

June 1988. QTTC held discussions with Townsville City Council town-planner re the Scout Association lease.

January 1989. QTTC visited Townsville and held discussions with the council prior to the announcement of a joint-venture partner.

January 1989. Mayor Reynolds invited to the joint-venture partner announcement.

Correspondence

April 1988. QTTC wrote to the council enclosing a draft of the tourism development concept plan for Magnetic Island for the council's comments.

May 1988. Council wrote to QTTC suggesting relatively minor alterations.

June 1988. QTTC wrote to the town-planner requesting advice on what stage the council had reached with regard to the Scout Association's lease.

July 1988. The town-planner wrote to QTTC saying there were some concerns in regard to the lease.

September 1988. Alderman Mooney wrote to QTTC requesting information on Florence Bay.

October 1988. Sir Frank Moore replied. I might say that I am going through this because apparently some claims have been made that the Government has not been consulting with the Townsville City Council. I will go on.

November 1988. The Honourable Geoff Muntz, MLA, also replied to Alderman Mooney. The letters of both the Honourable Geoff Muntz, MLA, and Sir Frank Moore recognised the role of local government and town-planning procedures, with assurances to Alderman Mooney that the QTTC and its joint-venture partner would follow all the normal statutory approvals as required by the town plan and the Local Government Act.

January 1989. QTTC sent a copy of a final draft of the concept plan for their information.

Part 2

A referendum will be held in Townsville on 15 April asking the question—

"Do you favour tourism development of any kind at Florence Bay, Magnetic Island?"

The question is being asked of a public which is not in full possession of the facts about what is proposed for Florence Bay.

Rather than judging a development proposal for the area on its merits, the council is turning it into a political issue. The timing of the referendum called by Alderman Mooney points to the Florence Bay issue being used for political expediency by the Acting Mayor instead of his addressing election issues that affect the real needs of the people of Townsville.

I suggest that, after the tabling and the presentation to Parliament of this material this morning, the credibility of certain people opposing the project is now right on the line.

8. Education Centre, Maryborough

Mr ALISON asked the Minister for Employment, Training and Industrial Affairs—

"With reference to the $10.4m allocated for 1989-90 and 1990-91 to construct the first stage of an Education Centre in Nagel Street off Gayndah Road at Maryborough—

(1) Will he advise whether or not planning is on time and will be concluded by June so that construction may take place early in the new financial year?

(2) Will he also advise what progress has been made in establishing what courses will be available to students in the building provided in this first stage and what progress has been made in negotiation for the provision of first year University and College of Advanced Education places?"

Mr LESTER: (1) The detailed educational brief prepared in response to the requirements of the Maryborough College Community Council has been completed and will be submitted to the council at its meeting on 13 April 1989 for approval.

If this brief is accepted, the detail design and tender specification preparation will commence immediately. This process is expected to take until November, when tenders for construction are expected to be called.

Concurrent with the preparation of this documentation, it will be necessary to have the Maryborough City Council undertake work to bring water and sewerage to the site and upgrade roads in accordance with the requirements specified.

(2) The new educational brief for Maryborough includes facilities to offer courses in—

- biological sciences, including amenity and production horticulture, rural technology, rural traineeship and agriculture;
- information technologies, including computing, programmable logic controllers and computer-assisted drafting; and
- business studies, including commercial and secretarial courses, word-processing, retailing and general studies.

Arrangements to offer university and CAE courses is a matter for investigation by the Maryborough College Community Council, so there is no reason why the TAFE college in Maryborough cannot be a centre of higher learning. It is starting to happen in some other centres where the Government is making its facilities available for use by CAEs.

I would think that Maryborough would have a very, very good case. The council should take the opportunity to commence negotiations with appropriate higher education institutions on this matter as soon as the educational brief for the new complex is finalised.

I take this opportunity to thank the honourable member for Maryborough, Mr Alison, for the incredible amount of work that he has done on this issue and, of course, the Maryborough College Community Council, which is driving the rebuilding and relocation of this college.

I have already inspected the site. It is an excellent one. The college will be an excellent centre of learning in Maryborough. In addition, the Maryborough City Council has been helpful in regard to what the Government has been trying to do. All in all, it has been an excellent community effort, of which the whole area will ultimately be an enormous beneficiary.

9. Public Landing Facility, City Reach of Mary River

Mr ALISON asked the Minister for Water Resources and Maritime Services—

> "What progress has been made in the planning for a public landing facility in the city reach of the Mary River and also what discussions and negotiations have taken place with the Maryborough City Council regarding this much needed facility?"

Mr TENNI: Officers of the Department of Harbours and Marine visited Maryborough on 7 March 1989, and met with the Mayor and officers of the Maryborough City Council.

A site for the proposed pontoon was chosen at this meeting, and the department's policies regarding funding for construction and maintenance and regarding management were explained to the council. It appears that the council will be willing to accept the management and control of a pontoon and hence, from the department's point of view, there are no barriers to the construction of the landing.

It was agreed at the meeting that the next move would be taken by the council, which would respond to a letter written by the department accepting management and control and providing a plan showing the layout of the site, property ownership, etc.

The department will commence its investigations and design work as soon as this response is received from the council.

10. Toxic Waste, Kingston

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

"With reference to the clean-up of toxic waste in the Kingston area—

(1) In the interest of public awareness will he order a current public report of work and progress undertaken up to date and the timetable of work to be completed?

(2) Will he give an assurance that the "mother lode" (His own term) in the main shaft will be removed from the area?

(3) If this assurance is not forthcoming, will he give an instruction for an offer to acquire all homes in the affected area, not just the 21 he mentioned in directly affected areas?

(4) When can Queenslanders expect to have the long-awaited legislation to protect them from toxic waste disposals such as is occurring at Kingston?"

Mr AHERN: (1) A system of committees involving representatives of Logan City Council, the Government, consultants and residents has been established in regard to the clean-up of the waste, and a system of regular public bulletins to inform the public has been established by the Logan City Council. The committees are kept informed concerning progress and the estimated timetable of future work.

(2) I assume that the honourable member is referring to waste material which was deposited in the large open-cut mine that now underlies the concrete car park. I have been advised that to date monitoring of boreholes in this area shows no evidence of air or water contamination which can be traced to this source. It is therefore considered unnecessary to remove this material.

The material which it is proposed to treat and remove is the acid sludge located in the pit adjacent to Diamond Street on land from which houses have already been removed, and other nearby isolated patches of sludge.

(3) There is no intention or necessity to acquire homes outside the directly affected area.

(4) I have referred this part of the honourable member's question to the Honourable the Minister for Health, who will reply at the appropriate time and in the appropriate manner.

Mr D'ARCY: Mr Speaker, I ask question No. 11, which I directed yesterday to the Minister for Local Government. Part (1) of my question directly referred to him. However, the Minister was incapable of answering the question yesterday.

Mr RANDELL: Mr Speaker, I rise to a point of order.

Mr SPEAKER: Order! The member for Woodridge is pointing out that the question was carried over from yesterday. He said that the Minister for Local Government answered part of it. On the advice of the Minister for Local Government, the honourable member requested that the Minister for Water Resources answer the remaining parts of the question. That question should have been amended on today's Notices of Questions, but it has not been.

11. Environmental Impact Study of Noosa Northshore Resort Development

Mr D'ARCY asked the Minister for Water Resources and Maritime Services—

"With reference to his comments on 5 April about the Noosa north shore and the comment I made in the House on 4 April about his undertaking, inspection of that area and his conclusion that, as a result of that inspection, although the area was sensitive in many respects, the carrying out of an environmental impact study could not be justified and as on 20 February, the waves on the north shore were breaking some 50 metres over the dunes and into the site of the proposed development—

(1) What qualifications does he possess to allow him to determine whether or not an environmental impact study was warranted on that development?

(2) Now that I have actually produced photographic evidence that the development had waves breaking over it for 50 metres, will he order that environmental impact study?

(3) Will he have the Beach Protection Authority, whose job it is to examine the height of the dunes, carry out a full environmental impact study?"

Mr TENNI: (1 to 3) The honourable member appears to have become confused in the framing of his question. During the debate on the Harbours Act and Other Acts Amendment Bill on 4 April, he quoted from a letter he had received from the Honourable the Minister for Local Government saying that as a result of inspection of the area by himself and his officers certain studies relating to national park aspects were not required. The honourable member is now attributing statements to the honourable the Minister for Water Resources and Maritime Services in respect of which no record can be found.

As far as the beach erosion aspects are concerned, if the honourable member has photographs which have been professionally identified with the area proposed for development, I would ask him to make them available to the Beach Protection Authority so that informed expert comment can be conveyed back to him. However, I would point out to the honourable member that the area designated by the Beach Protection Authority as being erosion prone is 150 metres wide at this location and that only a small protrusion of the proposed resort site falls within this erosion-prone area. The Beach Protection Authority advised the Noosa Shire Council concerning this minor intrusion and recommended that appropriate action be taken to ensure that permanent development did not take place in this particular area.

12. Toowoomba Hotel Incident Involving Police Officers

Mr DAVIS asked the Minister for Police and Minister for Emergency Services and Administrative Services—

"(1) Is he aware that details have been published in Mount Isa of a summons which has been issued for indecent exposure against a police officer in relation to the Toowoomba incident?

(2) Is he aware that another person, who is not a police officer, has admitted committing this offence?

(3) What action is he prepared to take to ensure this police officer is not put in a position of unnecessary expense, if there is no basis to the claim against him?

(4) Will he confirm that he was approached by officers of the biennial conference of the Queensland Police Union to fully advise him of these details and he has refused to meet with them?

(5) If another person has admitted committing this offence will he take the necessary action to (a) withdraw the summons and (b) publicly apologise to the officer concerned?

(6) Will he now receive a deputation from the Police Union to enable them to put before him information which shows that summonses should not have

been issued against three other police officers for non-payment of hotel expenses of $11, $13 and $20.50?

(7) Who accepts responsibility for the issuing of these summonses?"

Mr COOPER: I am somewhat puzzled by part of the honourable member's question. I wonder whether he really believes that police should be treated differently from other persons in the community when it comes to paying their way. I know that various members of the police force have been in touch with my office since the incident occurred. They have expressed more or less unanimous support for the action that I have taken on this matter. In answer to the questions asked yesterday—

(1) Yes.

(2) It would be inappropriate for me to discuss any charges or evidence which could prejudice or cause any unfairness in relation to any future legal proceedings. At all times the task force has proceeded upon the basis of the best evidence available to it.

(3) If it should turn out that any charge is withdrawn or not proceeded with, I will ensure that the person concerned will have the same rights and advantages as are enjoyed by the rest of the community.

(4) My office received a facsimile from the Queensland Police Union, which asked in general terms to discuss the five summonses that had been issued. My office replied in the following terms—

"These matters are under continuing investigation and the Minister does not intend receiving any deputation on this matter while the investigation is current."

I have met with the union executive four times since becoming Minister for Police and have had numerous telephone conversations with the president elect, John O'Gorman.

I addressed the biennial conference of the police union earlier this week, and answered questions from the floor about its particular concerns. The union has been assured many times by me that my door is always open, but in this particular instance—and I am sure that the Leader of the Opposition with his legal training would agree—it would have been entirely inappropriate for me to receive a deputation on that matter.

(5) I refer the member to (3).

(6) If the police union has evidence in connection with any summons, it should approach the investigating task force with this evidence.

(7) The summonses are issued by the Police Department on advice from the investigating task force.

Mr UNDERWOOD: Mr Speaker, I made a mistake in the geography in my question. The word "Jindalee" should read "Fig Tree Pocket". It does make a difference to my question.

13. Speed Zones on Western Freeway

Mr UNDERWOOD asked the Deputy Premier and Minister for Public Works, Housing and Main Roads—

"With reference to the lack of uniformity in speed zones on the Western Freeway—

Will he investigate upgrading the speed limit to a uniform 100 km.p.h. along that portion which is four lanes and the placing of advisory 80 km.p.h. speed signs on the bend on the Jindalee side of the Centenary Bridge and Moggill Road interchange, a practice which is successful on country highways or will the oldest section of the freeway, which still has a 80 km.p.h. limit, continue to be used as a revenue gathering trap milking motorists who have come off the 100 km.p.h. section?"

Mr GUNN: Sign-posting of the speed limits along the Western Arterial Road from Darra to Toowong is considered appropriate for motorists exercising the normal degree of due care and attention.

The section of this road from the Centenary Bridge to Toowong is of a lower speed standard than the four-lane sections from Sumners Road to the river. This difference results from the fact that, whereas the route to the south of the river was determined prior to the development of the Centenary Estates, the section to the north of the river was located through the urban fabric, which was already developed at the time. As a consequence, a uniform speed limit of 100 kilometres per hour to the north of the river is not possible. The need for additional advisory speed signs will be investigated, particularly at the suggested location to the south of Centenary Bridge.

14. Overseas Trips by Lord Mayor of Brisbane

Mr UNDERWOOD asked the Minister for Local Government and Racing—

"(1) How many overseas trips have been made by the current Mayor of Brisbane?

(2) What was the purpose and destination of each trip?

(3) What was the duration of each trip?

(4) How many persons accompanied the Mayor on each trip?

(5) What was the cost of each trip?

(6) Who paid for these trips, if not paid for by Brisbane ratepayers?"

Mr RANDELL: (1 to 6) The records of my department do not contain the information sought by the honourable member. I will, however, endeavour to obtain the relevant information from the Brisbane City Council and advise the honourable member in writing.

15. Queensland Recreation Council Forum Task Force on Skateboard-riding

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

"With reference to the statement I made in the House before Easter about the dangers of unsupervised and unsafe skate-board riding practices in Brisbane suburbs, and to his promise, following the Queensland Recreational Council Forum in 1988 to set up a taskforce to consider dangers, especially of this form of recreation and in view of the increased interest in skate-board riding, including the proliferation of backyard ramps—

(1) Who are the members of this taskforce?

(2) When was it set up?

(3) What are its terms of reference?

(4) What progress has been made and when does he expect a report to be available?"

Mr LITTLEPROUD: (1 to 4) In September 1988, through the media, I announced that a task group would be formed to investigate the provision of safe skateboard facilities, including recommendations in relation to design features and management.

Subsequent to that announcement, and in the light of further investigations by officers of the Queensland Recreation Council, it was decided to refer the matter to the Standing Committee on Recreation and Sport as it was felt that it would be of national concern. The Standing Committee on Recreation and Sport comprises the directors of all State, Territory and Commonwealth departments of sport and recreation, and it advises the Sport and Recreation Ministers Council.

At its November 1988 meeting, the standing committee considered a paper on the matter, which was prepared by officers of the Queensland Recreation Council, and

determined that a national approach was desirable. As considerable work had already been carried out on skateboard facility design by the Victorian Department of Sport and Recreation, it was agreed that Victoria would prepare an appropriate publication after input from all members of the standing committee.

I have been advised that the publication will include such matters as the design of skateboard facilities, construction materials and techniques, key safety aspects, appropriate management principles, legal issues and education programs. No firm publication date has been advised from Victoria, but I understand that the manual will be completed within the next few months. It is intended that the manual be made available to all local authorities and other interested parties. The Queensland Recreation Council has provided input to the manual and will be responsible for its distribution in Queensland.

I should also say that after the issue of this skateboard manual, the Queensland Recreation Council will be producing a special information brochure, which will be aimed at community education about safe skateboarding which will also be offered for national distribution.

16. Hospital in Pine Rivers Electorate

Mrs CHAPMAN asked the Minister for Health—

"Has the proposed hospital within the Pine Rivers Electorate been given the go ahead and when does he envisage the move into that area by the successful applicant?"

Mr I. J. GIBBS: The latest information obtained from the successful applicant is that progress with the development is subject to resolution of some issues with the Pine Rivers Shire Council concerning the site.

17. Religious Instruction in Schools

Mrs CHAPMAN asked the Minister for Education, Youth and Sport—

"Will he assure the House that religious instruction will not be taken out of the education system within Queensland, because an assurance needs to be given to allay fears by constituents who have grave concerns about the Labor Party policy which I believe states that bible studies will no longer be made compulsory within schools?"

Mr LITTLEPROUD: Religious instruction will continue to be provided to State school students in accordance with existing practice.

The religious-instruction provisions of the Education Act 1964-1988 have been preserved in the Education (General Provisions) Bill, which is presently under consideration by this Parliament.

This matter leads me to refer to an article that appeared in today's *Courier-Mail* titled "Hayden won't lead scouts" which states—

"The Governor-General . . . has refused an invitation to be chief scout . . .

Mr Hayden said he was unable to take an oath which required him to do his duty to God."

As Minister responsible for the scouting movement in Queensland, I express my extreme disappointment with the Governor-General's action.

I seek leave to table that article and have it incorporated in *Hansard.*

Leave granted.

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

SYDNEY.—The Governor-General, Mr Hayden, has refused an invitation to be chief scout because he is an atheist.

It is the first time a Governor-General has declined the position.

Mr Hayden said he was unable to take an oath which required him to do his duty to God.

The movement has set a date for a national executive meeting to find a replacement.

The former Governor-General, Sir Ninian Stephen, retired as chief scout early in February when Mr Hayden took the vice-regal position.

The movement's chief commissioner, Mr Neil Westaway, said the meeting would consider nominating a community leader outside politics.

"It is disappointing to find that he feels it is inappropriate, but on the other hand as he has said he can't conscientiously take the scout's promise relating to God," Mr Westaway said.

If he had accepted, Mr Hayden would have been required to say: "On my honor I promise to do my best to do my duty for God and the Queen to help other people and obey the scout law."

Publisher and adventurer Mr Dick Smith, a former Queen's scout, said he was terribly disappointed.

"It is extremely sad—he would have been a fantastic chief scout," Mr Smith said.

Mr Smith said he was agnostic but felt that did not prevent him from taking the vows."I consider doing my duty to God is doing duty spiritually to my fellow man," he said.

A spokesman for Mr Hayden, Mr David Smith, said the chief scout's position was largely administrative.

He said the Governor-General did not need to hold the position to give the movement the status of his office.

"Mr Hayden is very keen and supportive of all the scout movement does for the young people of Australia and is anxious to continue to give the movement the same support it has received from his predecessors," Mr Smith said.

18. Drought Assistance

Mr PALASZCZUK asked the Minister for Primary Industries—

"What amount of drought assistance was allocated in each of the last three financial years to each of the following categories and how many separate primary producers or companies in each category in each year received that assistance for (a) beef producers, (b) wool producers, (c) other animal producers, (d) grain growers, (e) sugar cane farmers, (f) fruit and vegetable growers and (g) growers of other crops?"

Mr HARPER: I am pleased to provide a summary for the periods 1985-86, 1986-87 and 1987-88.

Mr Palaszczuk interjected.

Mr HARPER: I do not know whether the honourable member is interested in the answer. It is obviously not a question that he would have framed himself, so I can understand the honourable member's lack of interest in hearing the answer.

For those honourable members who may be interested, I am pleased to provide the following summary—

	1985-86	1986-87	1987-88
Number of claims . .	10 851	18 576	23 826
Subsidy Payments . .	$9,465,000	$9,948,000	$14,042,000

Drought assistance is only available for animal-production enterprises. Because of the complexities caused by the fact that many producers are involved in mixed enterprises, for example, both cattle and sheep, may have more than one property and can make multiple applications for the one property, segregated information in the form requested is not readily available. While some of the information requested could be extracted from individual applications, I consider that the time and effort and cost of analysing more than 50 000 applications is not warranted.

In respect of the categories of producers in parts (d), (e), (f) and (g) in the honourable member's question—those are not offered drought assistance through my department. Other forms of assistance such as concessional interest loans may be available through the Queensland Industry Development Corporation. However, this was not handled by my department during the nominated three-year period.

19. Darling Downs Mice Plague

Mr ELLIOTT asked the Minister for Land Management—

"(1) Is he aware of the significant mouse plague on the Darling Downs?

(2) Will he assist by allowing trials with the various chemicals which have been under investigation?"

Mr GLASSON: (1 and 2) I am acutely aware of the mouse plague on the Darling Downs. I have received much correspondence about it because it poses a very serious threat to the sorghum crops on the Darling Downs and adjacent areas.

At its meeting in September 1988, the Rural Lands Protection Board acknowledged that rodent problems fell within its charter. However, because no chemicals are currently registered for use in crop situations by either direct crop contact or soils in which crops are grown, no move has been made towards declaration of plague rodents.

Prior to the September meeting, the Rural Lands Protection Board had accepted the responsibility for carrying out certain aspects of rodent-control research.

Currently, the board and the Queensland University of Technology are collaborating in carrying out part industry-funded research into the development of suitable baiting strategies for rodents in agricultural systems. The two chemicals currently under investigation are sodium monofluoroacetate—1080—and the anti-coagulant brodifacoum.

Field trials have recently been completed in the Calen area and are due for commencement in the near future on the Darling Downs. This research is due for completion in approximately 12 months' time and appropriate recommendations will then be made. The Rural Lands Protection Board has no experience of the use of any other chemical for rodent control.

It is the responsibility of the Minister for Primary Industries to consider the registration of chemicals for use in agriculture situations. A meeting is to be held this afternoon with Mr Harper and representatives of the grain industry to discuss the rodent problem.

20. Television Advertising Campaign to Attract Tourists to Queensland

Mr HAYWARD asked the Premier and Treasurer and Minister for State Development and the Arts—

"With reference to the television advertising campaign recently launched by him which is allegedly designed to attract investors to Queensland—

(1) How much is this campaign costing Queensland taxpayers?

(2) For how long will the current television advertising campaign run?

(3) During that period, how many times will the advertisement be screened within Queensland and on which television stations?

(4) How many times will the advertisement be screened interstate and on which television stations?"

Mr AHERN: (1 to 4) I am pleased that I have this opportunity to inform the House about the success of the Government's marketing campaign to attract more business investment to Queensland.

As I announced earlier this year in a press release, it is estimated to cost approximately $471,000 for advertising the promotion of Queensland's economic attractions in the local and overseas markets.

If the honourable member was familiar with the advertising industry, he would be aware that the information that he is seeking in respect of the number of screenings of the advertisement provides no indication of the audience reach. For example, a television advertisement screened five times in one week may be seen by fewer people than another advertisement shown only once, depending on where the advertisement is placed. So the frequency of screenings as sought by the honourable member bears little relationship to the audience impact.

The advertisement in question is being screened in a range of frequencies from once per week to five times per week in various programs on the three metropolitan commercial television stations. It is also being screened once per week in three different programs on Queensland regional television and three times per fortnight in television stations in both Sydney and Melbourne.

The advice to the Government from its advertising consultants is that it is just as important to target visiting businesspeople during their stay in Queensland as it is to advertise in interstate markets, and this is borne out by statistics that I will detail shortly. In fact, it is often more effective to sell to the visiting businessperson during his stay in Queensland than it is to try to reach him in his home environment. Therefore, there has to be significant frequency of advertising in the Queensland market.

Opposition members interjected.

Mr AHERN: Honourable members should wait till they hear the outcome.

Honourable members will be delighted to know that, since the campaign began, there have been 77 responses, 25 per cent from interstate and from overseas visitors to Queensland. Most interstate responses have come from New South Wales. For reasons of commercial confidentiality, I cannot reveal company names. However, amongst the contracts made are an interstate transport services company looking to invest upward of $50m and another involved with aircraft servicing, which could see a significant investment, and 80 new jobs in this State. There is another likely respondent considering the establishment of a bond warehouse worth some $10m.

It can be seen clearly, therefore, that, in terms of new investment, jobs and even technology transfer from what is a comparatively small outlay, the return to Queenslanders will be considerable. The Government is proud to be associated with this campaign. As for the $471,000—that is a small price to pay for such a demonstrably good result.

21. Workers' Compensation for Employees of Raptis Fishing Group

Mr HAYWARD asked the Minister for Employment, Training and Industrial Affairs—

> "(1) Is he aware of negotiations which have been undertaken between officers from the Workers Compensation Board and the Raptis Fishing Group which resulted in that company not being liable to workers compensation premiums for their fishing fleet employees?
>
> (2) Will he explain the policy decision which led to the Raptis Fishing Group being exempted from liability to pay workers compensation premiums?
>
> (3) How many other fishing operations in Queensland have received this favourable consideration with regard to workers compensation premiums?"

Mr LESTER: (1) I am aware of Mr Raptis' personal representations regarding his workers' compensation policy. As a result of that representation, officers of the Workers Compensation Board and the board's legal advisers—and that is important—studied the complex legal aspects of the two agreements between A. Raptis and Sons and others connected with the fishing industry. No final decision regarding the liability for A. Raptis and Sons to pay workers' compensation premiums has been made by the Workers Compensation Board.

(2) The question of A. Raptis and Sons' liability to pay workers' compensation premiums is a legal one. There is doubt as to the legal position in respect of a demand for workers' compensation premiums that might arise out of the agreements made by the company and others. Legal opinion is still awaited in respect of the board's situation.

(3) Obviously, in view of the above, A. Raptis and Sons has most certainly not received favourable consideration.

22. BTEC Program in Kowanyama and Doomadgee Trust Areas

Mr SCOTT asked the Minister for Community Services and Ethnic Affairs—

"(1) With regard to the trust areas of (a) Kowanyama and (b) Doomadgee (i) approximately how many cattle have been destroyed in each of these areas under the BTEC program and (ii) approximately how many TB and brucellosis-free cattle is it expected will remain in each of these areas when the disease eradication program is completed?

(2) When is it expected the BTEC program for these two areas will be completed?"

Mr KATTER: (1) I have been advised that, last year, under the BTEC program, 1 041 head were destroyed at Kowanyama.

Mr Scott: You told them up there you wouldn't have any destroyed.

Mr SPEAKER: Order! The member for Cook!

Mr KATTER: I have also been advised that approximately three years ago 100 calves were destroyed. I have been further advised that last year 216 head of cattle were destroyed at Doomadgee. The member is quite right.

Mr Scott: You said you wouldn't have any destroyed.

Mr SPEAKER: Order!

Mr KATTER: The honourable member should listen.

I have called for a show-cause statement from officers concerned since I have directed that no shoot-outs were to be undertaken and that all stock were to be tested out. I am fully in agreement with what the member says.

My advice is that, as at 31 December 1988, Kowanyama had 12 026 head on the books. We are advised that there are some 2 000 head not behind wire. These would be feral cattle, and most will probably be disposed of at the time of a bangtail muster this year. By June it is intended to have about 90 per cent of the herd at Kowanyama tagged, with the rest disposed of in accordance with the BTEC program. It is estimated that musters will secure as many as 90 per cent of real herd numbers.

As with book numbers of cattle on many stations on the peninsula or in the gulf, book numbers are viewed with a considerable amount of scepticism, because although brandings can be recorded accurately, deaths cannot and simply are not.

Mr Scott: That's because your department has never managed those cattle, either.

Mr SPEAKER: Order! I warn the member for Cook under Standing Order 123A.

Mr KATTER: I do not think there would be many people on the peninsula who would question Danny Bird. I think he enjoys a reputation for arguably being the best cattleman in that area. I think the honourable member would not really know which side of a horse to get on—the near side or off side.

The manager has advised that 10 000 head would be a fairly accurate musterable herd number. We have had two separate consultants plus an oversighting committee overseeing these cattle operations. For a number of years we have been most anxious

to transfer the cattle to local ownership. We are optimistic that this year such people will make formal approaches to us. I understand that such approaches are being made.

It is thought that Kowanyama will have over 11 000 head in a completely clean herd. That figure is an estimate based on the results expected from the muster and final testing.

Mr Scott: Where will they get the money to buy them?

Mr SPEAKER: Order!

Mr KATTER: In answer to the interjection—the money should be coming from the ADC, a body that distributes some $200m a year. As yet, none of the communities in question has received one single dollar from that organisation. We would like to know where the ADC money is going and where it has gone for the last 10 years. The sum of $60,000 was promised to one of our operators up there, Mr Eddie Holroyd, and he never saw a single cent of it. He was deeply embarrassed with his own banks because of what occurred.

Kowanyama, it is thought, will have over 11 000 head in a completely clean herd. That figure is an estimate based on the results that we expect from the muster and final testing. Additionally, it must be emphasised that thousands of cattle have been turned off every year from Kowanyama and Pormpuraaw, directly or indirectly, and as yet there has not been a single reactor ever recorded from either of those centres.

Doomadgee is the subject of a destocking order, and most of the 941 cattle on the books will be sent to sale yards or into a controlled testing program. The rest will be those that are unmusterable and cannot be trapped and will be the subject of a BTEC compensation claim. The planned finishing date is September 1989.

(2) The BTEC program is due to end in 1992. If the honourable member has any worries concerning the cattle operation, we would appreciate it if such information were passed on to us so that we can implement any action that is deemed necessary.

23. Issue to Mr B. Jeppensen of Licence to Take Trochus Shell

Mr SCOTT asked the Minister for Primary Industries—

"With reference to advice I received from his predecessor regarding the issue of permits which allow the taking of trochus shell, as this applies in the Torres Strait—

(1) How was it possible for a licence to be issued to an applicant, Bjarne Jeppesen, in 1986 who could only be described as a transient person of unknown background?

(2) Is it true that the said Mr Jeppesen was in the country on a tourist visa?

(3) Is it correct that shell was returned to Mr Jeppesen after initial impoundment when it was known that the meat was extracted from the shell for human consumption on a boat not licensed for that purpose?

(4) Were departmental officers aware that the shell meat was being extracted by means of a machine whose patent was held by another?

(5) Were departmental officers aware of the illicit processing of any other trochus shell by similar machines whose patent is held by Mr Arthur Carpenter?"

Mr HARPER: I ask that the honourable member place the question on notice for the next day of sitting so that I may reply appropriately.

Mr SPEAKER: Order! That question will appear on the Notices of Questions for Tuesday next.

Honourable members, yesterday it was my understanding that the member for Currumbin had placed a question on the Notices of Questions. It does not appear. However, I will now call on him to ask that question.

Sand-loss Mitigation on Gold Coast

Mr GATELY: I ask the Premier: will he give an unequivocal undertaking to arrange an urgent meeting between himself, the Honourable Don Neal, the Minister for Water Resources and Maritime Services, me, and one Queensland departmental officer who has expertise in beach protection, and the New South Wales Premier, Nick Greiner, the Deputy Premier, Mr Wal Murray and Mr Don Beck, the member for Murwillumbah, and a New South Wales departmental officer in an endeavour to obtain agreement and a resolution of the problem that has been caused by the construction of the Tweed River breakwalls, the New South Wales Government's proposal to create another entry to the Tweed River through the Letitia Spit and the current studies that are being undertaken that have resulted in sand loss at the southern end of the Gold Coast?

Mr AHERN: Yes.

QUESTIONS WITHOUT NOTICE

Pecuniary Interests Register for Members of Parliament

Mr GOSS: In directing a question to the Premier, I refer to his ministerial code of conduct and to reported divisions within the National Party on the issue of a pecuniary interests register, as promised by this Government, for all State parliamentarians. I ask: can the Premier give an assurance that his ministerial code of conduct has been complied with and also that without further dithering a promised register for all members will be introduced and passed in this current session of Parliament, prior to the publication of the Fitzgerald report and prior to this year's election, so that there will be an ability to judge potential conflicts of interest?

Mr AHERN: The matter of a pecuniary interests register for all members of Parliament is under consideration by my party and my Cabinet at the moment. It will be resolved shortly. The code of conduct for Ministers and declarations made to me by my Ministers have been adhered to, to the letter, so far.

I ask what the honourable Leader of the Opposition has done in respect of his front bench and his own members of Parliament. My Cabinet has carried through its undertakings that have been given by all Ministers to me. I am very proud of the high standard that has been achieved.

Ministerial Code of Conduct

Mr GOSS: In directing a second question to the Premier, I refer to his statement made to the House that his own ministerial code of conduct has been complied with to the letter. I refer also to a copy of that code of conduct which was published in detail in the *Courier-Mail* on 6 December and in particular to the statement made by the Premier that Ministers would have to comply with the code of conduct by the first Cabinet meeting in January. I refer also to points relating to the code of conduct which were published as follows—

> "• Provide a summary of their business, financial and other personal interest to the Premier, who will keep a public register of pecuniary interest . . .
>
> • Agree that failure to comply with any aspect of the Code of Conduct or register of pecuniary interests will bring into question their positions as Ministers of the Crown."

I ask: in relation to his assurance that the code has been complied with to the letter and that he will keep a public register, does the Clerk of the Parliament hold the information in respect of Ministers that the Premier has promised to make available on a public register? If he has not complied with the code of conduct in that respect, why not? If he has not complied with the code of conduct in that respect, will he now do so without delay?

Mr AHERN: As I indicated to the honourable member in my answer to his first question, the issue of declaration to me has been adhered to, to the letter, by my Ministers.

Mr Goss: A public register! You promised.

Mr SPEAKER: Order!

Mr AHERN: The question of the public nature of the register is one which is under discussion at present. It will be resolved by my Government shortly.

Mr Goss interjected.

Mr SPEAKER: Order! The Leader of the Opposition!

Australian Bureau of Statistics Unemployment Figures

Mr FITZGERALD: I ask the Premier: what are the latest unemployment figures released today? How do they compare with the figures used by the State ALP?

Mr AHERN: The figures that have been released today are representative of the issues that are of direct concern to the people of Queensland. People want to know how the Queensland economy is performing under administration by this Government over the past 12 months.

The latest ABS statistics that were released today indicate that in March 1989, Queensland registered an unemployment level of 6.7 per cent, which is the third-lowest figure in Australia. In February, the figure was 7.5 per cent. In March 1988, it was 9 per cent. The State that recorded a level closest to Queensland's is New South Wales, which has unemployment running at 6.6 per cent. Over the last 12 months, Queensland's unemployment level has decreased by 22 per cent.

Mr Campbell: Ha, ha!

Mr AHERN: That is the truth of the matter.

Queensland has reached the stage at which it closely follows New South Wales and Victoria only. In other words, 32.5 per cent of all jobs that have been created in Australia were created in Queensland during the last 12 months.

Figures relating to youth unemployment are very impressive. A 10.7 per cent decrease in youth unemployment has occurred in Queensland over the last 12 months. In other words, the Project Pay Packet campaign has made a very substantial impact. It has worked better than the efforts made by any other State in Australia. While a 10.7 per cent decrease occurred in Queensland, throughout Australia a decline in unemployment of only 4.8 per cent was recorded.

This Government stands proudly on its economic record. The economic policies produced by this Government are delivering results, and they are better than those of the Labor State Governments in Australia that are putting the dead hand on the economies of those States. This vigorous private enterprise State is thriving under this Government's administration. The policies promoted by this Government are working to the real benefit of every Queenslander, particularly the young Queenslander.

Cyclone Aivu; Federal Government Assistance

Mr FITZGERALD: I ask the Premier: in view of the enormous damage caused by cyclone Aivu, is he satisfied with the response by the Federal Government to this disaster?

Mr AHERN: I wish to pay tribute to the Federal Defence Department for making 140 troops and associated equipment available to assist with this disaster. These troops and equipment were put into effect quickly, and I pay tribute to those men from the Townsville base. They did a very good job. The equipment was made readily available and the men worked very hard.

There has been some confusion in regard to how much Queensland has to pay under the disaster relief arrangements and how much the Federal Government has to pay. Under the mandated arrangements—they are not agreed arrangements and the State is simply told what they are—the first $15m required in any one year must be met by the State Government. Up to $25m, it is on a 50 to 50 basis and above that figure it is a 75 to 25 basis. Queensland has already gone above $25m this financial year and therefore this disaster is being financed on a 75 per cent Commonwealth and 25 per cent State basis until 1 July this year, when the whole process will start again. Some of the payments incurred under the reimbursement program at the present time will not be made until after 1 July and therefore must be met entirely by the Queensland Government. All of the arrangements work well.

Again I pay tribute to all those persons associated with this disaster and particularly the defence personnel from Townsville who reacted quickly and competently to the disaster.

Police Investigation into Child Pornography and Paedophilia

Mr MACKENROTH: In directing a question to the Minister for Police, I refer to his statement in this House on Tuesday that I was the person responsible for leaking information of police raids connected with investigations into child pornography and paedophilia, and also to yesterday's editorial column in the *Sun,* which states—

> "The main point is that the initial information leaked to the media did not come from Mr Mackenroth.
>
> It came from serving police officers, deeply disturbed by allegations of interference in the inquiry.
>
> These claims of interference in the inquiry are so persistent and so well-sourced they must be investigated."

I ask: does the Minister accept the statement made by the editor of the *Sun* and will the Minister reconsider his refusal to investigate the circumstances surrounding the intervention at a senior level of the force and the consequences of this intervention?

Mr COOPER: I think that the honourable member for Chatsworth has a guilty conscience. He is continually trying to drag red herrings across the trail. The Queensland police force has acted very properly in every circumstance of this case, in spite of the actions of the member for Chatsworth. If the police did not want the raids to be successful, they certainly would not have brought them forward to the Monday. They brought them forward because they were concerned that the allegations being made by this member would muck up the raids. In spite of the comments made by the honourable member for Chatsworth, the raids were successful.

My department is concerned that future investigations and similar raids might be jeopardised. The honourable member keeps trying to crawl out from under, and it is well recognised that he has made a complete mess of it. There is absolutely no way in the world that the police have not acted properly in every possible way in this case. They have my total support. The honourable member continues to try to drag this matter out, but I suggest that in the public interest he allow the police to get on with their job and continue with these investigations, which have been painstakingly put together over a long period of time. I think the honourable member's actions are reprehensible.

Police Investigation into Child Pornography and Paedophilia

Mr MACKENROTH: In directing a further question to the Minister for Police, I refer to his answer yesterday in which he admitted that Acting Police Commissioner, Ron Redmond, briefed him on Easter Monday regarding investigations into a paedophile network. In the light of the serious conflict between the information given to the House yesterday by the Minister and Mr Redmond's previous statement to the *Courier-Mail*

that he only knew of the investigation last Saturday, I ask: since yesterday's question-time has the Minister asked Mr Redmond to explain this major discrepancy in his statements on this matter, and, if so, what was Mr Redmond's response?

Mr COOPER: There are no discrepancies in what Mr Redmond said. As I stated previously, the honourable member for Chatsworth is hell-bent on discrediting, maligning, interrupting and interfering with the police in the course of their duty. I have no intention of dragging this matter out further. In the interests of the public, the honourable member should try to be responsible for once and stop trying to drag red herrings across the trail.

Voluntary Employment Agreements

Mr STEPHAN: I draw the attention of the Premier to this morning's statements by the Small Business Association on the question of voluntary employment agreements. The sentiments expressed were that the trade union movement is attempting to block a process that will make Queensland business more productive. I ask: can Queensland business afford this negative attitude displayed by the trade union movement?

Opposition members interjected.

Mr AHERN: There are howls of disappointment from the members of the Opposition on this issue—as well there might be, because they are sorely embarrassed about it. This morning Mr Boyle from the Small Business Association stated—

> "It's advantageous to Australia to have VEAs. I mean the unions put up this hogwash all the time that VEAs will erode the working conditions of the employee. And the fact is that employees and employers under VEAs will first of all be more productive, they'll each earn more money, the country will be more competitive and Australia will be far better off with it."

It is as simple as that.

Mr Goss: How many have been taken up?

Mr AHERN: The Leader of the Opposition, who is interjecting, is not game to face the media on this issue. Why has he not been out in front of the cameras? He has been in front of them for most of this year, but suddenly he is hiding because they want to ask a question about his attitude to the "Sorry, Bernie" campaign.

On this issue he is hiding. He is not prepared to state publicly whether or not he supports the Power Brewing boycott. Around the board rooms he has said that he thinks it is a bad idea, but he is not prepared to make a public statement. I challenge him to go out of here today and face a press conference—something that he has been doing all year but something that he has not done for the past three or four days. He has not done it because he is afraid of the questions that will be asked and he is afraid to say openly and honestly whether he is for it or agin it. He has been ducking and hiding from the press on this issue. It is time he came clean and came out into the public arena and submitted himself to questioning by the media.

In the opinion of this Government, voluntary employment agreements are quite clearly in the interests of employees, who will benefit substantially. The Government supports this program because it is also in the interests of employers, who will benefit. New South Wales has indicated support by way of a Green Paper. Australia will follow Queensland on this policy.

Mr INNES: Mr Speaker, because of the disgrace of Dorothy Dixers in this House, yet again I will have to put two questions on notice.

Government members interjected.

Mr INNES: I had wished to ask one without notice, but I will have to place it on notice because of the constant abuse of the processes of this House by the Government.

Mr SPEAKER: Order! I understand that the member for Sherwood has placed two questions on notice.

Mr INNES: Yes, that is correct.

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

REVOCATION OF STATE FOREST AREAS

Hon. G. H. MUNTZ (Whitsunday—Minister for Environment, Conservation and Forestry) (11.10 a.m.): I move—

"(1) That this House agrees that the proposals by the Governor in Council to revoke the setting apart and declaration as State Forest under the Forestry Act of:—

(a) All that part of State Forest 611, parishes of Beerwah, Canning and Toorbul described as lot 954 on plan CG6280 deposited in the Office of the Department of Geographic Information and containing an area of 2.508 hectares; and

(b) All that part of State Forest 589, parishes of Beerwah, Durundur and Wararba, described as Lot 460 on plan CG4533 deposited in the Office of the Department of Geographic Information and containing an area of 2.024 hectares; and

(c) All that part of State Forest 175, parish of Formartine, described as Area 'A' as shown on plan FTY 1528 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 12.3 hectares; and

(d) All that part of State Forest 50, parish of Hinchinbrook, described as Lot 106 on plan WG325 deposited in the Office of the Department of Geographic Information and containing an area of 1.873 hectares; and

(e) All that part of State Forest 571, parishes of Barrow and Nerang, described as Area 'A' as shown on plan FTY 1546 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 162.9 hectares; and

(f) All those parts of State Forest 893, parish of Byron, described as Areas 'A' and 'B' as shown on plan FTY 1532 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing in total an area of about 878.88 hectares; and

(g) All those parts of State Forests 135, parishes of Brooloo and Cambroon, 467, parish of Yabba and 986, parishes of Monsildale and Yabba, described as Area 'A' as shown on plans FTY 1506, FTY 1505 and FTY 1504 respectively prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing in total an area of about 1322.83 hectares; and

(h) All those parts of State Forest 50, parishes of Atkins, Comelybank, Presho and Roper, described as Lot 6 on plan LE294 deposited in the Office of the Department of Geographic Information and as Area 'A' as shown on plan FTY 1493 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing in total an area of about 318.8 hectares; and

(i) All those parts of State Forest 431, parishes of Bong Bong and Mia Mia, described as Areas 'A' and 'B' as shown on plan FTY 1527 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing in total an area of about 28.18 hectares; and

(j) All those parts of State Forest 832, parishes of Bingera, Booyal, Electra, Eureka, Gregory and Stanton, described as Lot 92 on plan CK3609 and Lot 93 on plan CK3610 deposited in the Office of the Department of Geographic Information and containing in total an area of 20.316 hectares; and

(k) All that part of State Forest 223, parishes of Nogoa and Selma, described as Area 'A' as shown on plan FTY 1531 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 115.2 hectares; and

(l) All those parts of State Forest 283, parishes of Colinton, Emu Creek and Taromeo, described as Areas 'A' and 'B' as shown on plan FTY 1517 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing in total an area of 1.6303 hectares, be carried out.

(2) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council."

These proposals make provision for the excision of land from State forests near Beerburrum, Woodford, Kuranda, Rollingstone, Nerang, Imbil, Taroom, Mackay, Bundaberg, Emerald and Benarkin. I would like to mention at this juncture that these proposals have been carefully considered by the Conservator of Forests and have his endorsement.

I turn now to the proposals before the House, the first of which involves the excision of 2.508 hectares from State forest 611, parishes of Beerwah, Canning and Toorbul. The parcel of land sought for excision is intended for inclusion in an adjacent special lease comprising an area of 14.421 hectares, which was excised from the State forest in 1987 for the development of a complex to service the needs of motorists travelling on the new four-lane section of the Bruce Highway between Beerburrum and the Caloundra turnoff.

A roadhouse, RACQ service centre and tropical fruit market to the value of about $1.5m have been established on the south-bound section of the highway. The lessee proposes to erect a similar facility opposite the existing development on the site which was previously excised for this purpose.

The area now proposed for excision and addition to this special lease is situated on the south-western side of the Johnston Road intersection and is required to overcome the inherent visability and consequently hazardous traffic implications to north-bound motorists utilising the proposed facilities.

The Department of Forestry has arranged for the Crown to be compensated for the value of the stands of commercial softwood plantation timber on the subject area. The applicant has also agreed to bear all costs in the matter, including survey. The excision of this parcel of land from the forest estate would have no significant adverse effect on the management of the balance of the reserve. I am of the opinion that considerable benefit will accrue to the travelling public by the provision of this type of development and fully support its implementation.

The next proposal provides for the excision of—

2.024 hectares from State forest 589, parishes of Beerwah, Durundur and Wararba; about 12.3 hectares from State forest 175, parish of Formartine; 1.873 hectares from State forest 50, parish of Hinchinbrook; and about 162.9 hectares from State forest 571, parishes of Barrow and Nerang for the siting of refuse tips to service community needs.

In each case the local authorities concerned carried out investigations into all available sites, including those outside the forest estate, to determine the areas most suitable for this purpose. All local authorities have agreed to bear the costs involved and, where necessary, have arranged for the surrender of the subject areas from the grazing tenures under which they were held.

I would point out that the land concerned, when excised from the forest estate, will remain under Crown control as reserves for local government purposes. The small amounts of merchantable timber involved remain the property of the Crown and will be progressively harvested prior to that section of the tip being utilised.

The third proposal makes provision for the excision of sections of State forests at Mount Byron near Woodford and Borumba near Imbil for pumped storage sites for future hydroelectricity schemes. The areas and State forests involved are: about 878.88 hectares from State forest 893, parish of Byron; about 133.03 hectares from State forest 135, parishes of Brooloo and Cambroon; about 938 hectares from State forest 467, parish of Yabba; and about 251.8 hectares from State forest 986, parishes of Monsildale and Yabba.

These revocations have been requested by the Queensland Electricity Commission and are a part of the long-term reservation of facilities needed to secure Queensland's future electricity requirements. Following excision from the State forests, the subject areas will not pass from Crown control. Upon completion of this action, it is proposed to have such areas together with other adjoining lands affected by these projects set apart as reserves for electrical works purposes. All merchantable timber will be harvested prior to the subject areas being inundated.

The fourth proposal provides for the revocation from State forest 50, parishes of Atkins, Comelybank, Presho and Roper of about 318.8 hectares. This area forms part of a much larger parcel of State forest land which has been utilised over a long period of time for grazing purposes under special lease tenure. The lessees involved have sought to have their leased land excised from the State forest to be held by them under a special lease tenure which provides for future freeholding. No merchantable timber exists on the subject area and the lessees have agreed to bear all costs in the matter, including survey.

Excision of this area from the State forest will have little adverse effect on the management of the balance of the reserve. As the best future use of this land is considered to be for agricultural development, I am not opposed to its revocation from the forest estate.

The next proposal seeks the excision from State forest 431, parishes of Bong Bong and Mia Mia of areas totalling about 28.18 hectares. The major portion of the land proposed for excision was formerly part of a special lease over portion 222, parish of Mia Mia, part of which had been surrendered for forestry purposes. As the area retained by the lessee was to be held under special lease tenure, the State forest reservation action was taken on a designed, straight line boundary only. Thus, an expensive survey was avoided.

However, subsequent to this reservation action being taken, it came to the notice of local officers of the Department of Forestry that some parts of the new State forest were planted to cane. The lessee has made application for exclusion of a section of the State forest containing these areas, for addition to his adjoining special lease.

Excision of this area from the State forest will have little adverse effect on the management of the balance of the reserve. Its best future use is considered to be for agricultural purposes and, accordingly, I am not opposed to its revocation from the forest estate. The lessee is to be responsible for all costs involved in the matter.

The small balance area to be excised from State forest 431 has been managed over a lengthy period of time as part of an adjoining special lease over portion 234, parish of Mia Mia, for cane cultivation. This particular parcel of land containing about 0.28 of a hectare has no forestry interest. An equivalent section of the former portion 234 is available for later addition to the State forest. This excision and proposed addition to the forest estate will regularise the position that presently exists and has my full support.

The sixth proposal involves the excision from State forest 832, parishes of Bingera, Booyal, Electra, Eureka, Gregory and Stanton of two areas totalling 20.316 hectares for the purpose of exchanging such land for part of lot 118 on plan C37 1130, containing

about 28 hectares, which is held under freehold tenure. This proposal was initiated by the proprietor of lot 118 in order to extend his cane-growing area.

The freehold property offered for exchange carries some hardwood milling timber and fronts onto the Gregory River. Its inclusion in the adjoining State forest would facilitate fire protection in this locality.

The parts of the State forest sought for excision lie adjacent to the proprietor's existing cane lands. Their exclusion will have no adverse effect on the management of the balance of the reserve.

Valuation of the respective parcels of land has disclosed that, for the purposes of the exchange, the State forest and freehold land can be considered of equal value. The proprietor has agreed to bear all costs in the matter. As the proposed exchange will be mutually beneficial, I support its adoption.

The seventh proposal deals with the proposed excision of about 115.2 hectares from State forest 223, parishes of Nogoa and Selma. In order to relocate their sale yards outside the expanding Emerald urban area, the Emerald-Peak Downs Saleyards Board carried out an investigation to locate a suitable parcel of land in close proximity to the town.

Following negotiations between the board and the Department of Forestry, it is proposed that a section of State forest 223 with immediate access to all required amenities be excised for this purpose. Arrangements are being made to harvest any merchantable timber existing on the area. The exclusion of this parcel of land will have little adverse effect on the management of the balance of the reserve. The sale yards board is required to make satisfactory arrangements with the current lessee and has agreed to bear all costs in the matter.

Following its excision, it is proposed that the area be held under special lease tenure and will therefore remain under Crown control.

The final proposal provides for the revocation from State forest 283, parishes of Colinton, Emu Creek and Taromeo of areas totalling 1.6303 hectares, which are proposed for addition to the existing Benarkin State School reserve R.417. For many years the Benarkin State School has been utilising the subject areas as part of the schoolgrounds for a sports oval and as a site for the school residence.The small parcels of land concerned are completely severed from the main body of the State forest by roads and their excision will have no adverse effect on the management of the balance of the reserve.

Following revocation, it is proposed that the areas be added to the school reserve and will therefore not pass from Crown control.

I strongly support all of these proposals and commend them for the approval of the House.

Mr EATON (Mourilyan) (11.19 a.m.): The Labor Party will always support a revocation which is in the interests of the community. I have discussed areas of concern with Forestry Department officers. I was concerned about the larger portion that was to be revoked, but I have been informed that it will allow for the construction of a pumping station which will supply water for future electricity projects. The Labor Party does not object to that revocation.

The Minister referred to the revocation of a portion of land that will provide safe access to a timber plantation. The Government will be compensated for the loss of the plantation timber. If the proposal will make access safer and save lives, the Labor Party does not object to it. I appreciate that it is not a large site when compared with some other sites that are included in the revocation.

A rubbish dump is always a controversial issue in any community. I believe that, for health reasons, rubbish dumps should be some distance from the community. Most honourable members receive complaints from time to time about smells and hazards that are caused by tips being situated too close to residential areas. People buy a block

of land near a tip and, when they build their house and move in, they discover that when the wind changes unpleasant odours emanate from that tip. They then complain about the siting of the rubbish dump.

I have received complaints from people about rubbish dumps being too close to housing developments. When the rubbish dumps were originally sited, they were quite a distance out of the towns. However, because of the rapid expansion in residential development, the houses are now close to the rubbish dumps. The councils make every effort to prevent odours emanating from rubbish dumps. However, when a fire starts and rubber, coolite, plastics or chemicals are burning, it causes much inconvenience to people; particularly if they are asthmatics or have other health problems. The Opposition agrees that the Government should help the councils to shift their tips a reasonable distance away from residential communities. The Minister mentioned State forests 589, 175, 50 and 571. I believe that another one at Kuranda in north Queensland is also to be revoked for a tip site.

The third proposal is the excision of State forests at Mount Byron near Woodford and Borumba near Imbil for pumped storage sites for future hydroelectricity schemes. Although nobody likes to see State forests revoked and everybody would prefer that they remain as State forests, if progress is to be made, these things have to be considered. As a responsible Opposition, when a benefit will accrue to the people of Queensland and it is absolutely necessary, the Labor Party has no objection at any time to any constructive revocations.

I do have concerns about one particular matter. I refer to the fact that the Government is leaning towards revoking areas of land and allowing special leases to be able to be converted to freehold. I think it is well known by the Minister and by most people throughout Queensland that the Opposition's policy is opposed to Crown land being given away, and in many instances that is the correct expression—"given away". In many instances, the amount of money that is paid for the freeholding of land amounts to the land being given away. Many instances have been cited in this Chamber of areas of land—some large, some not so large—being freeholded for a very minute amount when one considers what that land was sold for later on.

I refer in particular to the 318.8 hectares in the parish of Atkins that comprise State forest 50. Three hundred and eighteen hectares is a very sizeable area of ground. It has been used for grazing purposes, so apparently it is suitable for grazing. However, I am told that it is also suitable for agriculture, and that there is little or no timber value in that region. If that is correct and if it is desired to use the land for those purposes. I can see no reason why that person could not be given a very long-term lease. However, the Government will allow that transferred lease to be freeholded.

It is not only the Opposition in Queensland that holds a very strong opposing view to the Government in regard to the freeholding of Crown land. I receive letters from many people and from many organisations throughout Queensland about the amount of land that is being freeholded in this State. The Government is selling this State's assets. The land is the asset of the people of Queensland. Although the area of the land in question might be described as relatively small when compared with other parcels of land, 318 hectares is still a very sizeable area of land. If it is correct that that land is not suitable for State forest and is more suitable for agriculture, for example, the Opposition believes that that person should be given a secure long-term lease. However, within a short time this land will be able to be freeholded. It could be that there are plans for some type of development that could make that land worth 10 or 20 times more than that person will pay for freeholding. The Opposition believes that that is wrong.

The Government has a responsibility to the community. It has measured up in some aspects. I refer in particular to the sale yards. I agree with what the Government is doing in that regard. I know full well that the community depends on those sales. The community has been geared over the years to expect that that is where the sales will take place. As a result of progress and expansion, more land is needed.

The sale yards will be moved out of residential areas so that people will not have to put up with the bellowing of cattle in yards all night. The sales are held weekly, fortnightly or, in some cases, monthly. Of course, it is dependent upon the season. I receive complaints in my electorate, and the sale yards in my area are only small. In some instances, the road trains stop in a town and the dogs are disconnected. They might be half a mile out of town, but if the breeze is blowing the right way and the cattle are bellowing all night, people complain. People ring me in the middle of the night and want me to listen to the noise over the telephone and say, "Can't you do something about it?" Many years ago I lived near a sale yard and I know that, when a large number of cattle are confined in a small area, they can make a great deal of noise.

Mr FitzGerald: Particularly if you've taken the calves off them.

Mr EATON: That is right. One only has to hear the noise out in the bush when the weaners are put in a paddock.

I have dealt with the 318 hectares of State forest 50. The land—-

Mr Muntz: It is adjoining an area of freehold land that he has in that locality. It is actually in addition to the freehold land that he has as it is.

Mr EATON: The land involved could be a large area; I do not know. However, I still think that, if this person has a secure long-term lease, that should be sufficient. We are not making any more land. The population of Queensland is increasing. As the years go by, it will be found that there will be more uses for land and a balance will have to be struck between needs and desires.

If ever I get a turn during question-time, I would like to ask the Minister for Land Management a question about what is happening in the cape. I think I have had one opportunity in 12 months to ask a question. Last year Mr Comben raised an instance of the freeholding of approximately 400 or 300-odd hectares for $2,168 which within 12 months was sold for $14.2m. If the Government had been fair dinkum and the land was worth that, it should have put that land up for auction as freehold and brought $14m into the Queensland Treasury. However, it allowed a private person to do that. The Government is making overnight millionaires out of some of these fast-buck merchants.

There is a great deal of State forest in far-north Queensland. We try to avoid these crises before they arise. However, one man up in the cape who bought a property for $500,000 has that property on the market now for $5.5m. I spoke to officers of the Department of Land Management and was told that he has done nothing illegal, that he has paid the price and that he has the right to sell his land.

Mr Comben: But he doesn't get the first price; that's the problem.

Mr EATON: The honourable member is right. However, it is leasehold land. The person to whom I have referred is a fast-buck merchant.

Mr Comben: From the National Party?

Mr EATON: As far as I am aware, he is not.

This person moves around Australia. He has interests in large parcels of land in Queensland. I know that he has bought three properties. I spoke to a person who was involved in the sale. I was told that the properties that had been purchased in north Queensland are very valuable. When I spoke to the Department of Land Management officers, I was told that this person had done nothing illegal. It is the old story of supply and demand: the person has the capital to purchase the land and he takes an option over the land for two years. Having paid a deposit to secure an option, if he cannot sell it for three or four times the price he is offered for it, he is not worried. This person was given 13.5 acres of riverfront land in Innisfail for $12,300. Today, a person cannot buy a house block in Innisfail for that amount. Opposition members are accused of

being bigots and socialists. We must keep drawing to the Government's attention where things can go astray.

As I said, the Opposition does not object when the community benefits from a revocation, as happens in most cases. The area of land involved in the present revocations is large. One of them, although I have not inspected it, could be a living area. In such cases the land should be subject to a long-term secure lease, which should be put up for ballot so that the rich and the poor have an equal opportunity on the fall of the marble.

A revocation and exchange relate to an area west of Mackay. Because of modern technology, correct surveys can be carried out. In many areas blocks have been sold and cleared by the owners, who have discovered later that it is national park or State forest. In one case a person who had an oblong block exchanged some land and now has a triangular block. The Forestry Department acted correctly in taking rainforest land from that person so that it could include it in the State forest area located west of Mackay. In exchange, the person has been given the area that has been cleared and destroyed. To restore that land to rainforest standard would be a costly business for the Forestry Department. Consequently, the department should exchange the cleared land for the rainforest area held by the present owner.

The Opposition is concerned about revocation of State forests, which are the assets of the people of Queensland. The Government of the day is the custodian of those assets. The Opposition has a sincere concern about any revocations that take place, particularly when Crown land is involved, whether it be a national park or a State forest. However, as I said earlier, if the revocation benefits the people of Queensland, and if it is in the interests of the community, the Opposition has no objection to it.

Hon. W. D. LICKISS (Moggill) (11.33 a.m.): What we are doing today is merely converting to Crown land an area that has been set aside and declared as State forest. A reason has been given for the revocation of that State forest. The Opposition Land Management spokesman expressed his views on land management. I think that this House should concentrate on the Department of Land Management and, although it may not be an issue for debate today, the issue of how land is held, handled and disposed of in this State.

When legislation is introduced into the House, it is fast-track legislation. The procedure for the introduction of legislation differs from the procedure that was adopted many years ago, when full introductory and second-reading debates took place. The first reading of a Bill is now a formal procedure. When notice is given of a motion for the revocation of national parks or reserves that does not require a Bill, as is required for formal legislation, the Minister should adopt a procedure similar to the one adopted by Ministers when introducing Bills. Unless a member goes outside the Parliament and makes a departmental inquiry about the purpose of the revocation, he has to form his own opinion on whether the revocation is justified or not.

When Ministers move motions in the House for the revocation of reserves that do not require formal legislation, I request that, in giving notice of that motion, Ministers provide an explanatory note so that members can be better informed. If that is done, when the matter comes up for discussion members will be prepared and be able to make a sensible contribution. However, today a number of matters must be absorbed and a member must express an opinion as to whether he supports the purpose for which the land is being revoked or whether it should be taken from a declared State forest.

It seems to me that the purpose for which these several parcels of land are being revoked from the State forests is sensible because it is a rationalisation of land. I think that all honourable members realise that many thousands and thousands of hectares of land are tied up in State forests. For argument's sake, the Brisbane forest area is a multipurpose area set aside for public purposes but in which there are State forests. I think that one would realise that, sooner or later, some areas of the State forests will be required for what one might term a higher and better use—in other words, a more intensive use than being used solely as a State forest. Some areas presently set aside for

State forests will be required for other purposes. The motion to revoke part of those State forests is for a rationalisation of land. The Minister has already indicated that some of the land is required for a pumped storage area near Mount Mee. Another area near Imbil is required for that very same purpose. Other areas are required for rubbish dumps. The storage and disposal of waste are ever-increasing problems that the community must face.

More land cannot be produced. Existing land must be put to the best use as required from time to time in the public interest. From the Minister's explanation to the House today, that appears to be the Government's intention.

I believe that it is in the public interest that a site for a service station has been created on the limited-access road approaching the Caloundra turn-off. Unfortunately, because that service station will be situated on a limited-access road, it will be very difficult for motorists to cross from one side of the highway to the other. Motorists travelling south will have the benefit of a service station between the Caloundra turn-off and where the road meets the old Bruce Highway. I believe that the construction of another service station on the opposite side of the highway is intended. The Minister has accepted that the site has access problems, and some State forest is being revoked to provide for that worthwhile purpose. That is an example of how land can be used for a better purpose.

The member for Mourilyan stated that approximately 380 hectares in his electorate will be granted a special lease so that it can ultimately be converted to freehold. That is not a matter of whether we should be revoking State forests. The question there is: is that land valuable as State forest? My inquiries reveal that no commercial timber is to be found on that site. Would it be wise to revoke that State forest and convert it to Crown land? Once land is converted to Crown land and if there is a reason for that conversion, the responsibility for that land should come within the portfolio of the Minister for Land Management.

The forestry industry looks after the propagation of a natural product which is of tremendous value. However, what is done with land in terms of its use as State forest, its conversion for other purposes or its revocation for Crown land should be the prerogative of the Minister for Land Management. In this instance we should be considering whether the best use of that land is State forest. As to the title, lease or tenure that should be given to the land and the terms and conditions of the lease—whether it should be a convertible lease on a freehold tenure—that should be the responsibility of the Minister for Land Management.

This Government could do well to look closely at the Department of Land Management. It is a long time since the department has been examined and it is surrounded by a great deal of secrecy. As the honourable member for Mourilyan said, often things go on within that department that are not widely publicised. Contracts that are granted by way of lease or conversion hardly see the light of day. This House could well probe further into that department to ensure that it is operating in the public interest.

Without going into the various purposes for which the subject land is being resumed and will be used after its conversion to Crown land, I point out that, in general terms, the Liberal Party supports the purpose of the motion. However, firstly, I ask that in future the Liberal Party is given prior notice of the reason why land is being revoked from State forest, national parks or what-have-you. Secondly, although it is an indication of the reason for it, the way in which the land will be dealt with subsequently is a matter that should be considered within the portfolio of the Minister for Land Management.

Mr NEWTON (Glass House) (11.43 a.m.): One of the proposals relates to land in my electorate. I am pleased that the Opposition spokesman on Conservation is in the House. On many occasions in this Chamber I have said that certain specific demands are placed on the Government when forests, national parks or other parcels of land have to be revoked for special needs.

The subject land relates to a refuse tip. I take up the point that was made by the honourable member for Mourilyan in relation to smoke from rubbish tips. All rubbish tips in the Caboolture Shire are covered with earth, compacted and grassed over. No fires are lit on them. Eventually they are converted to sporting grounds.

Sporting facilities should be made available for the youth of today. The rubbish tips in the Caboolture shire are grassed over——

Mr Comben: And you fill in the wetlands while you are doing it.

Mr NEWTON: The honourable member talks about the wetlands. God help us if we cannot dispose of our refuse! I was pleased that Mr Lickiss addressed that issue. It needs to be addressed. The land is still there, except that the refuse has been compacted underneath it. There is no run-off into the wetland areas.

It was stated that safety problems were associated with the parcel of land near the four-lane highway in the Beerburrum area. I have a young daughter, and it is possible that people such as her whose cars break down on the roadside need somewhere to go for safety and shelter. I know that it has cost the man responsible for this development a huge amount of money. I know that the Forestry Minister said that the Government did not want to lose any more State forest to development. However, there is a need for such a development in that area. All the timber has been harvested from it. If the Opposition spokesman drove through that area he would notice that the timber has been harvested for that development to proceed.

Mr Simpson: On Saturday and Sunday when the floods closed the highway, that was an important area for communications, food and shelter for people on the highway.

Mr NEWTON: Yes. I must pay tribute to the SES, the police and the RACQ. Because this development is on a high point of the highway, it was used as a meeting-place.

I do not know whether the Opposition spokesman knows the roadworks in that area and the flooding that occurs in the area of Coonowrin Creek. I took special note of that area. I travelled on most of the roads, but some were impassable because of the flooding. Because I know that area very well, I travelled on some of the back roads to visit people and ensure that they were cared for. The Opposition spokesman is probably not aware of those back roads as he is not familiar with that environment.

I must inform the Minister that it is hard to get one's tongue around the word "Wararba". That is part of State Forest 589.

The Imbil area, which extends to the Monsildale and Yabba areas, is quite a considerable area of State Forest that is not planted. It is a water-holding area which this Government, being progressive, will look at in years to come for water storage for hydroschemes, such as the one at Mount Byron, which is at the back of Wivenhoe Dam. I presume the Opposition spokesman would know about that.

Mr Simpson: Power generation.

Mr NEWTON: Power generation. Hydroscheme.

I also refer to the proposal for Brooloo, which will involve pumped storage.

Mr Ardill: Is this a new one or the existing one?

Mr NEWTON: I will not go into that. That will come up later on. It is an area that the Opposition spokesman should become au fait with. It is in the Mount Byron area.

According to the map, the area of land at Brooloo is quite considerable. Land has to be set aside for water storage. I cite as an example the Wolffdene dam.

Mr Simpson: Setting the land aside for the future.

Mr NEWTON: I have said that. The Government is looking to the future. It is setting land aside for future use. It has to look to the future. The Opposition buries its head in the sand.

The Government tries to acquire land that is in an area where there is no housing. It looks at forestry areas. Approaches have been made to me about the setting-aside of land in the Beerwah area. I hope that that comes to fruition. A request has been made for 50 acres of land to be set aside for an industrial site to try to gain employment for people in that area. Forestry is quite a big industry in that area. As the proposed development is a ply-making plant, it will involve forestry. It is hoped that young people will gain employment with it. That will be of considerable benefit to that area. I have approached the Forestry Department for a parcel of land to be made available in that area.

As I said, the land in question is being set aside for future use. It is nice to know that the Queensland Government is looking to the future for the needs of this great State. I know the areas in question very well. If the Opposition spokesman were to make more inquiries, he might find out more about what is happening in the Mount Byron area.

The Government looks to Queensland's future. I have no hesitation in saying that, by these revocations, the Government is doing the right thing for Queensland. I know it is very hard to have to excise parcels of land from State forests, but in this case it is a matter of need.

Mr COMBEN (Windsor) (11.51 a.m.): I think the member for Glass House was effectively saying that the Government is looking to the future. I am glad that it is, because there is little future here for the member for Glass House.

A few months ago I remember talking to him about Bribie Island national parks and environmental parks. He said, "They will be declared within a week." I believe that his local paper has something to say about the "declared within a week" statement that he made three months ago.

Mr Newton: We have had it done right. We have put it through the mapping and lands department.

Mr COMBEN: In this House the honourable member said, "declared within a week". He said that four months ago.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the member for Windsor continue to debate the motion.

Mr COMBEN: Mr Deputy Speaker, thank you for bringing me back to the debate, since I was so nastily provoked by the member for Glass House.

Mr Newton interjected.

Mr DEPUTY SPEAKER: Order! The member for Glass House!

Mr COMBEN: I want to address the matter of the revocation of parts of certain State forests. It is obviously in the public interest that State forest revocations are closely examined by this House. Because State forests are similar to national parks, people in this State expect them to be properly managed for the public good. I have no trouble standing here and saying that I have a fairly cynical view of any revocations that this Minister brings before the House. In common with my colleague the spokesman on forestry matters, I will not be opposing the motion but I will be making a few comments about each individual proposal. In general terms I must say that for too long mismanagement of State forests has occurred.

A great deal has been said about multiple use of State forests. It is a nice cliché that the Forestry Department trots out and produces glossy documents about. What is the multiple use of Queensland's State forests? It is the rape and pillage of forests. The

Government puts in a walking track on the edge of a forest and claims it as an example of multiple use. It is not. If the department and Ministers over the years had been honest in their attempts to introduce multiple use, the problems occurring in State forests in northern rainforest areas would not exist. This State does not have multiple use of its forests.

The Opposition has not had the opportunity to adequately examine the proposals. The usual practice is that the Minister for Environment, Conservation and Forestry tables an explanatory memorandum that honourable members can photocopy and examine. In this case, which involves one of the longest lists of revocation areas that I have ever seen during my six years as a member of this Parliament, no explanatory memorandum in respect of the 12 proposals has been provided.

Mr Newton: They've all been done for a purpose. Even you would have to agree.

Mr COMBEN: We are told that it is being done for a purpose.

Mr Newton: Mr Eaton said that they were there for the right reasons.

Mr COMBEN: And I will agree with him. However, surely this is an instance in which the usual explanatory memorandum should have been tabled in this House. It has not been done. Although Mr Eaton was able to obtain a copy of the memorandum this morning, I am certainly in a position in which I have to make this speech without having seen a copy. I am forced to rely on the Minister's assurance that everything is fine and on the fact that Conservator of Forests foresees no problems with management of the areas. I have to rely on the good offices of the Minister and of the Conservator of Forests. I impugn neither of them, but I put forward the proposition that if everything is not fine——

Mr Newton interjected.

Mr Simpson: You have already insulted them.

Mr COMBEN: I have not insulted them. I have said that we accept the good offices supporting the proposal. Let us hope that the revocation is right.

Mr Simpson: You said that the administration of Forestry is terrible.

Mr COMBEN: I have no intention of insulting the Conservator of Forests. However, I have every intention——

Mr DEPUTY SPEAKER: Order! I will not tolerate multiple interjections from the Government benches. The member for Windsor will address the Chair.

Mr COMBEN: Thank you, Mr Deputy Speaker.

I was about to say that the Minister for Environment, Conservation and Forestry and I have a perfectly good relationship.

Mr Simpson: Who with?

Mr COMBEN: If I do not tell the truth about him, he will not lie about me. It takes Government members five minutes to catch on.

Questions are often asked about the Minister's administration of his department, especially about the proper use of national parks, intrusions into national park areas and the use of public land for private profiteering. That is why I am generally cynical about these proposals.

I support comments made by both the honourable member for Mourilyan and the honourable member for Moggill, who are old hands. They are doing a good job of saying that in these particular matters, honourable members have to ensure that the resolution results in not merely a revocation of forests but the proper use of land through Forestry Department management. When land that is used for national parks and forests is revoked, those factors are never taken into account.

It is not for members of Parliament to decide the basic use to which the land will be put. The basic question underlying revocation of forests is whether forests are needed any longer in terms of conservation, public use or as a State forest. I agree with the comments made by both the honourable member for Mourilyan and the honourable member for Moggill in that regard.

I acknowledge that the first proposal before the House involving the northern stretch of the Bruce Highway has been put forward in the interest of safety and for commercial reasons. In view of all the reasons that have been put forward by the Minister, the Opposition has no objection to that proposal. It is an example of a perfectly legitimate revocation that everyone can understand.

A whole range of excisions are proposed to enable the siting of refuse tips which will service community needs. The largest of the five refuse tips will cover 162 hectares in the parishes of Barrow and Nerang. Of all the proposals contained in this revocation, this one causes me greatest concern. Recently I received a telephone call and was told to watch with particular interest a proposal that was to be brought forward. At that time, members of the Opposition knew nothing about the proposal and it meant nothing to me. I was simply informed that the purpose for which the revocation was being sought was not proper. Although it could be the case that the person who telephoned me knew that it involved a refuse tip and objected to a refuse tip being situated in that area, I wonder whether honourable members are being told the whole story by the Minister. A rubbish-dump covering 300 acres will be a pretty big rubbish-dump.

Mr Newton: It is a big need, isn't it, in the Gold Coast area?

Mr COMBEN: There is a big need for a large rubbish-dump in Brisbane, but Brisbane does not have any rubbish-dumps covering 300 acres.

Mr Newton: They're still looking for land in Brisbane and you know that.

Mr COMBEN: That may well be the case, but I wonder about 300 acres in the parishes of Barrow and Nerang in an area that is claimed by the Albert Shire Council to be short of land. If one good thing can be said about those refuse tips, it is that at least they will be situated in dry areas and that land containing mangroves will not be alienated for the purpose of establishing a rubbish tip. For a very long period, that has been the case for Queensland.

Mr Newton: Oh!

Mr COMBEN: The member for Glass House knows very well that the rubbish tip near the new airport will be situated in wetlands. It will be the longest rubbish tip in Queensland because it will extend from the wetlands to the foreshore.

The third proposal makes provision for the excision of sections of State forest at Mount Byron near Woodford, and Imbil. The land will be used for pumped storage that will be necessary for a future hydroelectricity scheme. The Opposition supports the Wivenhoe Dam scheme and the various electricity schemes that are involved with that project. Because hydroelectricity schemes use a renewable resource, the scheme will continue for a period of years.

The fourth proposal involves land in the parishes of Atkins, Presho and Roper covering an area of approximately 318 hectares. The lessees have sought to have land excised from the State forests and made the subject of a special lease tenure that provides for future freeholding. The Minister's defence is—

> "No merchantable timber exists on the subject area and the lessees have agreed to bear all costs in the matter, including survey."

It is good if someone can go to the Minister for Environment, Conservation and Forestry and say, "You haven't got much big timber up here, so I want it changed to another sort of a system." I wonder whether that is really proper. The Opposition will not oppose this proposal, but in real terms there are plenty of pieces of State forest which for a

whole range of reasons have no merchantable timber on them, but not many people are in a position to ask the Minister to turn those areas into a special lease so that in the future they can be freeholded. I wonder what the real value of the land is. It is all very well for the Minister to state that the best future use is considered to be for agriculture and that there will not be any costs to the department, but why was it not put out for public tender? What was the real value?

In the parishes of Bong Bong and Mia Mia areas totalling 28.18 hectares have been excised and special leases surrendered. This area involves the straight boundary line, which at the time was said to be easy and cheap to draw. This really means that at the time someone did not do his job properly. If that land was already involved in the production of sugar-cane, as stated by the Minister, then why was that now shown? Why did the Minister simply not have someone walk a straight compass line? If the job had been done properly at the time, then the encroachment would not have occurred. There have been other cases where encroachments into national parks have been accepted without any problems, no penalties imposed and the people have been given the land. Ploughing the fields and scattering seed is a nice way of acquiring a couple of hectares. If someone comes along later and says, "Hey, you're not supposed to have done that", the person goes to the Minister and asks him to excise the land because he has encroached on the park. It is a nice precedent. The Minister states—

> "An equivalent section of the former portion 234 is available for later addition to the State forest."

He has gone to the trouble of excising this piece of land for the land-owner, or the "encroachee", but he has not gone to the trouble of making sure that the additional area is returned. Will the Minister let the Opposition know whether or not he will return it? Later he will send another team of surveyors up there at an additional horrific cost when costs could have been cut by a third if it were done at this time. I do not believe that the Minister has any intention of going back up there.

The sixth proposal involves an area of 20.316 hectares in the parishes of Stanton, Eureka, Gregory, Electra, etc. The Minister stated—

> "The State forest and freehold land can be considered of equal value."

I ask: where are the valuations? I am sorry, but I have got used to being cynical with this Minister.

Mr Muntz: You would be the most cynical and negative fellow in this House.

Mr COMBEN: At times I may well be cynical, but I do not think I am particularly negative.

Mr Muntz: All your colleagues make positive contributions, and you make a negative contribution.

Mr COMBEN: I listened with great interest to Mr Eaton saying that there were problems with the freeholding of land in this State. I do not think that the Minister would have thought that it was positive to freehold national park proposals and allow people to make massive capital gains.

The problem with this State is that there are a whole series of Ministers who are obtaining private profits for people who approach them at cost to the public estate. That is what it is all about. There needs to be a change of Government. This Government has been tainted by a touch of corruption.

Ms Warner: I would say more than a touch.

Mr COMBEN: I was being kind because I thought the Minister might take a point of order.

Mr DEPUTY SPEAKER (Mr Row): Order! The member will return to the motion under discussion.

Mr COMBEN: I will return to the revocation of certain parts of the State forest. I have a great deal of trouble with most of these revocations because this Government has been so touched by corruption over the years in land deals——

Mr DEPUTY SPEAKER: Order! According to previous recorded parliamentary practice, the word "corruption" may be disallowed by the Chair. If the honourable member uses the word again, I will disallow it.

Mr COMBEN: Thank you for your ruling, Mr Deputy Speaker.

Ms Warner interjected.

Mr COMBEN: I was about to say that I would certainly not use the word "corruption" again, but this is certainly a Government that is tainted by dishonesty because two members of its senior Ministry have had to resign. It is a little difficult to suggest that it is anything less than dishonesty.

The Opposition is very cynical about the Minister's motives. There has been no explanatory memorandum tabled in this House. The Forestry Department does an excellent job in minimising the damage to forestry in certain areas, but it is still unable to comprehend the term "multiple use" as it is meant in other parts of the world, although I appreciate that there are great problems in some of the south-east Asian nations regarding forestry. However, in North America the term "multiple use" really means something. In Queensland it means that the Government can rip the guts out of a forest, put a walking track around the outside and say, "We have conserved it." The result of that policy is that, quite properly, the Federal Government has come in to protect the north Queensland rainforests; that wonderland——

Mr Newton: You wouldn't know what protection was. I've been in the environment all my life.

Mr COMBEN: Everyone is in the environment; it is called air, land, water and sea. I do not know that the honourable member always has been in the environment. At times he has been in fairyland and he certainly is not often in this House.

Finally, the Department of Forestry will have no fears when the Labor Party takes over Government in this State. All the Labor Party will ask is that there be proper management and conservation practices. Many of the department's officers do an excellent job and are greatly admired by members of the Opposition. The Labor Party will ensure that the important timber industry in this State continues to flourish. That is what balance is all about. The Opposition will ensure that there are no cosy deals done with the friends of the National Party because suddenly those people will have no influence whatsoever. A Labor Government would ensure that there are proper environmental, management and logging practices and an overall conservation strategy that will result in proper multiple use. That is the Opposition's aim. At present this Government only pays lip-service to multiple use, which means nothing, and the Minister then wonders why the people of Queensland do not appreciate his approach.

The Opposition supports these revocations.

Hon. G. H. MUNTZ (Whitsunday—Minister for Environment, Conservation and Forestry) (12.07 p.m.), in reply: I thank honourable members for their contributions, which I will deal with individually. The revocations are a sensible and responsible course to take. In summary, they provide safe access to a service station complex, four refuse tips to serve local authority areas—each of the local authorities has agreed to, and been supportive of, those proposals—pumped storage areas to improve our electricity generation, rationalisation of land use in the interface with agriculture and an additional area for a country school.

The member for Mourilyan made a valuable and positive contribution to the debate, although I might not necessarily agree with some of the opinions he expressed. He drew attention to the contrast between freehold and leasehold tenures. The existing owner of

the land to which he referred has approximately 129 hectares of freehold land immediately adjoining the subject land. Having regard to its location, I do not believe that the area in question could be considered to be a living area. It is very isolated—Mr Eaton knows the country as well as I do—and it would not make a living area. The excision from State forest 50 will involve considerable costs, which will be borne by that lessee.

After excision of the land, the existing lessee will be granted a replacement special lease. Given the nature of the area, its lack of forestry values, its suitability for agriculture and the costs the lessee will incur, particularly for the surveys—it is an elongated area—it is not unreasonable that the lease conditions include provision for freeholding, particularly as it adjoins freehold land and as this Government has a freeholding policy, which is very well monitored. That contrasts to the Labor Party policy of no freehold tenure. That policy is unfortunate, because the granting of freehold tenure has been the success of this State over many years. People have been prepared to go out into the west and other isolated country and develop land to its full potential. Certainly there is nothing wrong with freehold tenure, which can be resumed at any time, as can leasehold land. The land is there; it cannot be taken away. The State has the right to resume that freehold land should it be required for any purpose in the public interest.

After the excision of this land from the State forest, it will come under the control of the Minister for Land Management. The member for Mount Coot-tha said that land dealings should come under the Minister for Land Management. In fact, they do. The member for Mount Coot-tha requested advance notice of the details and reasons for revocations. That can be arranged at his request. No detailed material was available when I gave notice of the motion. The long-standing parliamentary practice of this place is that the Minister does not give an address when he gives notice of the motion. I take on board the remarks of the member for Mount Coot-tha and I thank him for his contribution.

As he always does, the member for Glass House made a very significant contribution. His knowledge of the land and forestry matters is well known and well recorded. He undertakes his responsibilities in a very practical way. He serves his electorate to the best of his ability and has done a remarkable job. He represents an area with the very diverse aspects of tourism, rural interests and industrial development. He has many concerns and he has certainly addressed those that fall within my area of responsibility. Obviously he has an interest in the safety of the travelling public, which necessitates the provision of safe access to that service station. He obviously realises the need to strike a balance in all things.

I have never heard the member for Windsor make a positive suggestion in this House. All he does is make negative suggestions and very cynical remarks about anybody who sits on this side of the House. That does not help debate at all. I think he is condemned in the eyes of most people in this House for his very cynical attitude. He really lowers the standard in this House and contributes nothing. His derogatory remarks about members of this House are totally rejected. When he makes those sorts of stupid remarks it is not worth taking a point of order. His remarks were directed mainly at the Government and at officers of the Forestry Department. Towards the conclusion of his speech he made comments supporting the officers of various departments, but an examination of his remarks shows that he is making allegations about actions that may or may not have been taken and about recommendations that have come forward as a result of actions taken by the officers. I totally reject his remarks, for which he is to be condemned.

The other three members made a very worthwhile and positive contribution, for which I thank them.

Motion agreed to.

INTELLECTUALLY HANDICAPPED CITIZENS ACT AMENDMENT BILL

Second Reading

Debate resumed from 9 March (see p. 3596).

Ms WARNER (South Brisbane) (12.14 p.m.): It is with some regret that I rise to speak to this Bill. From discussions with a number of people who are very intimately involved in working under the provisions of the original legislation and the recommendations that have been made over a number of years about how the system could be improved, it appears that the Minister has simply ridden roughshod over that advice and has brought in this amendment with what appears to be some sort of indecent haste—indecent haste that contrasts very sharply with the tardiness with which the original legislation was implemented.

This amendment Bill represents a major somersault by the Government. In 1985, people with intellectual disabilities were promised a new life. The new legislation did offer some hope of improved conditions through a system of public accountability. I read a message from the then Minister in charge of this piece of legislation, none other than Mike Ahern. In the second annual report of the Intellectually Handicapped Citizens Council, he stated—

> "It is with much pleasure that I write a foreword for this, the second Annual Report of the Intellectually Handicapped Citizens Council of Queensland.
>
> This report marks the Council's first full year of operation: 12 months of hard work, devotion and achievement by a group of people dedicated to providing the intellectually handicapped people of this State with the support they need to participate positively in our society."

The then Minister went on—

> "Our legislation"—

this original Act that we are now amending—

> "has attracted international interest. The world is tracking to our door"—

that sounds like a familiar phrase—

> "to examine some of our bold initiatives, most notably the piece of legislation which brought the Intellectually Handicapped Citizens Council into being. The Council has already done a remarkable job looking after the interests of some very special Queenslanders."

If that is the case, why are we presented with this amendment Bill which completely emasculates the effect of the original Bill? The overall effect of the legislation is that it takes away all the powers of the council and leaves the whole apparatus as nothing better than a subsidiary wing of the Family Services Department.

The mechanism that was used in the original Act was to set up an independent council enshrined in the original legislation as a body corporate. That body, the IHCC, seemed like a brave attempt at the time to respond to public demands for better treatment for people with intellectual disabilities. 1985, albeit, was a fairly late response to the demands which had been a constant rumble in the community and in the health and education sectors for many years. But, sadly, we have to now conclude, having had the experience since 1985 of the implementation of this Act, that the Government was never really sincere.

From the start, the Intellectually Handicapped Citizens Council was beset by hindrances and difficulties. All this amendment does is legitimise the destruction that has already been wrought upon the original legislation. Systematically over a period of three years the Government has set about to make this Act inoperable. Even though it was acting somewhat on the shady side of legal in some of the actions that took place, the Government now turns round, realises that it was involved in a fairly advanced

form of fraud and legitimises its own real position. The legitimation is this amendment Bill that is before the House today.

I understand that a number of groups have begged the Minister to reconsider and to give them more time for consultation. With the original Act, there was considerable time for consultation. I suggest that the Minister needs the time for consultation. I suspect that looking at the ceiling of the Chamber will not give him any greater clarity about what he is doing with this legislation and that he really needs time to talk to people who know and who are intimately involved in the delivery of services to people with intellectual disabilities. In the short time that he has been Minister, he has not only not had time to fully understand the complexity of the problem with which he is dealing, but he has actually been a little remiss in ignoring the advice that he has been given and never really taken it seriously. He has preferred to barge in and shove the legislation through this sitting without the proper consultation because he says that there is a backlog of cases which need urgently to be dealt with. If we were to be looking at a really disastrous situation in terms of a backlog of cases, the events of the last three years would be inexplicable. However, that backlog of cases has occurred because of the Government's ineptitude in the implementation of the original legislation. I have categorical proof of that. If the Minister listens carefully, rather than looking as though he were absent, maybe he will——

Mr Sherrin: Don't be rude.

Ms WARNER: Well, I wish that I had the Minister's attention. It is fairly offputting to try to address remarks to him when he does not appear to be paying any attention. I would imagine that a whole range of other groups have had a similar experience with him in that it seems difficult for him to concentrate his mind.

This is a long and sorry story. However, it is important that this House and the public know what has been going on in a very small but very sensitive area of Government activity over the last few years. It is not a pretty story. It is not a story that lends the Government any credibility whatsoever. And it is a story that fills me with a great amount of apprehension about what is going on in the area of departmental activity in the delivery of services for the intellectually disabled.

Previously, I have said that this area is exceedingly sensitive. However, this legislation is almost a total betrayal of the sentiments which were propounded in this House by previous Ministers in terms of the introduction of this Act. But the Act was, looking at it, a brave attempt to introduce a measure of accountability in an area in which accountability is quite difficult to achieve. It was an attempt to introduce a group of people who are positively motivated to act in loco parentis for a group of people who are significantly disadvantaged within this society. Because the Minister has introduced this Bill, he is saying that that accountability, that vision of excellence and that understanding of a sensitive, caring and accountable Government activity are not possible.

What kind of a Government is it that gives in so quickly because it has a little bit of a backlog of cases? If the Government examined why there is that backlog of cases, it would find that it is the Government's own fault.

Mr Sherrin: 367 is a little bit of a backlog?

Ms WARNER: Yes, it is a backlog, and it is a backlog because the Government has systematically harassed the council in conducting its activities over the last few years.

The Government is entrusted with the care of 50 000 citizens who are deemed legally unable to manage their own affairs. The Government has failed those people not only legislatively but also by its laziness and ineptitude. The Government has actually operated against their interests by the manner in which it has chosen to carry out its own decisions.

Mr Sherrin: You are being critical of the chairman by referring to him as lazy. That is a disgrace.

Ms WARNER: It would be a disgrace were I to be saying such a thing. However, I am not saying anything of the sort.

What I am saying is that over a period, while this legislation was implemented through both the Health Department and the Family Services Department, through a succession of Ministers—Mr Austin, Mr Ahern, Mr McKechnie and now the present Minister—there has been at the top level of administration an amazing level of ineptitude, bungling, laziness and also insensitivity——

Mr Sherrin: Will you take an interjection?

Ms WARNER: Yes, I will take an interjection.

Mr Sherrin: You have just described how the council was set up at arm's length. Then you are saying that the Minister is responsible for their inability. You have just told us that they operate independently outside. So in fact you are saying that the council is lazy. I think that is a tremendous insult to the great work that the council is doing.

Ms WARNER: If the Minister listens very carefully, he will be able to grasp the point that, although the council was set up at arm's length, unfortunately the Government did not allow it to operate at arm's length. It did not allow it to operate with the autonomy that it was given within the terms of the Act.

The council was given autonomy. Autonomy does not mean, "Go out there and do the job without any assistance whatsoever, without any kind of support and services." What the Government in fact did was to let the council go and then actually prevent, because of the Government's neglect, it from being able to carry out its job.

Mr Sherrin interjected.

Ms WARNER: I might very well be doing that, but you have got a long way to go, Mr Minister, so just settle down.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chair will maintain order in the Chamber. The honourable member will address the Chair.

Ms WARNER: The Minister was interjecting, Mr Deputy Speaker.

I will skip the rhetoric that I was going to indulge in at this point because I am sure I will get to it at the end of my speech.

The Intellectually Handicapped Citizens Act was proclaimed in September 1985, to be effective from January 1986. The council itself was to be a body corporate and not an instrumentality of a Government department. Its purpose was to act separately from the department on behalf of clients who have a disability. That is the autonomy that I was referring to earlier. This was to enable clients to have a voice, if necessary, to complain about or to disagree with any aspect of their treatment by the department. The council was also to act in loco parentis in community, health and legal matters. In short, it was to be an advocacy body for people who have intellectual impairment and to help to improve the quality of their lives.

Given these criteria for the council, it is hard to imagine the complete and utter mess that the Government made in the implementation of its own legislation. After hearing the story of the debacle that I will unfold perhaps you, Mr Deputy Speaker, like me will be forced to the view that this saga of ineptitude and apparently Monty Pythonesque example of bureaucracy at its worst is not just mismanagement or accident. It is more sinister than that. It is actually a policy position of this National Party Government.

Notice of the appointment of the members of the first council was contained in the *Queensland Government Gazette* on 14 December 1985, yet the first meeting of that council was not convened by the then Minister, Mr Austin, as required under the Act, until 5 March 1986. The position of executive officer, without whom the council is forbidden to meet, was not created until 7 February 1986.

The person appointed to act in the position of executive officer had no previous experience with intellectually handicapped people and, by his own admission, had heard of the Act for the first time only minutes before his arrival at the council meeting, over which he was to preside, that is, at roughly the same time as he was informed of his new job as acting executive officer.

Worse still, ministerial approval to convene the meeting arrived at the venue two hours after the meeting had commenced. That approval had been hurriedly arranged by memo after the starting-time of 9.30 a.m. Council members had been flown down from Townsville and other places in Queensland.

One might think that, having fumbled the inauguration of the brave new concept, perhaps the Government would be anxious to redeem itself by taking care to provide the means, resources and personnel to allow the council to function smoothly and effectively for the benefit of intellectually handicapped people generally, which is its stated aim. Not so!

Having taken three months to get the council together, the Government had somehow overlooked the need for office space and equipment, although it did manage to secure the services of a typist in March 1986. For several months she used a borrowed desk and typewriter, while the acting executive officer also borrowed a desk in the same office, which belonged to the Intellectual Handicap Services Branch of the Health Department.

Having no space of its own, the council was obliged to hold its meetings wherever it could book a room in the Health Department building. It is just as well that the IHS was so accommodating because, with the meagre sum of $40,000 allocated in April 1986 to cover all salaries, contingencies and fees until after the next State Budget in September, the council could not have afforded to pay rent, anyway, or to buy the necessary office equipment and supplies. This impossible state of affairs continued until December 1986, when the assistant director-general of mental health services generously made some of his own office space and conference room available to the council.

Nor were these the only difficulties that the council was to face. Next was the council's refusal of request for representation on interview panels for selection of an executive officer, Legal Friend and co-ordinator of the Volunteer Friends Program. This last piece of obstructionism indicates the Government's fundamental lack of respect for the expertise that resided in council members and, furthermore, denied the council input into its own functioning and its undoubted ability to select appropriate people for a complex and sensitive job.

While the Minister is saying that the council was supposed to be at arm's length from the Government, the Government was actually intervening to control the council by appointing for it the council's own staff. So much for the Government's arm's length policy! The Government never really did believe it. It was always a sham.

The refusal, which took a month to arrive, was on the grounds that these appointments were within the Public Service Act and Regulations, and presumably the council, as an autonomous body, had no rights under the Act. This legislation is really about the autonomy of that council, which the Minister never really respected and which he never really agreed to, even though that was part of the legislation that he introduced. So much for the con!

On 19 March the council was informed that the Intellectually Handicapped Citizens Regulations 1985, although gazetted in October 1985, had not been laid before the Parliament as required. That situation existed until late April, when the appropriate formalities were completed. One might ask: how could that happen? A member of the council asked that question and was told, "We forgot." Someone forgot to take the regulations to Parliament; therefore the entire legislation was inoperable. The Government might have forgotten to introduce the original Bill, such was the level of incompetent bungling to which the members of the council were then subjected.

From those events one must conclude that the establishment of an intellectually handicapped citizens council was, for the Government at the time, a really high priority.

The subjects for the legislation must be considered so important and the Minister is so vitally concerned with the welfare of intellectually handicapped citizens that everybody concerned just forgot to do his job!

Honourable members may be prepared to forgive the Government for that oversight. Let us see how they feel about the next saga in the whole sorry tale. Part of the task of the Intellectually Handicapped Citizens Council is to act in legal matters on behalf of its clients, as the clients themselves are unable to do so. To this end the council is required to provide the services of a Legal Friend—a skilled legal person working exclusively for the client. From 1 January 1986 this person became the only person allowed under the Act to give consent for such things as surgery and dental work requiring a general anaesthetic. But during that year the Government did not appoint a Legal Friend; it was January 1987, a full 12 months after the council officially began its work, that one was appointed.

At the same time, the co-ordinator of the Volunteer Friends Program was also finally appointed. Again the council had no input into the selection processes for its two most important members. By that very fact the Minister can see that he prevented the council from doing its work. Now, several years down the track, in indecent haste, because all of a sudden the Minister has decided that it really is important that he do the job—albeit badly as a result of this amending Bill—he is just covering over his own, at best, administrative bungling and, at worst, insincere and deliberate obstruction of the original council. In no way am I impugning the capabilities or the motives of the original council.

Mr Sherrin: You are doing a backflip.

Ms WARNER: I am not going back at all; Government members are the ones who are doing the backflips.

I am pointing out to the Minister that the appointment of a Legal Friend was not the council's responsibility. In fact, the council needed the Government to do it. Unless the Government did it, a Legal Friend could not be obtained. How can the Minister possibly say that I am suggesting that that is the fault of the council? It is not; it is the fault of the Government and the department. They are the ones in error. The council was unable to do its basic job because a Legal Friend had not been appointed. A Legal Friend was needed so that the council could carry out its duty under the Act. The Minister made no attempt to allow the council to have any input into the selection of its two most important members.

Perhaps the council should have been mollified by the offer late in October 1986 of limited access to the Health Department's legal officer—access which was refused six months earlier. What was the reason for that refusal? Why, six months earlier, was it not possible to have access to the legal officer and why suddenly was it possible? There is no explanation for that ridiculous level of bureaucratic bungling, except that the Queensland Government and the National Party simply did not care and just shoved under the carpet something with which they did not wish to deal.

Also in April 1986 the council was startled by the news that the acting executive officer, having been appointed by the Under Secretary of the Health Department, was acting illegally. Under the Act, the acting executive officer should have been appointed by the Governor in Council. The Minister cannot say that that was the council's fault; it is his fault.

The council's request for an explanation of that blunder was never given. The council did not even receive an acknowledgement, let alone an answer. The Government does those wrongs and then it does not have the grace or the decency to explain to the people what it is doing, probably because Government members do not know what they are doing themselves. The rights of the under secretary in matters of recruiting and appointing council staff were never clarified. However, departmental staff at a high level continued to dominate the selection of staff for the council. Senior officers within the Health Department could be forgiven for believing that the IHCC was just another wing

of the department itself. Of course, after this amending Bill is passed, that is exactly what it will be, because that is how the Minister always saw it. If one looks at the Act, one will see that its principal purpose was to introduce a much-needed level of accountability over departmental activities—a system for providing a watch-dog role over the activities of the department. Even under that Act, senior departmental officers were given directions and were interfering in council business on a daily basis. They demanded names and addresses of council members, although not specifying why, and even arranged four weeks' leave for the executive officer, who was attached to the council, without consulting the council or telling it that he was going on leave.

Departmental officers also tried to force the council's executive officer to transmit council correspondence via the executive officer of the Division of Psychiatric Services. Why? What is the Government running—some sort of KGB? Departmental officers had already managed to incorporate the council's filing system into their own, which took some weeks and devious actions to correct. Unable to take complaints to the Minister, having been told that there was a wait of from six to 10 weeks, the chairman wrote to the Minister setting out the council members' concerns. In its customarily efficient way, the department somehow shuffled that letter off to the council's own executive officer to frame the Minister's reply. In other words, because his letters were answered for him by his own executive officer, the chairman of the council was denied consultation with the Minister, which seems to be a little bizarre.

Attempts to rectify that situation—letters, phone calls and meetings—were to no avail. The council felt that, despite its own best efforts at the time, because of the level of obstructionism it was getting nowhere fast. Despite a high level of expertise, energy and enthusiasm on the part of the council, how would it have felt about being hamstrung by small delays and disasters and being ignored by the Government for which it was trying to fulfil a function on behalf of people with intellectual disabilities? I suspect that it would have felt pretty browned off.

The position of executive officer was first advertised in June 1986—six months after the council officially began its operations. It was readvertised in August under a cloud of justifiable accusations of Health Department interference after the department, without notifying the council, changed the skills criteria for applicants.

On 29 October a Health Department officer who had recently lost a promotion appeal took up the council position. Luckily that person was competent and loyal and the council had no complaint with him. Why was the council allowed no input in the selection process? Why was the under secretary changing job criteria in the middle of that process? Why did the council have to wait 10 months for that vital position to be filled? I suggest that the simple and sinister reason is that the National Party is interested neither in the welfare of people with an intellectual disability nor in people having the right to look at its own activities. That is what this Act did. If it had been implemented, the Act would have given a group of people with expertise, energy and some facilities the ability to consider and monitor Government activities in a very sensitive area of service delivery. I suspect that that was the reason why the Act was never allowed to operate.

Senior departmental health officers who were nervous about the independence of the council set about minor and very trivial ways of putting boulders in its path. What better way of trying to prevent the council from having any form of independence than hand-picking as many council staff as possible, delaying appointments for many months and frustrating the council's working even further?

I do not believe that the departmental people did that all by themselves or entirely off their own bat. I suspect that they must have had some political encouragement for their actions. The Minister denies that. If the Minister knows what went on—and I suspect that he does not——

Mr Sherrin: You are making the allegation. You substantiate.

Ms WARNER: I am substantiating it.

Mr Sherrin: You smear everybody. You don't need the facts.

Ms WARNER: This is no smear. This is what happened.

Mr Sherrin: Typical ALP.

Ms WARNER: This is not typical ALP.

Mr Sherrin: You substantiate it. You made the allegation.

Ms WARNER: I can very easily substantiate it. I have a number of letters.

Mr Sherrin: You dissociate yourself from Mackenroth's smear, do you? You have gone up in my estimation if you do.

Ms WARNER: I am dissociating myself from what?

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the member for South Brisbane address the Chair and not continue a direct conversation with the Minister.

Ms WARNER: Could the Chair also advise the Minister that his interjections should relate to the Bill rather than straying away from the subject-matter?

Mr DEPUTY SPEAKER: Order! The Chair will decide what to advise the Minister. I advise the honourable member to address the Chair.

Ms WARNER: Thank you very much, Mr Deputy Speaker, for your protection.

I return to the possible sinister reasons why the Government might have been a little ill at ease in the proper implementation of this Act. I suggest that the reason was that, with the proper implementation of this Act, the activities of the Government could and would be exposed and that problems would emerge. As a result, the council would bring those problems to the Government's attention and say, "Hey, listen, we think you should do something about this. It might cost you some money." The Government would say, "No, sorry, we know that there are problems but we are not going to spend any money on them because we do not care all that much. We do not mind that there are problems and we do not think that it is possible for us to sort them out, nor are we particularly interested." That is the other aspect of this whole sorry story.

The insensitivity of the Government through not caring about the people whom it was looking after and its sheer, miserable parsimony led to the sorts of decisions that prevented the council from conducting its activities. How else could the Department of Health decide not to approach Cabinet to purchase unmarked cars so that council members could move around the community as directed and, instead, insist that council members use marked cars from the departmental car pool and then, after further correspondence, inform the council that the request had later been referred to Cabinet and rejected? Why would Health Department officers be privy to Cabinet business related to the council when the council itself was not? Why should the council be receiving all its information and instructions second hand from the department? How else except with Government connivance could the Under Secretary of the Health Department notify the council that it was eventually to be located in a mid-city tower block adjacent to the Health Department building? The under secretary and the Minister must have had a good laugh when, in January 1988—two years after its formation—the council moved to the fourteenth floor of that building. They must have found that really humorous. The council had specifically requested unpretentious, wheelchair-accessible quarters in an inner-suburban location near transport. The council is now on the fourteenth floor of a building in the middle of the city with no access for the people whom it is trying to assist. Why was an autonomous body prevented from gaining appropriate accommodation?

If a client or the parent of a client went to see the council with a complaint or query about the deinstitutionalisation program or an activity of the department and, as he was entering the council's building next door to the Health Department, he saw a

council member leaving the departmental car park driving a departmental car, what would he think? So much for the autonomous body!

How would that person feel about proceeding with his planned visit to the council? Would he be trusting enough to believe, as he had been told, that he would be safe voicing a complaint about the department or against the Intellectual Handicap Services to a council member, or asking searching questions about supervision arrangements at the alternative living establishment in which the disabled relative had been placed? How would a person feel if he was told that the council, as an autonomous body, was in no way subject to the authority or scrutiny of the department, or that the department had no access to the council's records or correspondence and that whatever business was conducted with the council would be confidential? I suspect that a person would be very suspicious of those assurances, because they would not be valid. They were certainly not seen to be valid, because even at that time there was a really big interest in making sure that all the council's activities were completely inside the activities of the department and barely distinguishable from them.

It was quite obvious that the Government had every intention that the council would work hand in glove with the department. Instead of being its watch-dog, it actually became, under the harassment of this Government, its pet puppy.

Not content with taking over the council's staff selection processes, delaying new officers commencing employment, failing to provide premises, equipment and resources, interfering with internal office procedures and jointly bullying and denigrating the council, the Health Department went so far as to tamper with the council's first annual report. The financial information in the report was considered by the Minister to lack appropriate detail, so it was supplied by the Health Department in a format of the department's choosing. Then, although the Minister had provided no directions or information for inclusion, he directed that the report be revised and did not place it before the Parliament within the period stipulated in the Act. That was in contravention of the Government's own legislation.

Did the Minister hear that last statement? It was that the first annual report of the council was directed by the Minister to be revised and that he did not take the report to the Parliament within the period stipulated in the Act. The report was finally tabled in the council. Various things then intervened such as elections, and obviously nobody takes any notice of minor things such as the activities of a small council.

Finally, Mr Ahern, who became the Minister responsible after the 1986 election, presented the report to Parliament, seven months after it was delivered to Mr Austin. The only modification that he asked for was that the criticisms that were up front in the original report actually be peppered throughout the report. The council agreed, having given up on this occasion. But it certainly was having real difficulty in getting its message to the people of Queensland and real difficulty in being able to report on his activities, because the Minister obstructed that action. That has to be explained.

Mr Prest: Shame on him.

Mr Sherrin: Oh, you are awake again?

Ms WARNER: I hope the Minister is awake.

Mr Sherrin: When are you going to get on to the Act?

Ms WARNER: This is all part of the Act. This relates to the acts of the Government over a period of time in trying to implement this Act. Well may the Minister yawn. Obviously he has been asleep. The Government has been asleep.

Mr Sherrin: Get on to the legislation.

Ms WARNER: I will get to the legislation in Committee; do not worry about it. Right now I am speaking about the implementation of the intellectually——

Mr DEPUTY SPEAKER (Mr Row): Order! The member for South Brisbane cannot just take control of the debate in the Chamber and decide what subject will be discussed.

I am inclined to agree with the Minister that she has made very little reference to the legislation before the House. I have allowed her to continue because I believed some of the remarks were probably relevant. However, I would suggest that, in summing up, she refer to the legislation to a greater extent than she has.

Ms WARNER: I will now repeat that what I am talking about is the implementation of the Intellectually Handicapped Citizens Act and the effect that the Intellectually Handicapped Citizens Act Amendment Bill will have on the original legislation.

Mr DEPUTY SPEAKER: Order! I ask the honourable member to make more reference to the amendment.

Ms WARNER: That is precisely what I am speaking about.

After all this difficulty, the council struggled on, desperately trying to meet its commitments to its clients, vainly attempting to gain the ear of its Minister, firing off letters, increasingly urgent in tone, and persisting in what must have seemed a futile effort to maintain its autonomy in the face of a regular barrage of questions from intrusive public servants any time money was mentioned.

In mid-1987, the council was informed that no extra people were likely to be appointed, so the council should reduce its workload and also cease raising public expectations by holding information sessions and telling everyone about the legislation. The council was now to consider only those applications it knew to be urgent. It was to hold fewer meetings and thus cut down on its administrative workload and costs. This was happening to a fledgling organisation in only its second year of operation. It was an organisation created by special legislation, ostensibly in response to a long-felt community need. It is an organisation which, by virtue of the very decency of its purpose, deserves all the help and support its Government can offer.

Interestingly, the council never felt obstructed or harassed by people from within the Intellectual Handicap Services, and throughout, the two groups maintained a pleasant and productive working relationship. But top Health Department personnel seemed never to comprehend the separate status that the Act conferred on the council, nor the need for or purpose of that status. Perhaps at the time the feeling between the IHS and the Health Department was that the IHS felt itself wrongly placed in the Health Department. Perhaps those two groups shared the council's enthusiasm for the transfer that then occurred from the Health Department to the Family Services Department in 1987.

However, disappointment and disillusionment were to follow that transfer, because the positive changes that were hoped for never eventuated. Maybe the Family Services Minister was displeased with a council member's complaint about the low level of care and service being provided by the Intellectual Handicap Services. This complaint included a comparison of funding rates for servicing the needs of disabled people in Queensland and Western Australia and pointed out that, although Western Australia's population was only three-fifths that of Queensland, the relevant Budget allocations were reversed. By that I mean that Queensland's 1987-88 Budget offering to care for people with a disability was only three-fifths of the amount provided in the Budget of Western Australia. Queensland's population is 2.5 million, whereas Western Australia's is 1.5 million, but Queensland's provision for the disabled was $33m whereas Western Australia's amounted to $54m. Those figures speak for themselves and tell the whole story.

The department reacted to that complaint by withdrawing the already minimal financial authority that had previously been delegated to the executive officer. It tried to influence the nature of public meetings conducted by the council and even cautioned the chairman against making controversial press statements. Many more occurrences led the council to believe that it was never going to be allowed to function freely and independently, or to be of real value either to its intellectually disabled clients or to the people of Queensland generally.

Interference in the council's activities occurred in many ways. The forms it took were as follows: attempting to politicise the council by replacing an outgoing member with a National Party appointment who had previously held a senior position in the Family Services Department—and that actually happened; attempting to present a political public image by making the council include a photograph of the Minister in its proposed advertising brochure; tampering with the modus operandi of the Legal Friend against the previously expressed wishes of the council, and without reference to it; jeopardising a complex legal case by refusing to pay air fares for specialised legal counsel to represent clients in Maryborough—a subject to which I will refer in greater detail later; failing to seek advice or input regarding proposed amendments to the Act from the very council that administers the Act, in spite of the fact that the council sent considerable information anyway in the hope that its knowledge might be put to some use; and the Minister personally appointing all eight members and the chairman to a new task force that is designed to seek community input and improve services to disabled people, although four of those task force members were supposed to be nominated by the organisations they represent. The person appointed by the Minister to chair the task force was the National Party member for Aspley.

Mr Sherrin: And she's doing a magnificent job, too. She is very well supported by the wider community.

Ms WARNER: I am really pleased to hear that. While the Minister has a task force in operation, why is it that he now thinks it is appropriate to bring forward this legislation without having engaged in proper consultation and without the benefit of a report from the task force that he set up?

Mr Sherrin: You are wrong.

Ms WARNER: Why?

Mr Sherrin: Because there has been consultation with the council.

Ms WARNER: Who has had consultation?

Mr Sherrin: The council.

Ms WARNER: Oh, good—the council that the Minister actually destroyed at the end of last year!

Mr Sherrin: The council is still there.

Ms WARNER: That is what you did, not me. The Minister picked all the councillors and I suspect he did a good job accidentally and with a good wind behind him. He suddenly realised that people could actually provide assistance for the intellectually disabled. He changed the rules. That is what he has done; he has changed the rules.

Mr Sherrin: Five weeks ago, you were trying to smear the councillors in the *Sunday Mail.* I saved your bacon on that one.

Ms WARNER: Oh, big deal!

Mr Sherrin: You were heading for a court case and I saved your bacon.

Ms WARNER: That is very good because I will examine some of those issues presently.

Mr Sherrin: I notice you do it under the protection of the House.

Ms WARNER: I am going to examine them right now. I do not need the protection of the Minister. I suspect that, if the Minister were to look at his own precarious position, he may be better advised.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member will address the Chair and refer to the Bill.

Ms WARNER: I will refer to the Bill, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Otherwise I will ask the honourable member to resume her seat.

Ms WARNER: I seek protection from the Chair against the Minister's interjections.

Much more can be said about the saga of ministerial and departmental manipulation and obstruction, but the clock indicates that my time is limited to two minutes before the luncheon adjournment. I will be returning to this topic after the recess, when I will have even more revolting and disturbing stories to tell about what is going on in the Minister's department. I will be referring to a matter to which the Minister has already alluded, that is, what is happening in the department in terms of the deinstitutionalisation process, which is a very controversial issue.

Mr Sherrin: You are going to smear more people who have a handicap, are you?

Ms WARNER: I will not smear anyone. I am trying to tell the truth and that may very well hurt the Minister, who would not necessarily be comfortable recognising the efforts that he, his Government and his predecessors have made. In the past, previous Ministers and this Government have made a debacle of this area of responsibility.

Having said that, I state categorically that I believe, together with a number of professionals who serve the needs of people who have an intellectual disability, that the best possible care of handicapped people is to be found within the community. I believe also that, as much as possible, provision should be made for the inclusion of all human beings in society so that they may live a full and rewarding life, unconstrained by restrictions that are a feature of life in an institution. Over a period, in this field and in other areas of responsibility, the understanding has emerged that, if this society wants to refer to itself as truly humane, steps have to be taken to ensure that people are not locked up in what are virtual prisons simply because people think that handicapped people are not the same as everybody else. That is exactly what has occurred over a long period. The issues that have to be dealt with concerning people in institutions are very seriously distressing for those involved.

Having said that, I urge the Government and society to take very great care in relocating inmates outside these institutions in an attempt to provide handicapped people with a high quality of life in the community.

Sitting suspended from 1 to 2.30 p.m.

PRIVILEGE

Premier's Misleading of House

Mr WARBURTON (Sandgate) (2.30 p.m.): I rise on a matter of privilege. I bring to your attention, Mr Deputy Speaker, that this morning the Premier misled the House. He told the House that the rate of unemployment in Queensland for March 1989 was 6.7 per cent and also claimed that the ABS figures released today showed that Queensland had the third-lowest unemployment rate in Australia. The truth is that the 6.7 per cent—

Mr AUSTIN: I rise to a point of order. I fail to see how that is a matter of privilege. The honourable member has to make——

Mr DEPUTY SPEAKER (Mr Row): Order! I will determine whether or not this is a matter of privilege after the honourable member has finished speaking.

Mr WARBURTON: I have almost concluded. The truth is that the 6.7 per cent referred to by the Premier is Queensland's male unemployment rate for March. He did not include the female rate of over 8 per cent. I conclude by saying that the true unemployment rate is 7.4 per cent, and the Premier's deceit on this issue is a true indication of his position in respect of honesty and accountability in Government.

Mr DEPUTY SPEAKER: Order! The matter referred to by the member for Sandgate could have been the subject of a statement in the House and I fail to see how he is personally affected. Therefore, I will not accept this as a matter of privilege, and suggest that he make a statement in the House at the appropriate time.

Mr WARBURTON: I rise to a point of order. Surely, there is nothing more important than the Premier of Queensland misleading the Parliament of Queensland. I submit that it is a matter of privilege that has suddenly arisen.

Mr DEPUTY SPEAKER: Order! I will refer the matter to Mr Speaker who will advise the honourable member whether or not his statement amounts to a matter of privilege.

INTELLECTUALLY HANDICAPPED CITIZENS ACT AMENDMENT BILL

Second Reading

Debate resumed.

Ms WARNER (South Brisbane) (2.32 p.m.): Before the luncheon recess I referred to the deinstitutionalisation program which involves settling groups of disabled people who have previously been living in institutions into ordinary community dwellings with varying, but supposedly appropriate levels of support. This enables them to build useful, happy and normal lives for themselves as regular community members.

The idea is excellent, but some caution and care have to be taken in implementing deinstitutionalisation. A number of things must be taken into account: firstly, the cost of dwellings, maintenance, staff, etc.; secondly, the suitability of clients and the dwellings; thirdly, the compatibility of residents with each other and their neighbours; fourthly, there must be supervision to ensure that residents' health and safety and respect for neighbours' rights are taken account of; and, fifthly, the clients themselves must be prepared for the changes resulting from moving into the community.

Because the amount of money that the Government is prepared to outlay for this truly progressive concept is critical to its success, I will outline some of the results of the deinstitutionalisation program to date. Honourable members will then be able to judge for themselves the real level of the support and commitment that this Government has given to the program. In addition, honourable members will be able to judge the fairness of the department's expectations of the staff involved in the program and gain a clear view of the reasons for staff members' continuous concerns and requests for more care workers and resources generally. Raw figures by themselves—which often sound substantial in terms of the rate of deinstitutionalisation—can be used to obscure the real story; a story of Government parsimony and neglect. The Government has used vast sums of money to gain publicity for this program, but has simultaneously starved the Intellectual Handicap Services and the Intellectually Handicapped Citizens Council of Queensland of the day-to-day working capital that would enable the overall programs for intellectually handicapped persons to achieve their objectives.

Leaving funding to one side, I turn now to look at some of the decisions that have been made in terms of the suitability of some clients for relocation outside the sheltered atmosphere of the institution, whilst bearing in mind their particular and individual needs. The department claims that, in order to determine a client's suitability for community placement, input is obtained from everyone involved with that client. However, there are complaints on record from medical officers, nurses, residential care workers and even family members who say that they are not properly consulted in the decision-making process. In addition, there is evidence to show that clients themselves are frequently not consulted.

For example, one medical officer was disciplined for daring to disagree with the department's decision to send a client to an alternative living establishment, although this client suffered chronic and serious ill health that required regular medical treatment

and occasional hospitalisation. It would be okay to send that person to an alternative living establishment if it could be ensured that regular medical treatment was available in those new surroundings and that hospitalisation, where necessary, could occur. That is not happening, and it is causing major problems. Another medical officer's recommendations were totally ignored in at least two cases, where both clients had ongoing and potentially serious health problems and one was actually awaiting surgery. The care officers—those people who, together with nursing staff, work most closely with clients—claim that their views are rarely sought and even when they are sought, they are ignored.

The Government must ensure that enough care and attention is paid to consultative processes in what is a very difficult and sensitive environment where many people will have unnecessary complaints. People will complain about change, wherever and however it occurs.

Mr Sherrin interjected.

Ms WARNER: No, I do not think so. I think there was another reason why the legislation was changed.

Mr Sherrin interjected.

Ms WARNER: I am arguing that the problem faced by this Government all the way down the track——

Mr Sherrin: You called somebody an arsonist; another one was something about a knife attack——

Ms WARNER: No. The Minister has got his facts totally and utterly wrong, as usual.

The Minister should listen very carefully to what people are saying to him, because that is what consultation is all about. The Minister should listen, but so also should people who are involved in the process of deinstitutionalisation so that they can make considered and consultative decisions; not decisions based on minimal information or information which is preferred rather than information which is received.

For instance, when a client with rapidly failing eyesight who had been in the same institution for more than 30 years was recommended for transfer to an Alternative Living Service establishment, no regard was had to the view of the residential care officer that this change could in these circumstances be restrictive to the client. There was no reason why that person should not have gone to an alternative living establishment if that service had been able to provide the variety of necessary support. The transfer meant that that person would no longer be able to wander freely and safely, as he had earlier, but would, of necessity, become dependent on others in a strange environment. The residential care officer involved ventured the opinion that this change would be an act of cruelty. Yet almost the next entry in the file is a letter from the social worker to the client's parents advising them of his pending transfer to an Alternative Living Service placement.

More than once, as a group, nurses in residential settings have written expressing their concerns and anger at the department's pressuring people to move into the community against their will. It is a sensitive problem. It cannot be done just because the department thinks it is a good thing. That leads to its being done insensitively, without proper discussion and without putting the proper mechanisms into place to make these improvements possible.

Nurses have also questioned departmental suggestions that clients' demeanour or behaviour could be said to indicate a personal desire for a more normal life-style, particularly when so many of the people concerned are non-verbal and some are even immobile. The nurses' letters further claim that, despite departmental assurances to the contrary, clients with a history of medical, behavioural and social problems have been sent to the Alternative Living Service. The nurses rightly point out the possible dangerous outcomes, for both clients and other members of the public.

At one stage 15 epileptic clients in alternative living places were spread over 10 different dwellings. Not one of these establishments had 24-hour care and some had supervision for only eight hours a day, 10 days a fortnight. A nursing service report specificially requested 24-hour cover for one Alternative Living Service client who is known to be at risk when without medical supervision. He later collapsed in the bath and was cared for by a neighbour until the ambulance she called for arrived. This same client had also been found wandering at 6.40 p.m. in a local department store, having been missing since 1 o'clock.

There are many more stories of this nature and many more complaints from staff in the field testifying to the nurses' beliefs that people are being removed to new settings without due care and concern for their stability. Worse still, clients' families are generally overlooked in the placement process, being informed only when placement is in the final stages and appears to be irreversible. Thus, clients with inadequate self-care and daily living skills—many who are unable to toilet themselves, prepare meals, clean houses, etc.—have been placed in alternative living quarters with horrendous results and without the necessary and proper back-up care.

At this point it is necessary to point out that clients have to be compatible with one another. In the ordinary community a person does not move in with others simply because some department tells him to. The element of choice has to be considered. Because of a lack of resources, a lack of time and because of other things that I cannot even begin to think of, that process has fallen foul of proper decision-making. People are being moved in together when that should not happen. People who live in institutions often face that problem; the Alternative Living Service is supposed to be an improvement upon institutionalised living. So I ask the department not to mirror it in miniature outside of the institutions as, thereby, it is defeating the very purpose for which the deinstitutionalisation process was initiated in the first place.

Just like everyone else, intellectually disabled people prefer some people to others. Just as other honourable members and I would not accept shared accommodation with someone we did not like, neither should others be forced to do so. There is no excuse for the department's thrusting together people who have stated their dislike for each other and whose behaviour has indicated such a dislike. Despite this, the central office complaint book is full of tales of fights, arguments, screaming matches, tantrums, injuries, swearing and abuse. In short, people are showing dissatisfaction with their living arrangements. Often the officers who attend these incidents file, as part of their reports, comments from the people involved. These can be very telling. I will read some to the House—

> "M.S. states does not want to live with P.D.
>
> Still problems between N.B. and R.J.
>
> Client says wants to go back to CTC.
>
> Neighbour called . . . noise, fighting, bad language . . . R.T. and R.J. having an altercation . . . residents noisy disruptive . . . this has been going on for four years and nothing has been done about it.
>
> Neighbour called . . . men in . . . Street were wrecking home again.
>
> Neighbour complains she has been abused by Mr X."

All of those instances are from the files of the Minister's own department. Also on record is the case of a young man who lost 30 kilograms in weight, partly through an undiagnosed illness and partly through being too intimidated by another resident, who threatened him each time he tried to eat. In addition, others have had past unsuccessful community experiences. That young man whom I just mentioned was a fairly physically fit person with mild intellectual impairment who was placed in an alternative living establishment. After suffering from an undiagnosed illness for six months and after frequent trips to the Ipswich hospital and appointments with doctors, although seeing

different doctors on every occasion—that creates a problem in monitoring a disease—this person who was in no position to look after himself after a major operation——

Mr DEPUTY SPEAKER (Mr Row): Order! Is the honourable member for South Brisbane claiming that the instances to which she is referring are not provided for in the amendments in the Bill before the House?

Ms WARNER: Yes.

Mr DEPUTY SPEAKER: I hope the honourable member is. I wish she would refer to the Bill occasionally. I have been wondering if she will ever refer to the legislation.

Mr Sherrin: She has 32 minutes left to deal with the Bill.

Ms WARNER: I have a right to discuss the consequences of the inadequate legislation that is now before the House and that will allow this sort of thing to occur unchecked. As a result of this legislation there will be no autonomous body which could sensitively intervene in these circumstances.

In the instance I gave of the man losing 30 kilograms in weight, the Intellectually Handicapped Citizens Council did try to intervene in order to rectify the problem. It prevented a further deterioration and the possible death of the man concerned. That is the situation I am talking about. It is very pertinent, relevant and germane to the legislation before the House. If honourable members and the Deputy Speaker cannot see that, I think that we require some sort of investigation into the intellectual abilities of the people in this House.

Mr Sherrin: You are treating a serious issue very flippantly.

Ms WARNER: I am not treating the matter with any levity whatsoever. In fact, I am receiving a considerable degree of harassment, as was experienced by the council from time to time, which I outlined this morning.

Time and time again, complaints are received about the behaviour of particular clients in and around the neighbourhoods in which they have been placed. There is not yet the adequate social and community support that can intervene in that situation with some sensitivity and overcome the problem. Things are getting out of hand because of a lack of resourcing and a lack of commitment within the department. I would go so far as to say that at this stage, with successive Ministers who do not understand the portfolio, the department has lost its way in respect of the whole question of deinstitutionalisation. That will lead to a level of human tragedy, which is probably more important than the Minister's smart-arse comments in this House.

Mr DEPUTY SPEAKER (Mr Row): Order!

Ms WARNER: I withdraw.

Mr DEPUTY SPEAKER: Order! The comment that the member for South Brisbane made is totally unparliamentary. In view of the fact that she has failed to refer to the legislation before the House, and in view of her comment, I ask her to finish her speech.

Mr Davis interjected.

Mr DEPUTY SPEAKER: Order! I ask the honourable member for South Brisbane to withdraw the comment and apologise. I also ask her to be brief and conclude her speech.

Ms WARNER: I withdraw the comment and say "smart alec".

However, from time to time, complaints are made about the process which is occurring in Queensland and the levels of staff that are available from the department to ensure that the exercise is carried out in the proper way. The problem for the staff who are operating the system is that there is heavy pressure upon them for their required skills.

Debate interrupted.

PRIVILEGE

Premier's Misleading of House

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (2.48 p.m.): I rise on a matter of privilege. I understand that the member for Sandgate has made an allegation in this place by way of privilege that I may have misled the House on the issue of today's unemployment statistics.

I have had that serious allegation checked. I have found that the honourable member for Sandgate has misunderstood the statistics. I have not misunderstood them. He appears to have misinterpreted the figures in respect of seasonally adjusted figures, which are the figures that I always quote and which are accurate.

I table the schedule which sets out the figures and I seek leave of the House to incorporate it in *Hansard.*

Leave granted.

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

UNEMPLOYMENT—Seasonally Adjusted

	March 1989 %	Feb 1989 %	Feb 1988 %
N.S.W.	6.6	6.7	7.4
VICT.	5.0	5.8	6.1
QLD	6.7	7.5	9.0
S.A.	7.0	8.1	8.6
W.A.	5.8	5.8	7.6
TAS.	9.7	10.8	9.6
AUST.	6.2	6.7	7.5

The number of unemployed in Queensland over the 12 month period ending March 1989 fell by 25,500 to 90,300. Nationally there was a fall of 91,700 to 501,300.

Queensland's contribution to the fall in unemployment was to take 28% off the nation's unemployed.

Queensland has the third highest unemployment rate after Tasmania and South Australia. It is only 0.1% higher than New South Wales.

EMPLOYMENT

As of March 1989 the number employed in Queensland was 1,251,400. Compared with the same period last year there has been an increase of 77,400 persons or 32.5%. In other words more than one third of all jobs created in Australia over the past 12 months have been in Queensland.

For the month of February the number of persons employed dropped by 15,700 or by 1.1%.

The trend was the same across Australia and nationally there was a decrease in the numbers employed of 47,900, down 0.6%.

YOUTH UNEMPLOYMENT

	March 1989 %	Feb. 1989 %	Feb. 1988 %
N.S.W.	14.5	18.1	17.8
VICT.	14.7	19.8	16.1
QLD.	16.0	22.2	26.7
S.A.	14.2	19.9	20.9
W.A.	13.2	15.8	19.5
TAS.	22.8	33.4	27.6
AUST.	14.8	17.2	19.5

Queensland has the second highest youth unemployment rate. There were 5,900 young people looking for their first job making a total of 15,200 young people looking for work.

Since March 1988 there has been a decline of 9,500, and since February 1989, a decline of 6,200 in the number of young people looking for work.

INTELLECTUALLY HANDICAPPED CITIZENS ACT AMENDMENT BILL

Second Reading

Debate resumed.

Ms WARNER (South Brisbane) (2.50 p.m.): In spite of the distractions which are being thrust in my path at every moment, I will continue with an examination of the process of deinstitutionalisation.

The problem with the process that is going on at the moment is that people in the community and staff members within the Minister's department are losing confidence in the competence with which the program is being implemented. I suggest to the Minister that some care and some amendment to the way in which the process is being conducted are required.

I reiterate that I have a deep commitment to the process of deinstitutionalisation and that I have a firm desire to see that process conducted properly for the best outcome for all the people concerned. The best outcome is that there are no disasters such as people losing 30 kilograms of weight six months after they are placed outside of an institution.

Mr Sherrin: It was disgraceful.

Ms WARNER: It was a totally disgraceful episode within the department, and one that requires some kind of public illumination. One of the problems that the Minister is obviously responding to is not the problem that the people who come under the services of his department are experiencing but the problem that he is experiencing in terms of having those matters uncovered. The existence of the council was one mechanism by which those matters could be uncovered for the public to have some input into what was going wrong within that area. That is why the Minister is rushing the legislation through before his task force has even come to a determination.

Mr Sherrin: Are you talking to the Bill?

Ms WARNER: Yes, I am talking to this particular Bill.

Mr Sherrin: You haven't yet.

Ms WARNER: That is simply not true. I reject that level of inane criticism with absolutely no basis in fact that has been repeated throughout my speech. When debating legislation, it is perfectly pertinent to talk about the reason why the Government is introducing it, which is what I am doing. The reason why it is being brought in is to cover up the sorts of unacceptable and seamy incidents that are occurring within the Minister's department from time to time. The Minister has stacked the department with persons of his own ilk, persons who do not have an independent level of compassion for people with an intellectual disability. They do not have an independent and public-spirited view of life so that they will move to correct wrongs wherever they occur. The sort of people whom he moved onto the council are not those sort of people at all. Their qualifications are that they have specific National Party backgrounds and that they will do what the Government wants. However, just in case they did not do that, the Government has actually removed the powers of the council, so that in the future, even if the Government were to get as good a chairman as it had the last time, he would not be able to do the excellent work that Mr Lionel Rackley did.

Mr Sherrin: You insulted him before. You called him lazy.

Ms WARNER: The Minister might be interested to note that Mr Lionel Rackley feels very commended by the fact that I have taken up a lot of the criticisms that he has of the Minister's department.

Mr Sherrin: I wondered who prepared your brief. It sounded too good for you.

Ms WARNER: I am glad that the Minister recognises that my speech is somewhat careful in its construction and somewhat detailed in its understanding of what is going on within the Minister's own department and area of responsibility.

I will return to the whole question of deinstitutionalisation. The Government has now taken away the watch-dog, the access that the public has and that right-minded people in the community have of knowing what is going on and being able to address what is going on. The position now is that only the Minister and his department are going to be totally responsible.

Frankly, given the incidents that have occurred over a long period, we can have no confidence in the fact that the Minister alone is responsible or that the department itself is responsible. There needs to be an independent watch-dog. There needs to be a situation in which others can intervene where injustice is occurring. That is the whole nature of accountability. Of course, accountability has never been a strong point with the National Party, as everyone was to find out during the Fitzgerald inquiry.

The staff have complained many times that the roster system that is used for the deinstitutionalisation process, the Alternative Living Service, is inadequate and that frequently houses which supposedly have full night supervision by an officer are just not covered because that one officer is rostered to cover three dwellings at the time that he or she should be covering one dwelling.

Officers also tell of houses that have 24-hour cover on paper but which in reality receive nowhere near that amount because of the low staff numbers and the department's constant refusal to increase them. Low staff numbers are also partly to blame for the poor preparation that clients receive before embarking on their new lives outside the institution. Care officers, being so thin on the ground, now no longer have time to set up and then implement extensive readiness programs.

So low are staff numbers now that, apart from having very few learning sessions, clients have considerable time on their hands. So not only do they not gain new skills but also they lose established ones. They also become bored, which tends to lead to unacceptable behaviour such as self-mutilation, absconding and vandalism.

Too many clients who, in the past, had five days of programs now have only two, and often it has been the off-campus programs that are withdrawn. This means that apart from the remaining clients being confined to the centre seven days a week, every week of the year, those with a chance to move out cannot be given the necessary real world preparation.

Honourable members have heard some terrible and tragic stories. But, believe me, there are many more stories far more terrible that have not been told, and perhaps it would not be helpful to tell them all. However, the fact is that there needs to be somebody who cares and somebody who has the information to be able to intervene in these situations on behalf of people who cannot look after themselves.

I suggest that one of the reasons why the Minister has such a cavalier attitude and such a dismissive attitude towards people who have an intellectual disability is that he thinks there are no votes involved. So much for the Minister's understanding of Christian charity. So much for his understanding of just basic humanity, which seems to me to be lacking in everything that I have explained about what the department has been doing over a long period.

The council was, and would be if it were not for the introduction of this piece of legislation, a means by which the activities of the department and the personal living conditions of people who have an intellectual disability, could be examined, monitored, amended and changed. However, this piece of legislation has been introduced in haste.

The Minister's reason for introducing the legislation, which is that the backlog must be cleared, is totally inaccurate because even with the introduction of this Bill, the Government will not actually be addressing the backlog of cases that it has unless it introduces some new resources to assist with the paperwork that is associated with those cases.

The problem that the council had was not the legislation itself. The problem that the council had in terms of handling the number of cases involved was the lack of resources. Changing the legislation itself will not assist unless the Government introduces and makes available those resources that have been lacking in the past.

This legislation completely destroys—completely emasculates—the intent and purpose of the original legislation to the point, I suggest, of not actually being necessary at all. I mean, why have an Intellectually Handicapped Citizens Council at all when the department can do the job by itself? There is nothing significantly different now about the mechanism that the Government has. The Government might just as well have the chief executive of the department, together with a departmental entourage, doing the jobs that the council will be doing under the new amendments.

It seems to me that what started off as a great experiment, with the best of intentions, has ended in a farce and a shoving sideways, a tragedy of a failed attempt. It is a very sad day for this Parliament and for Queensland that what was such a brave idea in 1985 has degenerated into this little pip-squeak of a lap-dog when it could have been such a brave watch-dog.

Mr STEPHAN (Gympie) (2.59 p.m.): I support the Bill and compliment the Minister on his elevation to and his handling of the Family Services portfolio. In his second-reading speech, he stated—

> "This Bill does not alter the fundamental thrust of the existing legislation which is designed to assist, in the least restrictive way, adults who are so severely limited in their functional competence by reason of intellectual impairment that they cannot get by satisfactorily without the special assistance provided under the Act."

Having heard the comments by the honourable member for South Brisbane, I wonder whether she thought there was anything positive done by the Government and the Department of Family Services. From what she said, it appeared that there was nothing positive in the legislation or in the role that is being played by the Government. Honourable members are aware that the Government is playing a positive role. The honourable member's speech will be noted for its derogatory statements and for its negative attitude.

Mr Davis: In other words, we are not supposed to criticise?

Mr STEPHAN: I am not saying that Opposition members are not supposed to criticise; I am saying that nothing positive could be found in the speech made by the Opposition spokesman. Even Mr Davis would admit that positive initiatives can be found in the legislation, and those aspects should be highlighted. Honourable members will find that many members of the community are willing to provide assistance.

Mr Davis: I thought this was what Parliament was all about.

Mr STEPHAN: It is. I am not saying that, at times, criticisms should not be made. Criticism can be offered when it is warranted. However, Opposition members should not adopt a negative attitude towards everything and make derogatory statements, as the honourable member for South Brisbane did earlier.

As I said, many members of the community are able to assist, and they are doing an excellent job. At present, members of the Opposition are trying to disrupt my speech. I do not know whether they are frightened of positive statements or whether they are concerned that they might find out that everything is not as they would imagine.

Under the Bill, the Intellectually Handicapped Citizens Council has certain wider statutory functions, that is, to promote public information and understanding of intellectually handicapped citizens and to assist and encourage efforts to improve their quality of life. The council may appoint advisory committees to advise it on any matter within the scope of its functions, and it has established five such committees. A number of areas have been identified. That is an example of the positive achievements to which I referred earlier.

Since the legislation was planned, a number of non-Government organisations have been established with the aim of improving the quality of life of intellectually disabled persons and advocating on behalf of such persons. A number of these receive Commonwealth funding for that purpose.

In December 1987, Intellectual Handicap Services was merged with the Department of Family Services. The role of promoting public information and understanding of intellectual handicap is consistent with the department's new direction, which seeks to facilitate an extended role by non-Government organisations in the provision of services to families and individuals. Honourable members can read the annual report of the Intellectually Handicapped Citizens Council of Queensland. In it they will find some of the many benefits that have been achieved.

The fact that Opposition members do not want to read the reports and to take part in what has happened indicates that they have closed minds. It is evident that they are not looking towards the future, and I feel sorry for them.

Mr Milliner: Is everything all right in Gympie now?

Mr STEPHAN: Everything is not all right everywhere. However, a great deal of support and assistance is being provided in many areas.

Assistance is provided by many organisations, including Red Cross, which plays a very important role. The Red Cross activity centre was established essentially for the purpose of providing assistance. Both young and old people have a great desire to give their time to others. The people who work at the Red Cross activity centre are persons who have in fact given some of their time to assist and to offer advice when it is required. If Opposition members took the time to investigate the activities carried out by community organisations, they would be proud of the work that is done by them.

Mr Wells: How do you spell "platitude"? Never mind.

Mr STEPHAN: I am sorry that I cannot hear the honourable member.

Many community organisations go out of their way to contribute to many programs. The Volunteer Friends Program, which has already commenced, has a long way to go. The very positive attitude of that organisation will establish it as a means of providing much-needed assistance. The Volunteer Friends Program is essentially a social support offered in partnership with the community. Strategies to recruit volunteers are inextricably linked with the need to establish a high public profile of the Intellectually Handicapped Citizens Council's activities. Staff are therefore actively involved in fostering community awareness and understanding of the needs of citizens with an intellectual disability.

Citizens with challenging behaviours, who present difficulties for direct care staff, have responded positively to a one-to-one relationship. There is no better program under which to establish such a relationship than there is in the environment offered under the program.

Volunteer friends have provided opportunities for individual citizens to experience new leisure activities and to receive personal assistance and support. One should not ignore the fact that there is scope to give assistance by providing leisure activities. Many people are able to gain confidence and to meet new friends. Incentive is given to citizens to speak more clearly, to learn new words and to extend their personal networks.

Volunteer friends have assisted citizens to learn through realistic community experiences such as sharing hobbies or particular interests. Those volunteers provide

support and encouragement. Volunteer friends also have provided individuals with greater options for personal decision-making and choice. The friendships that have been established through the program have produced many indirect benefits such as community education, less stress on service-providers or families and the introduction of new concepts. Those are important benefits to those people who are committed to the positive presentation and community integration of people with intellectual disabilities.

During the past couple of decades the outlook for people with intellectual disabilities has changed very significantly for the better. Many intellectually handicapped citizens who lived under the close care and protection of their families or within the confines of an institution are now living in a range of accommodation that is essentially part of the community. They experience the joys and problems of being house-holders and community members. That involves some responsibility towards themselves and others and towards property belonging to themselves and others, usually with the assistance of family members or live-in or rostered care-givers.

As to children—community integration means attending schools and participating in activities such as being scouts or guides or members of sporting clubs. I am sure that all honourable members would wish to see handicapped children enjoying those opportunities.

Because of the obvious implications, the matter becomes more complex when one considers people over the age of 18 years who, under our law, are adults. As participating members of the community they pay rent or make mortgage payments, pay electricity and telephone bills, go shopping, make choices and meet with many other people. They also travel on trains and buses and access community recreational facilities. They use hospitals, pharmacies and banks, just as other citizens do. To their credit, people with disabilities have proved themselves capable of achieving many things.

Those developments are to the credit of our society and the hard-working organisations that have made those developments possible. That there may be a lack of acceptance of people who look or speak rather differently from most people is a sad reflection on our society. It is important to recognise the real strengths of people with intellectual disabilities and the limitations that place them at a disadvantage in many facets of ordinary life. Although it is possibly more difficult to speak with and relate to people with disabilities, a little bit of effort is required on our part.

This legislation has the potential to provide practical help in many situations, particularly in the case of intellectually disabled adults who have no family support readily available to them.

Intellectually disabled people need help and support in dealing with an increasingly complex world. When many choices are available, like anyone else those people need to be able to rely on informed advice and have certain aspects explained to them. Because they may have difficulties with the written word or more complex legal, medical or financial information, without assistance those people may find themselves embarking on an unsatisfactory course. They are also at risk of exploitation by some unscrupulous sections of society and need to be protected from them.

The provision of the Legal Friend has been of assistance. The Legal Friend assists people in decisions about whether or not they should have operations, whether to stay where they are or move out, whether or not they must pay for things that they want to buy or rent and what to do when talking to the police, ambulancemen or people of that nature. Honourable members might consider those activities to be everyday functions, but for intellectually handicapped citizens that is not necessarily so.

The outstanding aspect of this legislation is its emphasis on providing that help without undue interference, providing individual self-development, helping people to help themselves and supplementing their network of family and friends with other assistance if necessary. There has also been a recognition that people may change and be capable of taking on more responsibility for their lives as time goes on.

In the past society has tended to regard disabled people as inevitably dependent. As a result, the measures that are taken to provide for them are often very restrictive. This legislation has stressed the importance of choosing the least restrictive alternative for each individual.

We must be aware that, like everybody else, intellectually disabled people grow older and therefore suffer a reduction in their ability to cope with living. They are also more likely to be separated from the family contacts of their younger years. What the Act refers to as "functional competence" may change for the worse or the better as their social supports decrease. Therefore, it is important that flexible mechanisms are put in place to enable assistance to be increased or reduced as necessary.

The Bill allows for the appointment of suitably qualified or experienced volunteers throughout the State who will form panels to hear applications and reviews and provide their reports and recommendations to the council. The membership of the Intellectually Handicapped Citizens Council will be increased.

I have no doubt that this legislation will play a positive role in assisting intellectually handicapped people.

Mr McELLIGOTT (Thuringowa) (3.15 p.m.): In my contribution to the debate this afternoon I certainly do not intend to be critical of the Government. In fact, I want to commence by making two positive statements. The first is that at least in this debate we are talking about intellectually handicapped people, their concerns and problems.

Not very many years ago—I guess it is only in about the last five years—society and Governments in general started to take note of this unfortunate section of our society. They have been variously called the forgotten people. From time to time, newspapers and other sections of the media highlight the very real problems that people suffering an intellectual handicap or disability have. I make the point that at least today we are seeking to assist this section of our society.

Even with the best will in the world, the problems of society will not be solved simply by legislating. Whether we are prepared to accept it or not, all of the improvements that are suggested by the legislation will not amount to very much unless they are accompanied by appropriate resources. The cliches about independent living, support services and so on do not mean very much unless they are accompanied by the resources to make those things possible. The member for Gympie, who has just resumed his seat, spoke about helping people to help themselves. Again, I make the point that unless the finances and the resources are available to provide the helpers, that good-sounding policy will not come to very much. I repeat that at least today we are talking about legislation that may assist in this general direction.

I mentioned that this section of society has been largely forgotten. I want to include in that category what I consider to be an emerging group, that is, those people—and they generally seem to be younger people—who are suffering brain injury. Unfortunately, the numbers are increasing, mainly as a result of the rising number of accidents on the road, but also for other reasons.

I can recall a young girl of about nine years of age in my electorate who suffered an electric shock through faulty electric wiring in a house. She simply went into the garden to turn off a tap and she suffered a massive electric shock that left her with severe brain injuries. In more recent times, many, many more examples of that type of thing have come to the fore.

Of course, the health system can only cater for those people to a certain degree. The hospitals do all they possibly can for those people, but some of them reach the stage, as this young girl did, at which they are left in a state of virtual coma. In such cases, any caring parents will seek to do as much as they possibly can for the child. But without massive resources the parents' ability to assist is very, very limited indeed.

Unfortunately, or fortunately, depending on the circumstances and one's point of view, from my experience it appears that some tender loving care and a degree of therapy

produces sufficient positive results to encourage those parents to seek to continue the treatment. As I said, the opportunities and the resources in Queensland in particular are very, very limited. It is a great challenge to Government and community groups that are working in this field to come to grips with what I believe will be an increasing problem. It is a very sad situation. I am sure that most members of this place have had experience with circumstances similar to those that I have described. As a member of Parliament, I find it very disappointing indeed to ring the various agencies and be told that very little can be done to assist those people.

As I said, hard though it may be, if nothing can be done for the child, parents can accept it. However, from the examples that I have seen, it is usual that just sufficient progress is being made by the person to encourage the parents to go on. They then start to search frantically for assistance. Unfortunately, that assistance tends not to be available.

My second positive comment is that the legislation, the care and concern for intellectually handicapped people are now under the banner of Family Services, which, in my opinion, is where it should always have been. It has been long-standing Labor policy to transfer the needs of the intellectually handicapped out of the health system. It was never a matter that should have been the concern of the health system. Of course, intellectually handicapped people in our community are not necessarily in need of medical care, although they do place the same demands on the health care system as other people in society do. They do not require the health care system to provide support services and facilities.

I express concern at the Minister's proposal that support for the various programs should come through the Department of Family Services. Although I accept his point that the department is appropriately placed to perform these functions, it is my experience that that department and its officers throughout the State are already substantially overworked and underresourced. In common with other members of this place, I receive many calls for assistance by the department, which is not always available when it is needed. That happens simply because the department and its staff are overworked and underresourced. That means that assistance is not forthcoming.

Mr Sherrin: We have significantly increased the resources in your particular area.

Mr McELLIGOTT: I was about to make the point that from where I sit in this place on the Opposition benches I would certainly encourage the Government to give the highest possible priority to Family Services. We in the Labor Party are often accused of having a hand-out mentality. I for one am pleased to stand up and say that I believe that some people in our society who, for one reason or another, cannot look after themselves need the support of Governments and Government agencies. Those unfortunate people in our community deserve that assistance when they need it. If additional functions are to be passed on to the Department of Family Services, it certainly needs to be adequately resourced.

I have previously welcomed the regionalisation of the departmental structure. I agree that, given that structure, the department is ideally placed to play its role in the administration of services for the intellectually disabled. Provided that sufficient resources are given to the department, I would certainly encourage the Government to proceed in that direction.

For the balance of my contribution to the debate, I wish to mention particulars of a case-study involving parents of a disabled adult person in Townsville. I do so because I believe it highlights the need for the provision of resources, services and facilities in north Queensland. I said that I did not intend to be critical of the Government, so I simply point out—as representatives of northern electorates must from time to time—that, because of the distances involved, people in the northern regions of this State cannot obtain ready access to services and facilities that exist in the metropolitan area. My observations disclose, and this case-study confirms, that those difficulties are experienced by people involved with intellectually handicapped people.

The handicapped person is a 23-year-old adult named Gary. He is severely handicapped and, because of his unpredictable behaviour pattern, his parents have always had to fight for the provision of appropriate services in Townsville that will suit his needs. Until he reached the age of almost 19, Gary attended the Endeavour school. During that time, difficulties were encountered mainly because the school's program did not adequately cater for his needs. At the end of 1983, he finished the Endeavour program but then the real problems started.

Absolutely no services at all were available for him until May 1984 when Gary attended the Endeavour Adult Training Centre on a part-time basis in conjunction with the Kith and Kids program. In 1985, Gary graduated and attended the Endeavour Adult Training Centre full-time and his training proceeded quite satisfactorily. On 14 May 1986 his parents received a telephone call indicating that, because of his behaviour, their son could no longer attend the centre. In short, management and staff could no longer handle him and his attendance was terminated. For the following six weeks, his parents were provided with no service at all. Eventually, Gary was taken back into the Kith and Kids program because, even though this was not really the proper place for him, it was better than nothing,

His parents are the type of caring people I referred to earlier. They took the matter up with Professor Paul Berry and Dr Paul Gannon at the James Cook University's special education department. In July 1987, the Federal Government funded the Townsville Independence Program for Adult Community Living and took Gary on as its first client. The program caters for moderately to severely intellectually disabled adults who are not being catered for by any other agency. The program was a result of the work that had been carried out by Professor Berry and Dr Gannon. People with similar disabilities to those suffered by Gary are now able to receive the services to which they are entitled. Gary attends this program five days a week from 9 a.m. to 3 p.m. and has made considerable progress because, for the first time in his life, he has found a program that has been designed specifically to meet his needs. Up till the program commenced, Gary's case had always been put into the too-hard basket by those who provided the services.

In a submission Gary's parents made to the task force, they called for attention to be given to three main issues that concern people about services provided for handicapped and disabled people in Townsville. Firstly, they mentioned long-term or permanent accommodation. The second aspect was the provision of respite care. The third area of concern was the provision of work options and supportive employment.

I am informed that there is absolutely no long-term accommodation available in Townsville. Gary's parents have made the point that Townsville is a long way from Brisbane and that it is a disgrace that no facilities are available in north Queensland. People involved in the independence program have said that Gary needs long-term accommodation so that he can continue his training. Obviously, he should not have to leave a program that meets his day-to-day needs simply to obtain accommodation in the southern part of the State which will not include a training program. I understand that the independence program conducted in Townsville is the only one of its type that is available in Queensland. Gary's parents rely on the program because they are getting older and find it increasingly more difficult to cope with a 23-year-old man who has severe behaviourial problems. Gary cannot be left alone and his parents cannot get any help at all. His parents say that they nearly go out of their minds with worry when they think about who will look after Gary if something happens to them. They believe that neither parent could cope on his or her own.

Gary's parents do not think it is right that he should have to move to the southern part of the State to find permanent accommodation, but that is the position as it stands at the moment. They say that Townsville needs a place in the community that can accommodate four or five people and the provision of full-time supervision.

The submission made by Gary's parents refers to the provision of respite care on a short-term basis, for example, during a week-end or overnight. No services of that type are available in Townsville at present which means that they do not have the

opportunity to go out as husband and wife on their own. They cannot find anyone who can mind a 23-year-old man who has behaviourial problems. The federally funded program finishes at 3 p.m. daily, as I mentioned earlier, which means that Gary's parents have to organise their life so that they can pick their son up every day at that time. Of course, that is a great inconvenience and it causes massive disruption to their social life—if, indeed, they have any social life at all.

Long-term accommodation is available only in the Sauter Street Intellectual Handicap Services House. I understand that it is very difficult to obtain that type of accommodation. Apparently when Gary's parents obtain a placement, they find that there are insufficient staff rostered on duty at critical times and that staff is not sufficiently trained to handle Gary's problems. For example, apparently one untrained staff member on duty in the mornings has to handle five clients, some of whom require special attention.

Gary's parents also strongly urge the employment of male RCOs in centres administered by the Intellectual Handicap Services because they believe it is inappropriate for young females to assist the bathing of male adult clients. They are also concerned that in order to obtain a specific placement, bookings have to be made 12 months in advance, which means that planning holidays is a difficult matter, and that is most unsatisfactory. Apparently, because such a great demand for respite care exists, clients cannot be accommodated on the basis of compatibility. Because that is the case, clients become bored and trouble occurs as a result. During Gary's last stay in the Sauter Street House, Gary had three outings in three weeks because of the incompatibility of clients and the low staff-to-client ratio.

They make another interesting comment about reports and state—

> "Reports take too long to come and we don't get to meet the people who compile them—often they have left I.H.S. before we get the report—staff turnover is very high. Each report we receive from Sauter Street tells us what a problem our son is--makes us feel like not using the service, but it is all that is available, and so we have no option."

Again, their opinion of what is needed is a variety of options of respite care and also out-of-hours and emergency care. The suggested solutions that Mr and Mrs Kirkman have offered to the task force are as follows—

> "1. Expansion of all I.H.S. services in North Queensland. What we have up here in the way of I.H.S. services is pathetic compared with the services available in the South.
>
> 2. We feel that a structured survey of all people with an intellectual disability in North Queensland should be conducted, to obtain their needs now and in the future, and a list compiled of services required. This should then give the Government the required information on services required, and the most pressing needs, and services could then be set in motion to serve these needs.
>
> 3. All existing agencies operating in Townsville should work more closely together for the benefit of all clients. Maybe a co-ordinator needs to be appointed to oversee this operation and obtain the best services for everyone involved—services should fit the person and not the person fit the service.
>
> Possibly a sharing of staff, equipment, and clients could result when the appropriate occasion arises. The ideal would be a service system which is co-ordinated and integrated with generic agencies wherever possible.
>
> 4. A State Government community awareness programme should be implemented in the North, so that the general community have a better understanding of the intellectually handicapped, and therefore more opportunities would result for these people to live a dignified lifestyle which they are entitled to. They should be able to fit into the general community, instead of being pushed into the background in groups where they stand out from the norm.

> Money should be made available to business, so that intellectually disabled people have the opportunity to be trained to work in supported employment—within their ability—in the community. This also needs to be co-ordinated properly, so these people are not taken advantage of by unscrupulous operators.
>
> We are often made to feel that we should be grateful for the services we are receiving for our son. We feel this is a disgrace. We are entitled to some sort of normal lifestyle and he has the right to appropriate services and a quality of life—we should not be treated like second class citizens—after all 'Disability is a Human Rights Issue'."

That makes the point very strongly that there is a need for dignity amongst the disabled throughout Queensland. It is not a service that can be provided without considerable expenditure of funds. I am encouraged by the Minister's interjection that Budget allocations have been substantially increased, but I make the point that the demand on these services is also increasing very dramatically. In particular, the problem of intellectually disabled adult persons is one that must be resolved so that media features referring to the unwanted section of Queensland's society do not appear. This is a very real cause and, although I welcome this legislation, I make the point again that social, welfare and family services problems cannot be legislated away. Any legislation must be backed up by resources and services.

The Opposition spokesperson questioned the fact that this legislation has been introduced prior to the task force handing down its report. I also find that a little strange and hope that the work of the task force has not been restricted in any way.

Mr Sherrin: I will address that issue in my reply.

Mr McELLIGOTT: I simply make the point that I hope that the work of the task force has not been restricted in any way. I expect that the task force will identify the need for legislative change, in which case it would have been appropriate to have had the benefit of its report before legislation was debated in this House.

Mrs GAMIN (South Coast) (3.34 p.m.): I am pleased to be given the opportunity to participate in this debate and support the Minister in the introduction of this Bill to amend the Intellectually Handicapped Citizens Act.

The Minister has touched upon a number of amendments to the Intellectually Handicapped Citizens Council of Queensland. There will be a refocusing of the council's functions, the elimination of duplication and overlap with other agencies and the introduction of flexibility that will allow the council to be better placed to address the cases that are currently awaiting its consideration. Much of this refocusing is based on matters raised in the council's 1987-88 report. Since it commenced operation, the council has completed hearing 367 cases and has 379 unconsidered cases on hand. In its report the council states—

> "The pressing need to amend sections of the Intellectually Handicapped Citizens Act, to enable the Council to better cope with administration of the legislation, became more apparent during the year. This became evident with applications increasing in large proportions, compulsory two-yearly reviews looming and the knowledge that many more people with an intellectual disability are reaching majority and coming within the Council's charter. It is envisaged that an outcome of advice . . . will be that suitable amendments will be introduced to Parliament in the coming year to allow the existing structure of the Council to be appropriately altered."

This is the reason why the House is debating these amendments.

The council needs to be better placed to address the backlog of hearings. This Bill increases its membership from five members to a minimum of seven, with provision for this number to be further increased if necessary. The council will be able to hear and determine proceedings when a quorum of at least half of its members is present.

I am particularly interested in the proposal to establish community panels of suitably qualified or experienced persons who will hear initial applications and reviews and

provide recommendations to the council for decision. To date I understand that members of the council have travelled round the State to conduct hearings. This has been an important feature which has avoided the need for intellectually handicapped people to travel to Brisbane. That will not be precluded in the future and members of the council can be involved in deliberations at the community panel level. However, this important proposed initiative will make appropriate use of the expertise and experience that is present in many of Queensland's communities. In addition it will provide a local perspective on matters affecting the intellectually disabled and enable consideration to be given to the provision of local support. Just as importantly, it will provide members of the local community with some insight into the issues and workings of the council and result in more effective liaison.

It is pleasing to see the Minister planning to broaden the range of the council and to be doing so by utilising community experience on a Statewide basis. I have long held the firm belief that assistance, experience, advice and expertise in many fields are all out there in the general community. Many people will be delighted to come forward and offer their help. They will come from all age groups and all walks of life. They will find it very rewarding to give something back, as it were, to the community by way of practical assistance to those who are intellectually disabled. I note that there is provision for the necessary training of such panel members.

Among our widespread Queensland population there are many people with an intellectual disability; they look first to their immediate families and then to their communities for assistance. Too often, solutions seem to be forthcoming from far away in Brisbane. Even from my own area of the Gold Coast, which is 90 kilometres and a one-hour drive away, it is often difficult and daunting for families of the intellectually disabled to get to the capital city. Of course, it is infinitely worse for those who live much further away.

The proposal to establish community panels and community back-up is therefore a very timely one and I congratulate the Honourable the Minister on this initiative. Another excellent aspect of this initiative is the capacity for the panel to get some on-the-spot information from families and other persons who have been providing care and other services to a person with an intellectual disability.

Although a panel will provide its recommendations on a case, nothing will prevent the council from seeking additional information from panels or, indeed, from making its own further inquiries on particular cases before reaching its decision. It is envisaged that, in certain cases, a member of the council may serve as a member of a panel. The formation of panels has the potential to speed up significantly the finalisation of applications and reviews.

It is also noted that other amendments to the Act focus on the comfort, the well-being and, where necessary, the protection of the person with an intellectual disability.

Taking over the council's financial and administrative functions will enable the Department of Family Services to concentrate on its primary function of determining applications and reviewing cases. The department will seek to promote public information and understanding of the needs of persons with intellectual disability and assist and encourage efforts to improve their quality of life. This will be done in partnership with non-Government organisations and other agencies which are committed to similar goals.

Although in Queensland we still have much to do in this field, we are seriously addressing the problems associated with intellectual disability and we lead all the other Australian States in the efforts we are making in this regard. I support the Bill and I commend the Minister for its introduction.

Mr WELLS (Murrumba) (3.41 p.m.): It is a pity that the Honourable the Minister's first Bill should be such a bad one. A few years ago, back in 1985, the National Party Government made a very serious mistake—it introduced a good Bill. It took three years for the Government to decide to change it and four years to bring in the necessary legislation, but now at last the Honourable the Minister for Family Services has brought

the National Party back to its historical mission, that is, putting worse rather than better legislation on the statute-book of Queensland.

It was back in 1985 that another Minister, Mr Brian Austin, the member for Nicklin and Minister for Finance, but then Minister for Health, introduced this legislation into the House. That was a good piece of legislation, one that gave to the community the opportunity to take advantage of the facilities which were available, and of the opportunities which existed, to improve the lives of people with intellectual disabilities. That Minister, the Minister for Finance, then the Minister for Health, is a man beside whom the Honourable the Minister for Family Services appears as a man of deep conservatism. The Minister for Finance, Brian Austin—there is a name to conjure with, there is a man from whom the milk of human kindness drips. In comparison, we have the Honourable the Minister for Family Services coming in and reducing the quality of life and the standard of facilities and services available to people with intellectual disabilities.

In the few brief remarks that I intend to make, I wish to address some of the machinery of the legislation and, in doing so, justify my claim that this is a particularly bad Bill. I wish to talk about the reconstitution of the council and the endangerment of the civil liberties of people with intellectual disabilities. In the course of doing that, I will be shown that this Bill has so many serious demerits that the Government ought not to have brought it in at this stage, and particularly not brought it in, as is the case, without adequate consultation with the relevant community groups. In its most poignant aspect, the machinery of this Bill is designed to turn the council into a body unincorporate. What is a body unincorporate? It is much more than a body that simply cannot put the term "Inc" after its name. In this case it is a body with no access to finance; it has no finance of its own. Without the power of the purse, bodies like this cannot function effectively; they can be no more than a rubber stamp for the Government of the day.

The council will no longer be the quasi-autonomous body that it was under the previous, enlightened legislation set up by the Minister for Finance, then the Minister for Health. Under this legislation the council will have no officers; it will not employ anybody. Therefore, it will be thrown back on the resources of the department. The council will have no executive officer and there will be no accountability to the council of the Legal Friend. The council will have no finances and it will be stocked with people with impeccable National Party credentials.

This all adds up to the return to the Minister and to the Government of the day of power over the lives of people with intellectual disabilities. The Intellectually Handicapped Citizens Council will no longer be seen as a community body; it will be seen as part of the Government. The council will no longer be able to retain confidential information, because the confidential information of the council becomes departmental information.

Mr Sherrin: That is rubbish as well.

Mr WELLS: It will become departmental information.

Mr Sherrin: They are totally separate.

Mr WELLS: I would like the Honourable the Minister to explain how it ceases to be departmental information, as his public servants will be processing it.

Mr DEPUTY SPEAKER (Mr Row): Order! I remind the House that the person speaking can make points. Sometimes it is not necessary for the Minister handling the Bill to interject; an explanation can be given in his reply. If possible, it is far more appropriate to do it that way.

Mr WELLS: I thank you for your very wise ruling, Mr Deputy Speaker.

Mrs Chapman: You are not saying that the Department of Family Services leaks, are you?

Mr WELLS: With your indulgence, Mr Deputy Speaker, I will take that interjection.

It is well known throughout Queensland that every department leaks. Every department leaks in a Government that is seen to be a sinking ship. Even though the Government has rearranged the deck chairs and put this new Minister on the front bench by giving him this weighty portfolio, which he is endeavouring so vainly to prosecute, nevertheless, there will be no change to that basic proposition. The ship of State is being run aground by virtue of the incompetence, the ineptitude and, ultimately, the total and unretrievable incapacity of Government members to govern.

Mr Sherrin: Don't you love the sound of your own voice.

Mr WELLS: It is at least better than the Minister's.

This confidential information will, of course, become departmental information. Because the council will have no officers of its own, it will have to rely on departmental officers to keep the information.

The next consequence is that the council, as a direct result of this Bill, has no power to direct the Legal Friend to assume an advocacy role. In the old days, the council was able to direct the Legal Friend to pursue an advocacy role to take up the grievances of assisted people under the Act. No longer will the council be in a position to do that, because it will not be in a position to direct the Legal Friend. In other words, without any money, the council will be impotent to act either in defence of or proactively on behalf of people with intellectual disabilities.

That is the first point that I would like to make; that is to say that the council has been stripped of those powers which it needs to effectively prosecute the interests of people with intellectual disabilities.

The second point I wish to make relates to the civil liberties of people with intellectual disabilities. These relate to the new status of the Legal Friend. Under the new legislation, the Legal Friend will now be accountable to the Minister, not to the chief executive of the department or to the council. The Legal Friend will be subject to the direction of the Minister.

Another clause of the Bill says that the Legal Friend will be entitled to receive information from medical practitioners. In his second-reading speech, the Minister said—

> "Information provided to the legal friend—for example, by a medical practitioner—will not constitute unprofessional conduct or a breach of professional ethics."

That means that the Minister has that confidential information. Since the Legal Friend must report directly to the Minister and since the confidential information may now, by this statute, be passed to the Legal Friend, obviously the chain of command has it that the information will be available to the Minister. That is an undue invasion of the rights, the civil liberties and the right to privacy of people with intellectual disabilities.

The council has no power to order the legal representation of people with intellectual disabilities, which is a very serious derogation of the powers that were previously enjoyed by the council. Of course, if the council is stripped of money, it is no longer in a position to be able to direct legal representation for anybody. If a person does not have any money, that person cannot have legal representation. Because he is not in a position to conduct the case for himself and he does not have access to the money, that citizen does not have an effective right to legal representation.

The next point I raise again relates to the civil liberties of people with intellectual disabilities. Because information will no longer be kept at the council, it will all be on Government files.

The last point that I make is that the Legal Friend has the power, prior to the person coming under this Act, to transfer the estate of the person with the intellectual disability to the Public Trustee. I do not wish to detract from the valuable work of the Public Trustee, but it is known that some people take quite exceptional pains to avoid their estate ending up in the hands of the Public Trustee. The danger that that will be more likely to occur is a danger that is exacerbated by the amendments to the Act.

My second point, therefore, is that the civil liberties of people with intellectual disabilities are greatly detracted from by these amendments.

The third point I wish to make is one which was touched on by the shadow Minister, the member for South Brisbane, and also in the speech of the honourable member for Thuringowa when they made the point that this piece of legislation was coming in during the currency of the work of the Nelson task force. This task force, which presumably is commanded by "General" Nelson, has not yet given its report. It may or may not introduce matter which is germane to the subject of this Bill. However, in either case, what is the point of going off half charged with a Bill while there is outstanding information that one of the Minister's own people is trying to bring in?

Honourable members see this Minister——

Mr Sherrin: There is no relationship. It is machinery. The task force does not impinge on this.

Mr WELLS: The Minister says that the task force is not concerned with machinery—

Mr Sherrin interjected.

Mr WELLS: I did not hear the Minister's interjection.

Mr Sherrin: Have you read the terms and objectives of the task force?

Mr WELLS: Yes, I have.

If the Minister thinks that he can have in isolation, in some ideal abstract world, a category of machinery and then another category of something else, I have news for him. I must tell the Minister that legislative machinery is what affects the lives of these people. The legislative machinery that the Government sets up is immediately relevant to the lives of these people.

The present Minister has taken over a statute from his predecessor of much greater stature, has introduced legislation to amend negatively and for the worse that piece of legislation produced by his predecessor, and has done this pre-emptively so as to get it in and passed before anything can be done about it by his putative successor. So on the whole this is a bad Bill. It is a Bill which does no good for the people in whose interests it is supposed to be being enacted. It is a Bill which does not reflect well upon this Parliament and which does not reflect well upon the Minister responsible.

Mr WHITE (Redcliffe) (3.54 p.m.): The Liberal Party has had discussions about this matter. Unfortunately, I have to say that some of the organisations which I understand have concerns about this legislation have certainly not made their views known or made any representations to me or, to my knowledge, to my colleagues.

The Liberal Party sees no great problem with the legislation. It is certainly an area which is very difficult to administer. No matter what one does in the field of the disabled, one is never right. It is extremely difficult to arrive at solutions that satisfy all the people involved. For the benefit of the organisations which I understand have concerns about the legislation, I simply state that members of the Liberal Party will certainly keep an open mind about it and, if problems arise in relation to it in the future, those problems will be taken on board with a view to reviewing the Act at a later date.

In 1981 I had the privilege of being the Minister responsible for the International Year of Disabled Persons. During that year I certainly gained a greater understanding of the need for major changes not only in attitude but also in so many facets of life, whether it be transportation, access, community services or, most important of all, getting the message across to the community as a whole that people who have either physical or intellectual disabilities have a significant role to play in society and need our understanding, our care and certainly our willingness to assist people who are, unfortunately, disabled in some shape or form.

I think it is fair to say that the International Year of Disabled Persons created an awareness—and I suppose that is what the Government was trying to achieve—that disabled people, irrespective of their background, are not second-class citizens but are indeed like other citizens in the community who have special needs. It is important that Governments in particular recognise those needs.

I think it is fair to say also that there has been some significant improvement in that regard. I detect a greater understanding in the community. Many of the biases that have been inherent in society have changed. That does not embrace the whole community because, unfortunately, some people will never change their views. Nevertheless, there is certainly a greater understanding at Government levels of the need to take a special interest and to understand the special needs of the disabled. For that reason, I commend the Government and the Ministers who have been endeavouring in their own way to deal with this matter.

I note with interest that the Opposition has today taken strong exception to the legislation. It is very easy to oppose and to point to problems, because in many areas there are no definitive answers. Nowhere is that more apparent than with disabled and, in particular, intellectually disabled people.

I was very pleased that, in the recent changes in the allocation of ministerial responsibility, the Government at last had the good sense to put this area of administration where it always should have been, that is, in the Department of Family Services. I must admit that one of the things that I endeavoured to do when I was the responsible Minister—as did Mrs Chapman, I believe—was to extricate this area of public administration from the Health Department and place it under the new Department of Family Services.

Mr Hamill: You are still a liberator. Kevin Hooper used to call you a liberator. He said you let prisoners out all over the place.

Mr WHITE: I thank the member for Ipswich. It is always very helpful, when making a contribution to the debate, to receive interjections. I remember the former member for Archerfield with a great deal of affection. I think as time goes on all honourable members have come to realise the important contribution that he made to this Parliament. I just regret that he is not around today to be proven to be right.

I will return to the point that I was making. In my view, it is a great step forward to have that area of administration now under the Department of Family Services.

As I have said, I regret that I have not received representations about this issue from the various organisations involved. For the benefit of any interested persons who are in the public gallery today or who take the trouble to read *Hansard*, I make the point that members of the Liberal Party are ever ready to listen to and talk with them.

Much has been made today about the role of the council, particularly in regard to its independence and the removal of the council's corporate entity, putting it more or less under the direct purview of the Minister concerned. I make the point that, in the final analysis, whether the council is as proposed or as a corporate entity as it is under the present structure in the Act as we know it, the responsibility bounces back on the Minister's desk. After all, the Government of the day has been elected to carry out its responsibility, and the Minister in turn is empowered through our democratic procedures to administer the various areas of public responsibility.

To take as an analogy the establishment of the Corrective Services Commission—initially some people took the view that it would get away from ministerial responsibility and that when the new commission took over everything would be well. Of course, honourable members know the reality of that—when something goes wrong it is eventually dumped back in the lap of the Government of the day, and particularly of the Minister. I do not have a great deal of concern about those administrative changes, for the simple reason that, in the final analysis, the Minister is responsible.

The Bill increases the number of members of the council to a minimum of seven, which will be serviced, as is pointed out in the Act, by the department itself. I understand that there are good economic reasons for that, as well as a clearing-up of administrative procedures. The objections to that are ill-founded. Because of my somewhat lengthy association with that department and with the personnel in that department, I can state that I do not have any concern about the ability, dedication or willingness of the people in that department to carry out their responsibilities as they should do. I can understand the initial concern. However, as time goes by people will lose that concern. I certainly hope that will be so. In any case, if it causes a real problem down the line, the Act can always be amended.

From a public administration point of view, many members have been critical of the role of statutory authorities. In my view, many of them have gone off the rails because they do not have direct ministerial accountability. One has only to look at organisations such as Suncorp, the Queensland Tourist and Travel Corporation, the new Queensland Treasury Corporation and the QIDC. They are just a few organisations that come to mind because there is growing concern about their operations. A number of people are saying that there should be greater accountability by those organisations. There are good arguments to support the Government's legislation.

Arguments arise about the duplication of administration. If benefits result from these changes—I think they will—the members of the Liberal Party are prepared to give the legislation a go. As I said, if the legislation does not work, there is the avenue for a review of the Act at a later date. I suspect that this legislation will be reviewed on a regular basis. When one is dealing with the problems of human behaviour, no-one has the answer. The Government cannot legislate to change human behaviour; it can only work within the framework of the limitations of what can be done at any particular time.

The Liberal Party congratulates the Minister on making these moves. I certainly hope and pray that they work out. We are dealing with people who need our special care and attention. If people are concerned, I am sure that they will make their views known in the future.

Mr HAMILL (Ipswich) (4.03 p.m.): It is with some sadness that I join in the debate this afternoon. This Bill is an emasculation of far-sighted and far-reaching legislation that held out great promises when it was brought before this Parliament in 1985. This Bill effectively emasculates the Intellectually Handicapped Citizens Council and returns so much of the real power in the custodianship of intellectually handicapped adults in Queensland back into the realm of the Government department. That truly autonomous body, the Intellectually Handicapped Citizens Council, will no longer exist to provide real and independent support to intellectually handicapped citizens.

The legislation, which is now being amended, was introduced in 1985. At that time the community had a great deal of optimism that a new era was approaching in the development of modern-day attitudes and approaches to the difficulties faced by intellectually handicapped citizens. Even from the outset it was quite evident that the Government was dragging its feet in putting its legislation into place. The principal Act was passed in this Chamber in March 1985.

In August 1986, in my capacity as the Opposition Family Services spokesperson, I asked the then Minister for Health and Environment a question about the establishment of the structures under the Act, which had been passed almost 18 months earlier. At that time I asked the Minister who the executive officer was who had been appointed to serve on the Intellectually Handicapped Citizens Council. I asked how many times the council had met; who the Legal Friend was; whether the Volunteer Friends Program was in place; how many applications had been received by the council and how many applications had been determined by the council. At that time, the Minister responded by informing the House that, even though the Act had been passed in this Chamber in March 1985, it came into effect on 1 January 1986. A delay had occurred.

At the end of August 1986, the council still did not have a permanent executive officer. Applications for that position were to close on 4 August, shortly before my question was asked and almost 18 months after the legislation had been passed. The position of co-ordinator of the Volunteer Friends Program was only then going to be advertised. At that stage—I stress the words "at that stage"—only a small number of applications had been received by the council. That was not surprising, because 18 months after the passage of legislation in this Chamber the council was not up and running.

Here we are, two years after that again, and the Government is seeking to amend the legislation. In his second-reading speech, the Minister cited a reference from last year's annual report of the Intellectually Handicapped Citizens Council. He stated—and I quote it myself—

> "... as like anything which is new and innovative and based on untried theory, it should be expected that there will be shortfalls and shortcomings. It is one thing to put forward certain principles, it is quite another to put those principles into practice."

That is true. Although the Government introduced legislation that was very high sounding and very strong on principle, when it came to putting it into practice the Government was found wanting.

Only a short time after the Act has been in place and operating properly in relation to the structure of the Intellectually Handicapped Citizens Council, the new Minister for Family Services is withdrawing the autonomy and independence which people who had backed the council expected to be the corner-stone of this legislation, which was introduced only four years ago.

This is certainly a retrograde step which the Opposition ought not to have expected. As I have said previously in this House, this Government has been at the frontier in developing modern-day policy initiatives for the care and support of intellectually handicapped persons in the community. This Government very bravely instituted a policy of deinstitutionalisation and normalisation for those persons.

My electorate contains a large number of community households that comprise people who formerly would have been institutionalised in what were nothing better than dark Victorian asylums and institutions. Despite the critics and detractors, by and large the Government has seen that program through, albeit without adequate support staff to properly provide the standard of support and care which any humane society would demand.

Ms Warner: A few mistakes along the way.

Mr HAMILL: There have been a few mistakes along the way.

The Opposition is very understanding. It is prepared to hope that those people who administer those programs will see the error of their ways and correct their course of action.

The former Minister for Welfare Services, Mrs Chapman, is grinning from ear to ear. She was very understanding of Intellectual Handicap Services. Because of the draconian attitude that she adopted to family welfare programs, perhaps I would beg to differ in my opinion of other aspects of her former portfolio. Nevertheless, in relation to caring for those who need support, there was always a soft spot beating in the breast of the honourable member for Pine Rivers.

Mr Beard: Watch your language.

Mr HAMILL: I was referring to her heart. It is rumoured that she has one.

As to the care and support of intellectually handicapped citizens—sadly this Government is turning back the clock. There is no longer autonomy and adventurism in public policy. Rather there is an attitude of, "Let us draw back. Let us take the controls

back to the tried and trusty aegis of a Government department and, with it, the ministerial control."

It is always a challenge for a Minister of the Crown to allow citizens some measure of autonomy and the community to play a more up-front role in policy-making. Obviously this National Party Government regards that policy as dangerous and—dare I say it—most revolutionary. I would have thought that, in an endeavour to continue the process which was put in place some 12 years ago, the new Minister would have adopted a far more responsible course than that which is evidenced by this legislation.

Certainly shortcomings have occurred in the practice of the Intellectually Handicapped Citizens Council. The complaints have been myriad. So many applications for assistance under the Act have not been dealt with. Last year's annual report of the council revealed more unconsidered cases before the council than determinations of the council. Enormous scope exists for the expansion of the operations of the council. However, not one suggestion has been made that the composition of the council was inadequate to deal with the problems; rather that the council was inadequately resourced and had an inadequate discretion to conduct its activities.

Mr Sherrin: No. I will read the section out later.

Mr HAMILL: The new boy Minister for Family Services can say, "No, it was not the case." Why did the Budget papers, which were released before the new boy Minister finally sniffed the leather of office, reveal that $48,000, which had been previously allocated for the conduct of the council's activities in the previous financial year, was carried forward to this financial year? Clearly the Government has been log-rolling in the path of the Intellectually Handicapped Citizens Council. The Government established that council and then, when it saw what it could do and the autonomy that it could exercise, the Government shrieked and fell back upon the tried old formula of, "Let the department take control." One of the corner-stones of this legislation is to give the department that overall tight and fiscal control over the operations of the Intellectually Handicapped Citizens Council.

One has only to consider this Government's financial record in the operation of the council to ascertain the ulterior motive behind this legislation, which was introduced before the Minister became a member of this Parliament. In March 1985 the legislation was introduced into this House, but it was 1 January 1986 before it was put into effect. For the balance of that financial year the princely sum of $21,000 was made available for the operation of the council.

Quite clearly, it was not the Government's intention to have the body up and running in any short space of time. Certainly, in recent times, the budget has expanded for the operations of the council. In fact, for the current financial year some $400,000 is made available. When one considers the enormous workload that has been placed on the council, and which the body as currently constituted has, unfortunately, been unable to remove, that is not a very large sum of money.

Mr Sherrin: It is a 33⅓ per cent increase over the last financial year.

Mr HAMILL: I am pleased that the new boy Minister raised the 33 per cent increase. The Minister falls into the same trap as many Government members do. This morning I heard the Minister's beloved leader announcing the unemployment statistics in Queensland and how they have been slashed. What were they? Twenty per cent or something?

Mr Sherrin: Twenty-seven, I think.

Mr HAMILL: Twenty-seven per cent. I am glad the Minister thinks, because it is more than the Premier did at that time when he failed to read the column that was headed "females" in the unemployment statistics. Rather than Queensland having, as the Premier said, the third-lowest unemployment statistics in Australia, it actually has

the highest. That is the sort of creative numeracy that we have come to expect from members of the National Party.

The 33 per cent increase that this Minister speaks of with respect to the budget for the Intellectually Handicapped Citizens Council this year is a paper figure. If the Minister cared to delve into the Budget papers, he would find that the actual sum of money that has been made available this year in excess of that which was already available is only $50,000. Even a person whose numerical skills are as deficient as those of the Minister for Family Services would realise that $50,000 is well below the 33 per cent increase that he has just been touting.

As I said, this is a very generous Opposition. I am very pleased to accept the Minister's apology for his attempt to deceive it in this basic element of book-keeping. I am a very generous person. The Minister ought to be pleased that I am such a generous person who is prepared to accept his apology.

Mr Beard: Would these two children please stop fighting, Mr Speaker?

Mr HAMILL: It is always good to hear the Liberal Party triangle sounding so far back into the recesses of the Chamber.

The fact that there was a carry-over fund and the fact that the council was unable to discharge its responsibilities smacks more of the fact that the council was not adequately staffed, not that its discretion or its autonomy ought to be compromised by legislation.

I can agree with the statement made by the Intellectually Handicapped Citizens Council in its report. Sure, there will be deficiencies; there will be hiccups. There is a time for review. Unfortunately, the Government has misinterpreted what the council is saying. It is saying, "Look, throw us a life-raft." What does the Government do? It sends out a life-boat and then sinks it. It takes away that fundamental autonomy and in that respect the whole notion of self-respect in relation to individuals' autonomy in dealing with their support and their personal problems.

As I said, I am sad to have to join in this debate this afternoon. I think we all could have expected more from this Minister and from this Government. Certainly, the large number of intellectually handicapped citizens who, through the policies of normalisation and deinstitutionalisation, are living very happy lives in the electorate that I represent will also be very disappointed by this turn-about in the Government's approach to their welfare as citizens of the State.

Mr HENDERSON (Mount Gravatt) (4.19 p.m.): It gives me a great deal of pleasure indeed to join in this debate. The principal reason why I want to speak today is that during the first three years in which I served in this House I was a member of the committee of the Minister the Honourable Brian Austin. The members of that committee put together the legislation that is being amended today.

It is with some degree of sadness that I have to say the original legislation is not working. I do not particularly want to canvass the reasons why it is not working. Nonetheless, the fact of the matter is that it is not working.

Mr Hamill: You didn't give it a fair go.

Mr HENDERSON: Actually, I thought it was given a fairly good go. However, I recognise that there were problems within the council itself. As I said before, I do not want to become personal or searching in my analysis of that problem. I only want to say that I am indeed profoundly sad to have to stand up here today and take part in a debate that is amending the legislation, because in 1986 I had hoped that the council would work. I had hoped for that because I know as well as every other honourable member in this House knows that the ultimate aim in caring for intellectually handicapped people is the maintenance of the greatest amount of dignity, independence and autonomy as possible. I tend to agree that oftentimes when those sorts of responsibilities are invested in departments of State, they tend to become bureaucratised, they tend to become concretised. Nonetheless, whatever they become, I would hope that finally the

welfare of intellectually handicapped people in this State is recognised. I am certain it will.

As yet, I have not had the opportunity of congratulating the honourable member on his elevation to the Ministry. One thing I am certain of is that he brings to the Ministry a profound amount of care and compassion. That is what is required in a Family Services Minister. I am pleased to see that that has happened. Many of the issues that he will be dealing with, including handicapped citizens, require not an intellectual decision but much more a decision based upon an understanding, a care and an empathy with these individuals. We need to see the world through their eyes. I am certain the Minister has that capacity. I congratulate him on his elevation.

In addition to that—and quite independently of this Bill—I add that if ever there was a Family Services Minister who had a great family, it is the current Minister. He has a wonderful wife, Lyndelle, whom I am proud to know, and three really wonderful kids. If ever there was a great advertisement for Queensland families, this Minister is it. I congratulate him on that.

I understand why these amendments are being made. I understand that they are genuinely made with the interests of intellectually handicapped people in this State at heart. I heard the honourable member for South Brisbane say that the Government was not really interested in intellectually handicapped citizens; that it really did not care. That was my understanding of what she said. I want to say that the Minister and I are two people who care. If I did not care, I would not be speaking in support of this legislation. The fact that I participate in this debate indicates that I feel empathy, that I care and that I have compassion for intellectually handicapped citizens in this State.

I place on record that I appreciate the enormous job undertaken by parents in homes throughout Queensland where intellectually handicapped children are cared for. I am sure that all members of Parliament join me in my expression of appreciation. Unfortunately, the praises of this great legion of people go unsung, their efforts are unrewarded and, at times, I think that they are also not appreciated. By providing care at home, the parents of intellectually disabled children save this State and the Federal Government massive amounts of money. The care of an intellectually handicapped relative is a very difficult task indeed.

I appreciate the difficulties because, for a period of four and a half years, I had the opportunity of experiencing a profoundly handicapped relative being cared for at home. It was a 24-hour job and there were no breaks. I understand fully the problems confronting people who care for the disabled at home, but I do not believe that members of this Parliament appreciate the enormous difficulties encountered by parents of disabled children. They not only endure stress and continuous duties of care, but they are also forced to provide the most basic type of care in meeting the needs of their relatives. Unfortunately, however, Government authorities do not seem to appreciate their efforts. For example, when one of my family members gave up his job to care for my relative, all that the Government deemed his efforts were worthy of was $6 a day as a domiciliary allowance. Above and beyond the commitment and sense of duty that members of my family contributed, that amount was all that was received. I found that level of support quite despicable, if not indecent.

As members of Parliament engaging in this debate, let us not forget that people in homes throughout Queensland are providing this magnificent care. Basically, handicapped people should be cared for in the home. If that is possible, I believe it is the responsibility and duty of the State to ensure that that care is maximised, reinforced and properly evaluated. It is not as though the people who provide home care are holding out their hands and asking for massive amounts of money. It is often the case that they are asking for nothing more than a little bit of support. I am pleased to say that the Minister is aware of the need for that support and that the need can be accommodated.

I reiterate that I am saddened by the fact that the council did not work out. A number of people involved in it reflected the very qualities I have referred to during my speech. They were not a group of detached intellectuals or bureaucrats. They were

a group of very committed and well-meaning Queenslanders who were prepared to devote at least part of their lives to providing care for disabled people in Queensland who are undoubtedly worthy of the gesture.

Earlier I mentioned the family unit, but honourable members should not forget that throughout Queensland many hundreds of people are involved in caring for unwanted intellectually handicapped children and adults. I place on record my appreciation of the work being carried on by Handihome at Sunnybank.

One of the major problems associated with intellectually handicapped people is the dilemma that is as old as society itself, that is, granting maximum independence whilst at the same time providing the maximum amount of care. The resolution of that conflict and the balancing of that equation has become central to the philosophy of good government. However, often the dilemma is resolved in an unbalanced way. For example, it is possible to provide too much care. Instead of producing an independent and autonomous individual, too much care fosters the growth of high degrees of dependence which, in the long term, is detrimental to the welfare of intellectually impaired adults in particular.

I also make the point that, when the Government is dealing with intellectually handicapped adult citizens, it is best to err on the side of goodwill and care rather than on the side of providing insufficient care. If any criticism at all could be levelled at this Government, it should be tempered in the light of the fact that at least mistakes are made with the best will in the world and with a view to providing care; that at least the Government's motives are proper and extremely honourable. It is not as though this Government is involved in a grossly indecent campaign designed to strip the Intellectually Handicapped Citizens Council of Queensland of its powers or to exercise power over the lives of individuals. The Government of Queensland is genuinely endeavouring to ensure that intellectually handicapped people enjoy maximum possible independence and autonomy coupled with care. However, the Government does not have unlimited resources which would enable it to provide maximum services. But that statement itself contains a fallacy. The solution to problems experienced by handicapped people is not money. If anyone imagines that the allocation of billions of dollars to the care of intellectually handicapped citizens of this State will solve the problems, that person is profoundly deluded. The problems can only be solved when people recognise that handicapped people are the equivalent of centres of consciousness. They deserve attention and probably seek nothing more nor less from life than appreciation, acceptance and understanding.

Mr McElligott: Didn't you say that you wanted more than $6 a day?

Mr HENDERSON: Yes, I did. I would have thought that that is a worthwhile request to make because I know how important support is.

I want to place the whole Bill in the context of a proposition containing principles that can be argued during the Committee stage. At the outset it should be admitted that any society is uncomfortable with deviance and difference that tends to isolate individuals who do not conform to normative expectations. That seems to be a characteristic of human behaviour and it is not something that is peculiar to Queensland or to the rest of Australia.

Fortunately, since World War II, more particularly since the 1970s, those attitudes have slowly changed. According to an article I came across recently, change has to take place in both quarters. Progress requires a change both on the part of the intellectually handicapped individuals and on the part of society. It is almost a meeting-place of ideas and it is in that meeting-place that problems can be resolved.

What is the central principle which honourable members should be debating in this legislation? I believe that the central principle—one that is well known to all social workers who are involved in the delivery of all aspects of social care in Queensland—

is normalisation. I wish to read out this principle to the House and spend a short time discussing it. The principle states—

> "Normalization may be perceived as both a goal and a process. As a goal, its focus is upon the harmonizing of the attitudes and the behaviours of the disabled and the non disabled. Such harmony it is suggested, can only be achieved by changes in the 'normal' behaviour of both groups. As a process, normalization for the disabled means being able to attempt what is socially and culturally normal, in daily life. Normalization for the non-disabled means acceptance of a wider range of 'normal' behaviours in order to defocus handicap."

I pause there to look at this definition. It states that the normal life-styles of an individual are both a goal and a process. As a goal what must be focused on are the attitudes and behaviours of both the disabled and non-disabled. In other words, they have to be made as normal as possible. As a process, normalisation is an attempt to get both the so-called non-disadvantaged and the disadvantaged people in society to change their attitudes and meet on common ground where each can understand the other.

Therefore, the care of the disabled is not simply a handing out process, but rather a proactive process in which the intellectually handicapped are continually involved within the various functions of society. At the same time, when intellectually handicapped people cannot manage, society must reach out and attempt to provide them with the resources to enable them to manage. When society generally can do both of those things effectively, it has achieved its ultimate goal.

Mr Scott: Are you a lay preacher?

Mr HENDERSON: Why?

Mr Scott: It's just your style—the dark suit, and the words in particular.

Mr HENDERSON: I am not here to preach to anyone, but I would have thought that the care of the intellectually handicapped citizens of this State is something all members should be concerned about. Having been through a similar process myself, I have a very deep commitment to the intellectually handicapped. I can talk from the heart because I have been there. I hope that every member in this House can do the same thing. My speech is based not on my university training but on my own experience, because in the past I have had to care for a handicapped relative. It is a very difficult and lonely existence indeed.

If honourable members look at my maiden speech in this House they will find that many parts of it covered this very topic. Since that time I have pursued this topic at every opportunity. Until a person has had experience of handicapped people, he does not appreciate the difficulties involved. People who have not experienced handicapped people must try to understand, because understanding is what many people need.

When one looks at the problems experienced by the intellectually handicapped in this State, one must recognise that the Intellectually Handicapped Citizens Council of Queensland and the Government are faced with three major problems. As I see it, all three problems involve resolving a dilemma. How does one reconcile the obvious need for protection on the one hand, with exploitation on the other? There is no doubt that many intellectually handicapped citizens of this State are vulnerable to exploitation by other individuals. For example, the housing of intellectually handicapped citizens needs to be investigated.

As honourable members stand in this House today, they know that in Brisbane and throughout Queensland the experimental houses for the intellectually handicapped are little more than hen cages. In many cases three or four people are housed in a single room and there could be anything up to 16 intellectually handicapped people housed in hostel accommodation of one form or another and under the care of only one so-called house-parent. I would have no difficulty in showing honourable members some of these establishments. I am not proud of some of the people who run these houses. The

National Party is campaigning in the electorate of Merthyr and it is not at all difficult to find a number of these establishments in that area. When candidates door-knock in Merthyr they come across several of these places. If honourable members walk down Merthyr Road itself they will discover what I am referring to.

The State Government and the IHCC are faced with resolving this dilemma. To what degree do they protect an individual from exploitation? If they err on the side of overprotection they might end up with a very paternalistic society in which the community states, "You aren't capable of looking after yourself; leave it to us and we will do the looking after for you." On the other hand, if they err on the side of insufficient protection, then intellectually handicapped people will be left open to exploitation. There have been endless social science and welfare papers written on how to resolve this dilemma, but this House must recognise that probably there is no solution to the dilemma, because people and situations differ. Each case must be assessed on its own merits because of these differences, and, in any case, care and protection differ from day to day.

I turn now to consider the problem of food and shelter for the intellectually handicapped. I recognise that the Department of Family Services and all those involved with the intellectually handicapped are aware of the difficulty in resolving this dilemma. How can the basic physical needs of the intellectually handicapped citizens of Queensland be cared for? Probably the best solution is to provide maximum support for home care, but plainly this will place enormous stress upon the parents of handicapped people, which in turn might lead to even greater problems, particularly when parents break down.

One of my colleagues who spoke previously referred to the enormous problem confronting parents of handicapped children as those parents get older. They worry about what will happen to their son or daughter when they die or are no longer able to look after them. This is not an easy dilemma to resolve, because in solving it one could often tread on the toes of independence. For example, does one provide all the basic needs of clothing, food, shelter and so on? If so, in doing that, how does one encourage the individual nonetheless to exercise some degree of independence such as learning how to cook and leaving the home to do shopping, even if they are confined to a wheelchair or whatever? Again, it is very difficult to resolve that dilemma. When criticism is levelled at the work either of the Intellectually Handicapped Citizens Council of Queensland or of groups that care for the intellectually handicapped, be they Government or private, I think it is important that we recognise that many of the criticisms lie in the fact that one person's view of what constitutes the resolution of the problem is quite different from another's. Quite often the difference is nothing more than that we disagree on the amount of independence that an individual should have.

Every individual likes to be a productive individual in society. So once again we are faced with the problem of to what extent should we encourage the individual to become a productive member of society. That raises the basic philosophy of sheltered workshops, where people can be placed to do various kinds of work. But every individual wants to be a productive, contributing member of society. Part of the problem, and part of the criticism that we hear in this Parliament and in the community in general, arises because people differ on the degree of productivity that should be expected from other members of our local community.

In setting the framework for what I am about to say next, what I am trying to say is that we have a dilemma the resolution of which will not be solved by politics, by money or by do-gooders running around wanting to do this or that. What will solve it is assessing each individual as fully as possible and then tailor-making a living program that is suited to the needs of that individual. How can that be done? The cost is enormous, but at least the Government is making an effort. As I said, I commend the Minister and his department for wanting to make that effort.

In the last couple of minutes available to me, I want to remind the House of the needs that all individuals have. As I am running through these needs I shall pause briefly and ask: how are these needs being met in terms of the intellectually handicapped citizens

of this State? I am not here to give the House a lecture on personality development or social psychology. I am trying to encourage people to see that this Bill is making an attempt to resolve a dilemma by at least looking at some of these points.

As we know, human beings require certain inputs in order for them to be as fully functional as possible. I am about to look at some of the inputs we require. First of all, every human being requires a sense of being loved. This is a major problem with intellectually handicapped citizens. How can they be given the security that arises from the sense that they are loved, wanted and cared for? In the institutional circumstances to which I heard the honourable member for Ipswich refer, it is true that in the past we have erred to the point of putting people away in institutions where they have groups of people looking after them. As a result, the intellectually handicapped have been starved of a basic, loving environment in which to be brought up. However, the other side of the coin is also true. If one looks at a number of intellectually handicapped citizens in this State, one finds that they are in a highly protected environment—probably deeply loved and so on—but that is also equally damaging to them. Nonetheless, wherever they are, we must remember that these individuals, as human beings, are entitled to some love and understanding.

The second principle is, as I said before, that these people have to be accepted. Acceptance is a two-way street. The individual has to get into his own mind that he has to take positive steps to be accepted, but we have to make sure that the community does not set standards that make it impossible for the intellectually handicapped citizen to be accepted. In other words, it is a meeting place; we come together as a group of people and work out the mutual grounds on which we accept one another. I say to this House and to the Intellectually Handicapped Citizens Council of Queensland that, to their great credit, there were a number of people who were genuinely interested in, and genuinely committed to, trying to resolve that problem in the lives of individuals. Now that some of these powers are being taken away from the council and vested in the Department of Family Services, I am certain that those people will equally commit themselves to that type of acceptance. It will be difficult. I do not know the solution to the problem, nor does anyone else, but a commitment to at least attempt it is important. Because the Honourable the Minister holds the electorate next to mine and because I have seen him at work, I can say with some degree of assurance that at least he will make the commitment.

The next point I wish to make is that each of us has to see some sort of purpose to our lives. If we do not see that, we degenerate into a sense of hopelessness and purposelessness in life. What one notices when interacting with intellectually handicapped people is that quite often they have a hopelessness about them and have almost become vegetables. The people I know on the Intellectually Handicapped Citizens Council of Queensland and the people I know who are working with intellectually handicapped citizens understand the importance of that problem and are committing themselves in a positive way to giving these people something to live for and a meaning within their lives.

Another thing that is important if we are to be fully functional human beings is that we have to feel that we have an impact on the environment in which we live. One of the worst things that can be done to people is to take away from them their dignity, their being able to feel as though they are wanted and needed. At times there is a tendency to push the intellectually handicapped people of this State into a corner and simply say, "What can I do for you?", without looking at them and saying, "What can I do to help you to help yourself?" That is really the question. When people start asking that question, they encourage individuals to change the circumstances of their own living environment. Therefore, we must ensure that the intellectually handicapped citizens of this State are able to have an impact on their environment. One of the things that I admired about some of the people on the Intellectually Handicapped Citizens Council of Queensland was that they recognised the need to talk to those people. I am certain that under the Honourable Craig Sherrin, Minister for Family Services, that will be the

attitude that the department will adopt: what do you want us to do? It will talk to them and open lines of communication.

Another important characteristic of a fully functional human being is that he must sense that he has an ability to do something. If ever honourable members feel that they are unable to do something, often they feel a sense of fear. As we are dealing with the intellectually handicapped citizens of this State, we often notice that many of their problems arise from the fact that they are in situations in which there is a high degree of inability to achieve something.

That brings me back to something that I said earlier. Whilst we are challenging the intellectually handicapped to meet us on common ground, nonetheless, we have often set those goals so unrealistically high that in getting them to come that far and to have an impact on the environment, and to sense in themselves that they have the ability to do something, we are encouraging a sense of failure. It is from that sense of failure that we get fear and dependency. Again, I believe that was a commitment that many of the people on the council had, for which I admired them.

The other criterion to be a fully functional human being is that we all must feel important in some way or other. We have to feel that people respect us and that we have a sense of dignity about us. I hope that, as the Department of Family Services takes over the care of these individuals, at all times we can impart to them the sense that they are important to us as a community and as a department of State; that we want to do something to help them; that their needs are something to which we respond in a positive way.

Finally, in the midst of all of that, the total environment in which we all function and live is an environment of trust. Unfortunately, as I said previously, the issue has to some degree been politicised. One of the biggest problems, as I see it, in this transitional period is to build up that sense of trust. When the sense of trust is built up, we can start meeting in the middle, start forging a path ahead and start asking what we can do to help one another.

All of that suggests to me that the Honourable the Minister really has a difficult road ahead. However, that road is only difficult to the extent that we are not prepared to go out and talk to people and meet them on common ground. If all we have in life is asking people to come from there to here, instead of us coming together and meeting in a common interest, which is the intellectually handicapped citizens of this State, the road will be difficult.

I have tremendous pleasure in supporting the Bill. This is an issue that is of enormous interest to me. I hope that I addressed it in a manner that at least conveyed to this House that I have a care and a compassion for intellectually handicapped citizens. I will be watching what happens with this Bill. I fully understand what the honourable member for South Brisbane has said, that is, that when the autonomy, the independence and the dignity of the council is taken away and vested in a Government department, a possibility exists that it may become impersonal, detached and uncaring. If that happens, I shall be one of the first to stand up in this House and speak against it. If anyone knows that it is happening, I would be delighted to join them in speaking against it.

Mr BEARD (Mount Isa—Deputy Leader of the Liberal Party) (4.49 p.m.): I have been following the debate on the Bill with considerable interest. At the outset, I have to say that we have people of great goodwill in all three parties in the House, and I think the objectives of all three are pretty common. Perhaps their positions are a lot closer than they think. Certainly, the way that Mr Henderson finished his speech, with an assurance to the member for South Brisbane that he would watch very closely the concerns he validly expressed and that he would be the first one to voice criticism in the House, is recorded in *Hansard*. If the position ever changes, I guess that he will be held to his assurance.

The outfit that has been mentioned, Queensland Advocacy Incorporated, with which I have been in communication, has expressed some very valid concerns about the Bill, which I have read, but I will not rehash, because they have been expressed by others. It is sufficient to say that concern has been validly expressed, particularly as far as it concerns the replacement of the previous chairman of the Intellectually Handicapped Citizens Council, Mr Lionel Rackley, by Mr Neville Collins. I hasten to add that I have known Mr Neville Collins for some 37 years and have a great admiration, respect and fondness for him. I say nothing whatsoever against him. However, I accept as valid the comments that have been made in various quarters that the termination of the appointment of the previous incumbent does lead to some concern. I will leave it at that.

Mr Sherrin: His term expired. He wasn't sacked or terminated.

Mr BEARD: I did not say "sacked". I will re-express it. When his term expired, he was not reappointed. The flavour of what I was saying is still the same, regardless of the words.

My colleague the member for Redcliffe has expressed the Liberal Party's position on the Bill. I will not go through that again.

Ms Warner: Your colleague for Redcliffe suggested he hadn't been contacted by any interest groups on this issue, but he understood that your leader was.

Mr BEARD: I do not speak for anyone. I speak for myself and I speak for my party's position.

On the principle that one picture is worth a thousand words, Mr McElligott, the member for Thuringowa, painted a very effective picture earlier in the debate. In running through the case study of Gary, who lives in his electorate in Townsville, and in expressing the concerns of that boy's parents, he really set the scene for the whole picture of what we need to do for intellectually handicapped citizens in this State. I listened with a great deal of sympathy. Like every member of this House, I have intellectually handicapped citizens in my electorate. Their parents, their friends, their relatives and they themselves come and speak to me. Sometimes I feel quite despairing about what will be done to help those people, because that gnawing fear in the belly, that certain knowledge that one day both parents will die and concern for what will happen to that child just cannot be overcome. Our society to this stage has not established sufficient networks to remove that fear. This is true in trumps when one gets away from the capital cities and into the smaller areas of the country. Mr McElligott cited a case that was a very good example. He said that the parents of that young fellow were looking for three things in particular: long-term accommodation, respite care and work options. I will not repeat his argument.

However, I would like to paint a picture or two myself which will illustrate slightly different concerns but within the same framework. A very dear friend of mine who, like me, went to school in Mount Isa and is my age has an adult son who is intellectually handicapped. He has recently had to leave Mount Isa, knowing that as one moves into one's fifties, someone up there with a big scythe is starting to take a greater interest in one's future. Eventually this comes to all of us.

My friend wanted to have his son prepared for when the moment came, and there was very little help available in a place like Mount Isa. So the family have actually dug up their roots and relocated to Townsville, where employment has been obtained and accommodation has been found, and that adult son is gradually settling into life in Townsville, where he will have a far greater opportunity of living a fulfilling sort of life when his parents do die than he would have had in Mount Isa.

It is a pity that that network could not exist in Mount Isa. In saying that, I am fully aware of Budget constraints and so forth. One cannot have networks in Birdsville, Thargomindah and all the little towns all over the State. However, there should be an understanding of the problems that people who live in far-flung areas of this State have to live with.

Another case is the elderly brother of a friend of mine who experienced a slightly different problem. He grew up in a small northern Queensland town—not Mount Isa—in the care of his elder sister, who was some 20 years older than he was. Because he lived in a small northern Queensland town with his sister—as happened more so in previous days—everyone in the town knew him. He was known by all and sundry and was a friend of everyone. He mowed lawns, did odd jobs and was greeted by his Christian name wherever he went.

Eventually, that person's elderly sister died at the age of 80 or so. She was his support, then all of a sudden she was gone. A sufficient number of people in the town knew him to ensure that he was still okay, that he mowed lawns, that he was looked after and so on. However, gradually the network started to drop away. The support dropped away with the loss of his sister, who was Clair. On one occasion he wandered into the shop in the town where bus tickets were sold and said he wanted to see Clair. He was put on a bus to a little town called Clare in the Burdekin delta, which is near Ayr. A couple of days later he was found wandering around the town by a policeman. It sounds far-fetched, but it happened. The policeman and the sources with whom he got in touch eventually found out where this chap came from and sent him back.

However, there were obviously going to be problems back in his home town and he could not stay there. So his brother, who is a friend of mine, went and collected him and took him back to Mount Isa. He stayed with my friend for some time. However, Mount Isa was not his scene. He had never lived there. His scene was back in his home town. Inquiries were made as to who could look after him. He was in his sixties. It was found that the Endeavour Foundation, for example, does not really cater for older intellectually handicapped people. There was nowhere to put him. The more my friend, his brother, looked, the harder he found it to find a place that looked after elderly intellectually handicapped citizens. That case was quite sad. Obviously, arrangements have been made. Family will look after him. It is just sad that it was very difficult to find a solution.

I would like to briefly outline two more cases that involve intellectually handicapped children. In both cases the children are severely intellectually handicapped. There is a subtle difference between the two cases which makes a very significant difference to the parents.

One of these children, amongst his other severe handicaps, is profoundly deaf. Because of his profound deafness, he was allocated to the Warrigal Road Special School in Brisbane. Because he was allocated to that school by the people who assessed his case, his fares backwards and forwards to the Warrigal Road Special School are paid for during school holidays and so forth. As far as that is concerned, he is pretty well looked after. I will contrast that later on, if I may, with another case.

Being profoundly deaf, being separated from his family and being still less than 10 years old, there is absolutely no contact or communication between that boy and his parents. He cannot read their letters and he cannot write a letter himself. In addition, being profoundly deaf, he cannot telephone them and they cannot telephone him. There is available an instrument called a portaprinter, which enables deaf people to communicate by telephone. I will not go into the technicalities. That can be looked into by anyone who is interested. Portaprinters cost roughly $2,000 a pair. One portaprinter is needed at each end of the communication chain.

The parents of this boy are obviously quite willing to buy a portaprinter at their end. As a matter of fact, they are willing to buy one at each end. However, on their behalf, I have contacted various Government departments to see whether such an instrument could be bought—in fact, whether several could be bought for similarly handicapped children—and whether in fact it could become standard equipment.

To not have available that incredibly vital communication link between parents and family and a young child who are forced to live 2 000 kilometres apart because of the child's handicap is cruelty in the extreme. The expenditure of a fairly modest amount of money to make these instruments available at the schools where the children are and

at the other end where their parents are would, I submit, be a great initiative on the part of the Minister, if it is within the province of this Minister to do it. It may be within the province of the Minister's colleagues the Minister for Education or the Minister for Health. However, I certainly commend it to the Minister for his consideration.

It is terrible when speaking to these people to see the heartache that they are experiencing because they cannot communicate with a young child, bearing in mind that they have already suffered because of the handicap that the child experiences. There is an incredible bond of love built up between parents and a handicapped child. I hesitate to say that it is stronger than that between parents of normal children because I know how much love I feel for my children. However, I sometimes think that their love may even be stronger.

The other case involves another little boy who is also very severely handicapped. In his younger years he attended the Endeavour Foundation in Mount Isa. However, when the Education Department took over the role of the Endeavour Foundation and took the severely intellectually handicapped from that foundation and placed them in the special schools, he was reallocated from the Endeavour Foundation to the special school that was established in Mount Isa.

However, his handicaps are quite severe, and now that he is at the special school he has lost the special one-on-one attention that he got at the Endeavour Foundation. I might add without any qualification that I say nothing against the staff of the special school, who are wonderfully committed people and whom I see quite a lot. However, they just did not have the resources or the staff to handle, with the care and time needed, a young child with such severe handicaps. It was found that the young lad was going backwards, and going backwards from a very low base to start with.

His parents made inquiries and elected to move him to the Basil Stafford Training Centre in Brisbane. Unfortunately, because they elected to move him to the centre, they are not entitled to any air fares or other fares to move the child to Brisbane or to visit the child. On their behalf I undertook to communicate with the appropriate Minister. I am pleased to say that the Minister allocated one air fare per year for the mother to escort the little boy back to school, but he did not allocate an air fare for her return. A bus fare is reimbursed. I will not go on about whether that is petty; I appreciate that above and beyond the rules one return air fare was granted. In fact, the parents pay the air fare back and pay the difference themselves.

I would like to see that subtle difference removed. Because the assessors allocated an air fare to one boy with profound deafness to come to school in Brisbane, and because in the other case the parents chose for very good reasons to send their little boy to school, one family receives all the air fares and the other family does not. Once again, it is a very loving family whom I know well. The little boy's three brothers miss him tremendously. Because the parents have to pay the travelling expenses, they are out of pocket.

One has to be pragmatic in this game, so I do not ask for such a school to be established in Mount Isa. However, certainly a suitable school could be established in Townsville, which is a very large metropolitan centre and the capital of north Queensland. The trip from Mount Isa to Townsville takes me eight and a half hours; it takes other people nine hours; and it takes ten hours if the person is sensible. I admit that I have a hoon streak in me. However, if there is need to do so, it is possible to drive from Mount Isa to Townsville and return on a week-end or a long week-end. If such a school were established in Townsville, parents could drive backwards and forwards on many occasions during the year.

Mrs Nelson: How many people live in Mount Isa?

Mr BEARD: The population of Mount Isa is between 23 000 and 24 000. Of course, the population of Townsville is more than 100 000.

Mrs Nelson: On a population basis, shouldn't there be a sufficient number for one?

Mr BEARD: I would welcome such a school in Mount Isa, but I would accept that Townsville would have a higher priority in that it would serve a far wider area. I accept the facts of life.

If such a school were built in Townsville, it would be so much easier for the parents to contact their children. Because this little boy goes away to school, the parents forgo child endowment and various other allowances. The parents are not petty enough to complain about that, but it is just another little thorn under the saddle. The parents are already encumbered with very great costs to keep in contact with their little boy, and they must forgo other allowances.

Almost any member in this Chamber could stand up and recount similar cases. I do not apologise for having done that. In recounting individual cases such as I have done, it brings home certain things. As a young man I read a poem which stated that at the death of millions, no-one mourns, but at the death of a bird, everyone does. We cannot comprehend the millions; we can only comprehend the individual. When we read about a massacre resulting in the loss of 500 lives, or an earthquake resulting in the loss of 50 000 lives, it is hard to mourn; but when we read about one child dying, we all mourn.

In looking at the plight of intellectually handicapped people, it is sometimes far more telling to look at the problems experienced by one family, one person or one community than it is to look at the whole picture. I appreciated Mr Henderson's speech. Like Ms Warner, he looked at the whole picture and at the philosophy. They looked at the whole philosophy and principles of what we should be doing about people. I tried to point out some individual cases which I think could be examined. By solving one of those problems, one would probably solve 50 problems, because they are by no means unique.

Hon. C. A. SHERRIN (Mansfield—Minister for Family Services) (5.04 p.m.), in reply: I thank all honourable members for their valuable contributions to the debate. I understand that during the debate a number of members said that the House is dealing with a very sensitive issue and one to which many of us have many deep emotional attachments.

I shall address the specific comments made by honourable members. Firstly, the honourable member for South Brisbane endeavoured to develop the argument that the amending legislation has reduced the powers and the independence of the existing council and that there has not been any consultation. Unfortunately for her argument, the Bill does not alter the fundamental thrust of the existing legislation and is simply an endeavour to improve the administration of the Act by providing greater support from the department and eliminating areas of duplication and overlap in the current operation of the council. She chose to quote from the annual report but conveniently overlooked the council's own request in its 1987-88 annual report for amendment of the Act to overcome the backlog in the hearing of cases.

For the edification of the honourable member, I point out that the report states—

> "The pressing need to amend sections of the Intellectually Handicapped Citizens Act, to enable the Council to better cope with the administration of the legislation, became more apparent during the year. This became evident with applications increasing in large proportions, compulsory two-yearly reviews looming and the knowledge that many more people with an intellectual disability are reaching majority and coming within the Council's charter. It is envisaged that an outcome of advice to both Ministers will be that suitable amendments will be introduced to Parliament in the coming year to allow the existing structure of the Council to be appropriately altered."

That is exactly what this Bill is all about. It is a response to a need that came from the council itself. The council was encountering severe difficulties in handling its workload.

No responsible Government could ignore the plea from the council, and action was taken immediately to act quickly in response to it. Contrary to what the honourable

member said, the council was consulted. My predecessor, the Honourable Peter McKechnie, gave a copy of an early draft of the Bill to its chairman. After he and his members had considered it, I agreed to several further significant amendments before receiving final Cabinet approval for the legislation. As a result of representations made to me by a consumer group, I propose to amend the Bill further at the Committee stage. To say that I have not consulted with anybody is a nonsense.

Recently I wrote a letter to interested groups. I should like to quote selectively from that letter. In it I give the justification for the Government's action. That justification was mentioned today by a number of members. I am sure that all honourable members are aware that since the Intellectually Handicapped Citizens Council came into operation approximately three years ago, it has considered approximately 367 cases. However, the council has a backlog in the vicinity of 379 further applications that have not yet been heard and a statutory requirement to review the orders that it has made after a two-year period. Furthermore, it is anticipated that the number of applications will increase significantly in the future.

To pick up on one of the points made by my colleague the honourable member for Mount Gravatt—the Act will be under continual review as a result of this amendment that will pass through the House.

In that letter I gave this assurance to all of those client groups in the community that have a legitimate interest in the operation of the council—

> "I am prepared to give an assurance that when your organisation finds itself in a position to provide comments on the proposed legislative changes, I would be prepared to set in place procedures for formal consultation with interested organisations with a view to making any necessary further legislative amendments in the Budget Session of Parliament should Cabinet and Parliament concur."

It is my hope and ambition to set those formal consultations in place as a matter of urgency so that all interested groups which have a legitimate interest in this very important sphere of Government activity can have their say.

The former members of the council who have obviously provided the honourable member for South Brisbane with her brief have a complete lack of knowledge of the public service. The honourable member complained about the method of appointment of the council's staff. I point out to her that those are public service positions and, as such, had to be handled in accordance with the normal procedures.

The Act provides that the chief executive is the accountable officer for the council's budget. Therefore, it is a nonsense for the honourable member to say that the council is losing anything.

The honourable member posed as an advocate for the intellectually handicapped. Unfortunately, recently she attempted to smear several of those people with information that she gave to a major metropolitan newspaper. It is important that all honourable members understand what happened.

Several weeks ago honourable members were informed that Ms Warner gave some information to the *Sunday Mail* regarding alleged anti-social behaviour by certain people with an intellectual handicap. Fortunately, the responsible and very professional reporter involved contacted my department for advice. The material that the honourable member provided was inaccurate. Where certain incidents were able to be recognised from files within my department, matters referring to several different clients were conveniently linked together as though they referred to one client. Under the guise of criticising the services that are provided to intellectually handicapped people, Ms Warner smeared the individuals concerned.

That sort of action does irreparable damage to the public perspective of people who are intellectually handicapped and suggests that they are all violent, dangerous people. I do not know how the honourable member can say that she supports community living when she makes the sorts of comments that would turn the community against those people.

Ms WARNER: I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Row): Order! What is the honourable member's point of order?

Ms WARNER: My point of order is that the Minister's statement is totally inaccurate. At no stage have I ever smeared any person who is in receipt of services from his department.

Mr DEPUTY SPEAKER: Order! By way of the statement that the honourable member has made, she is quite entitled to deny before the House that she has acted in the manner indicated by the Minister.

Mr SHERRIN: Fortunately, my staff and I were able to intervene and convince the newspaper that she was misleading it.

Ms WARNER: Mr Deputy Speaker——

Mr DEPUTY SPEAKER: Order!

Ms WARNER: The purpose of my denial was to ask the Minister to withdraw his statements. I find them offensive and I ask that he withdraw them.

Mr SHERRIN: I withdraw them.

The honourable member's allegations that the council had been neglected and starved are also untrue. The council's budget was increased by 33 per cent in the current financial year, and support staff has been increased by two. The honourable member's complaints about deinstitutionalisation—in common with those of all Opposition members—are vague and are insulting to the dedicated staff of the council. The honourable member has given no details of any of her allegations. Procedures have been implemented for full consultation with the union movement about the whole process of deinstitutionalisation. This Government has gained its agreement to the procedures that were used in the selection of clients for the ALS at the end of last year. Checks have been carried out to ensure that those procedures are in place. The Government has the support of the union movement that represents the staff. It is quite obvious that the honourable member is totally out of tune with her union colleagues.

Ms Warner: Will you take my interjection?

Mr SHERRIN: By all means.

Ms Warner: You would agree that there is a lot of disquiet amongst workers in your department about the process of deinstitutionalisation?

Mr SHERRIN: No, not within the workers. That is a very good point. I welcome the honourable member's interjection. That disquiet is coming from a select group of union executives who are concerned about their loss of power by having their union members in a large institution with no regard for the quality of services that are provided to the clients and no regard for the fact that they have conveniently got the union members under their thumbs to maintain a closed union shop. When the members, at their own request, are placed in the Alternative Living Service, it is very difficult for the union to get in touch with its members. My understanding is that the members appreciate and value the fact that the union does not provide a convenient service and that union membership is falling off.

Let us make no mistakes; concern is being expressed by the union heavies simply because the union is losing members. That is where the concern lies—not amongst the dedicated staff. Unlike the member for South Brisbane, I am prepared to defend the work that is done by that staff.

Mr DEPUTY SPEAKER: Order! I remind the member for South Brisbane and the Minister that I stated earlier during this debate that the Minister was entitled to respond to comments that were made by various members when the debate concluded. I adhere

to that ruling. The Minister is now commenting on the speech that was made by the member for South Brisbane, and I suggest that the Minister proceed in that manner.

Mr SHERRIN: I understand the sensitivity of Opposition members when the union heavies are exposed.

Ms Warner interjected.

Mr DEPUTY SPEAKER: Order! The member for South Brisbane will cease interjecting.

Mr SHERRIN: The honourable member's assertion that the watch-dog capacity of the council is being removed is a complete fabrication. The council membership is being increased. Panels will be established right across the State to provide greater community participation.

To pick up on a point that was made by the honourable member for Mount Isa—the council will play a key role in making the general and wider communities aware of the needs of the intellectually handicapped. A whole range of people will now be involved and, as has been suggested by many speakers on both sides of the House, resources on their own are not the solution to this issue. The Government is looking at expediting the process of the hearings.

The honourable member for South Brisbane never made one statement that directly related to the provisions of the Bill, which unfortunately is a direct consequence of the fact that, as usual, she took her brief from somebody else.

I will now move on and deal with the erudite comments made by the honourable member for Gympie. As usual, they were constructive and well reasoned. They showed a good understanding of the whole process of deinstitutionalisation and an appreciation of what the Bill was about.

I commend and thank the honourable member for Thuringowa for his opening positive comments about the Government's work in this very important area of Government service. I certainly concur with his complimentary remarks about the transfer of responsibilities from the Department of Health to the Department of Family Services. I also concur with his comments about the process of regionalisation within the department and the increased resources that have been provided by the Government to my department. Honourable members will be well aware that this year 30 additional staff have been made available. I am pleased to say that a number of them have been provided within the honourable member's own electorate of Thuringowa. Certain efforts have also been made to clean up one of the ongoing problems that have been experienced in the IHS in relation to the vacancy rate. More efforts will be made in that field.

The honourable member made a very moving comment about Gary, a young gentleman with whom he had had some close experience. I make the point that I am very pleased to see in the Chamber my colleague the member for Aspley, who I understand even as we speak is currently labouring through one of the final drafts of her own report, which I and the Government are eagerly awaiting. Her task force will be considering and, I am sure, giving great weight to the submission that was made by Gary's parents. The needs of clients as a whole in north Queensland will certainly not be forgotten. Since I became Minister for Family Services, I have taken the opportunity to travel to north Queensland, where those needs were very forcibly put to me. I have certainly taken them on board. I am awaiting with great eagerness the report of our colleague from Aspley. I am pleased to say that a new Alternative Living Service has commenced in Townsville. Recently, two additional positions were created in Cairns.

As regards the comment that the honourable member for Thuringowa and a number of other Opposition members made about pre-empting the report of the task force, it is unfortunate that they have not been briefed with its terms of reference. This legislation is currently talking about streamlining the administrative operations of the council. If I can paraphrase it, the task force is looking at the delivery of services to the intellectually handicapped across the State. At this point in time the task force has no conflict before

it in moving with this legislation. I have been assured by the honourable member for Aspley, who chairs that task force, that it will not be addressing this issue in its findings at all. Therefore, that argument has no currency.

The honourable member for South Coast also demonstrated a great knowledge of the legislation. I thank her for her constructive contribution to the overall debate. She certainly used the opportunity of her address to remind us of the needs of people in provincial areas who will of course, as I said earlier, be greatly assisted by the operations of the panels this legislation will put in place.

The honourable member for Murrumba said that the Act was a good piece of enlightened legislation. I certainly concur with that. This Bill will make it better. Unfortunately, in common with his colleagues, the honourable member demonstrated his lack of understanding when he said that it will result in a reduction of services. In fact, it will streamline, as I have said at great length, the administrative processes and operations of the council. It is somewhat unfortunate that the scare tactics that he has chosen—which is one of his characteristics—could unfortunately unnecessarily upset some people in the community.

I can well understand why concern was expressed about the confidentiality of records. That matter needs to be addressed in my reply. If honourable members refer to proposed new section 42, they will see that it applies to confidentiality in relation to officers of the department. I give this categorical assurance here in the House that the files of the council will continue to be kept separate from departmental files and will not be available to those who are not directly involved with the operation of the council without the council's permission. That aspect of confidentiality is totally guaranteed and assured and will be monitored by the council itself. I can well understand why there would be concern about that.

The honourable member attempted to indicate that the council can currently approve expenditure. It cannot. Under existing section 41(1) of the Act, the chief executive is the accountable officer.

I thank the honourable member for Redcliffe for his support of the Bill and the balanced contribution that he made to the debate, undoubtedly as a result of the time that he spent as the relevant Minister in this area. He demonstrated his own well-known sensitivity to the entire issue, also gleaned from his responsibilities with the International Year of Disabled Persons.

I certainly agree with the point—and it is a point I made in beginning my reply—that goodwill is needed on all sides. No matter what legislative provisions are put in place, without that goodwill they will not work. I publicly call for goodwill from all of those involved in working within this most important area. I certainly give my own personal commitment to ensure that goodwill exists. In fact, I have already done so by giving an undertaking in writing to all of those involved in this area that I will enter into consultations with them on a whole range of issues relating to the intellectually handicapped. That consultation will be established on a formal and a structured basis. Should there be any need to make further modifications to this legislation or other legislation impacting on the area of the intellectually handicapped, I will be only too pleased to do so. That undertaking is certainly given publicly in this House.

In common with his colleagues on the opposite side of the House, the honourable member for Ipswich has certainly miscued on the effects of the Bill. One can only repeat ad nauseam that the council will remain independent. That is why it has its own legislation. That independence is even guaranteed to the point of the council's having its own independent report that will be tabled in this House. The Bill will not diminish the services that can be accessed through the council's orders; it will improve the access to services. The department will not be able to influence the council in its decisions. The council is accountable and responsible to me as the Minister, and I am responsible to the Government and, of course, to this Parliament. The council agrees with the principles of the Bill. Its members have been fully consulted. Suggestions that were made during consultation with the existing council have been included in the legislation.

I thank the honourable member for Mount Gravatt for his kind personal comments and for his support, which has been noted. The honourable member and I work very well together as representatives of adjoining electorates. Honourable members will note that he was intimately involved in the formulation of the original Act. He is also of the opinion that, unfortunately, the current Act is not working well.

This Government does not shy away from making bold decisions when they are required. If the Act is not working, amendments are brought forward, which is why honourable members are debating this legislation this afternoon. These amendments will make the legislation work effectively and improve its operation. However, if the legislation still does not achieve the degree of excellence that is desired, I will have no hesitation in introducing further amendments. I am confident that this Bill will go a long way towards overcoming the problems that exist. As I have said on three occasions previously during the debate, if it does not I will not hesitate to consider further amendments. I reiterate my indebtedness to the honourable member for his contribution.

The honourable member for Mount Isa participated in the debate in his usual forthright manner. He pointed out the lack of facilities and services in the more remote areas of the State. I understand that the honourable member for Aspley's task force has looked closely at those problems and I inform the honourable member for Mount Isa that I shall be looking very carefully at recommendations made by the task force.

In the last Budget, endeavours were made to improve facilities and services in the northern areas of this State by the provision of additional funds for resources. I will give priority among expenditures in my department to enable further progress to be made. I am sure that my colleague the Honourable Minister for Education will examine carefully the difficulties experienced in schools, particularly in the School for the Deaf. I give the honourable member an undertaking that I will raise the matters that he mentioned with the Minister for Education.

I commend the Bill to the House. Again, I thank all honourable members for their contributions to the debate.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 51		NOES, 23	
Ahern	Knox	Ardill	
Alison	Lee	Braddy	
Austin	Lester	Burns	
Beanland	Lickiss	Casey	
Beard	Lingard	Comben	
Berghofer	Littleproud	De Lacy	
Booth	McCauley	Eaton	
Borbidge	McKechnie	Gibbs, R. J.	
Burreket	McPhie	Hamill	
Chapman	Menzel	Hayward	
Cooper	Nelson	McElligott	
Elliott	Newton	Mackenroth	
Fraser	Perrett	McLean	
Gamin	Randell	Milliner	
Gately	Schuntner	Palaszczuk	
Gibbs, I. J.	Sherlock	Smith	
Gilmore	Sherrin	Smyth	
Glasson	Simpson	Vaughan	
Gunn	Slack	Warner	
Gygar	Tenni	Wells	
Harper	Veivers	Yewdale	
Harvey	White		
Henderson			
Hinton			
Hobbs	*Tellers:*		*Tellers:*
Hynd	FitzGerald		Davis
Katter	Stephan		Prest

Resolved in the affirmative.

Committee

Hon. C. A. Sherrin (Mansfield—Minister for Family Services) in charge of the Bill.

Clauses 1 to 8, as read, agreed to.

Clause 9—

Ms WARNER (5.32 p.m.): I wish to draw the attention of the Committee to the fact that this is the first clause in the Bill that removes the powers of the council. The principal Act states—

> "This Act shall be administered by the Minister and, subject to the Minister, by the Council."

This clause in the Bill removes the words "and, subject to the Minister, by the Council". The effect of the legislation that the Opposition has referred to is set out here in black and white; the powers of the council are removed under this Bill. The powers will rest with the Minister and his department. That is the crux of the Opposition's statements.

Mr SHERRIN: This issue has been substantially addressed during the second-reading debate. I can only reiterate that under this amendment the council is responsible to me as Minister. I am responsible to this Chamber for the performance of the council and for my own oversight of it.

Ms WARNER: Why is it proposed to remove the words "by the Council"? It is implied even under the old legislation that the Minister has overall responsibility. Can he explain the purpose of the removal of those words?

Clause 9, as read, agreed to.

The TEMPORARY CHAIRMAN (Mr Booth): Order! Before I continue, I point out that there is far too much audible conversation in the Chamber. During the debate this afternoon—and I listened to most of it—all speakers said that they were trying to help intellectually handicapped people. It was a fairly tolerant debate containing a great deal of goodwill and it is in the best interests of all concerned that honourable members allow speakers to be heard.

Clause 10—

Ms WARNER (5.33 p.m.): This clause contains a strange drafting procedure. I am aware that under the old legislation the council was a body corporate and that some organisations are not corporate bodies. However, this clause contains a new legal phrase because it states that the council is to be deemed a "body unincorporate". I am not sure if that term has any actual legal significance and it seems pointless to have it in the Bill. I would have thought that, in order to amend this legislation and prevent the council from being a body corporate, it would have been simpler to delete that section of the Act than to include this new and fairly unusual term "body unincorporate". The Parliamentary Counsel is introducing a whole new concept. The subject of the corporation of the council and its autonomy is embodied in this clause.

In terms of this Bill's critical effects, I suggest that this clause in which the council becomes some animal called "a body unincorporate", is an indication of the political intent of this amending Bill.

Mr SHERRIN: The clause merely clarifies the role of the council. Because it is no longer a body corporate, it does not have the responsibility of employing staff, spending funds and so on. It does not need the corporate body status and the legislation makes it very clear that the council is now an unincorporated body. All of those functions will be carried out by the department.

Ms WARNER: I point out to the Minister that earlier in the debate he said that the council had no role in the choosing of staff because the staff were all members of

the department. Now the Minister is saying that the change is being brought about by this clause because the council will become a definite non-incorporated body; something less than a body that is not incorporated. It is a body that was incorporated, but which is now unincorporated. It appears to me to be legal fiction.

Question—That clause 10, as read, stand part of the Bill—put; and the Committee divided—

AYES, 50		NOES, 22	
Ahern	Lee	Ardill	
Alison	Lester	Braddy	
Austin	Lickiss	Burns	
Beanland	Lingard	Casey	
Beard	Littleproud	Comben	
Berghofer	McCauley	De Lacy	
Borbidge	McKechnie	Eaton	
Burreket	McPhie	Gibbs, R. J.	
Chapman	Menzel	Hamill	
Cooper	Nelson	Hayward	
Elliott	Newton	McElligott	
Fraser	Perrett	Mackenroth	
Gamin	Randell	McLean	
Gately	Row	Milliner	
Gibbs, I. J.	Schuntner	Palaszczuk	
Gilmore	Sherlock	Smith	
Glasson	Sherrin	Vaughan	
Gunn	Simpson	Warner	
Harper	Slack	Wells	
Harvey	Tenni	Yewdale	
Henderson	Veivers		
Hinton	White		
Hobbs			
Hynd	*Tellers:*		*Tellers:*
Katter	FitzGerald		Davis
Knox	Stephan		Prest

Resolved in the affirmative.

Clauses 11 to 13, as read, agreed to.

Clause 14—

Mr SHERRIN (5.45 p.m.): I move the following amendment—

"At page 6, after line 31, insert—

'It is the duty of—

(a) the Chairman, to ensure, as far as is possible, that a panel constituted under this subsection does not comprise among its members a person—

(i) who, as a paid employee of the Department or a paid employee of any other organization or body the principal function of which is the delivery of services relating to intellectual disability, is providing services to the citizen named in the application or the subject of the review allocated to the panel;

or

(ii) who is a relative of the citizen named in the application or the subject of the review allocated to the panel or is a person who has a personal interest in that citizen or in the outcome of the proceedings;

(b) each member of a panel constituted under this subsection, to notify the Chairman forthwith if he is a person to whom subparagraph (a) (i) or (ii) refers.' "

This amendment will ensure that panel members do not have a vested interest in the cases that come under their consideration. It brings the membership of the panels, which will be regionally based around the State, into line with the high standards that

have been set for council membership. In effect, it does two things; firstly, it places a duty on members to advise the chairman and, secondly, a duty on the chairman to ensure that they do not sit on the panel. The amendment has been moved as a result of feed-back received from client organisations.

Ms WARNER: I thank the Minister for moving this amendment. Clause 14 as it stood, with panel members being able to be drawn from any part of the department or the area of service delivery, did pose substantial problems for the integrity and for the unbiased nature of the panels that were being set up under the legislation. I welcome the amendment.

The idea of regionalisation is good. However, I have some reservations about whether or not the Minister will be able to get enough people in a number of fairly far-flung areas of Queensland to be able to perform what is quite an onerous task, because they will not be available within the community in terms of having any expertise or knowledge of the subject.

Although I welcome the concept of regionalisation, I think that the practical difficulties in terms of availability of panel members will be substantial. The difficulty will be compounded by the fact that panel members, unlike council members, will not receive meeting fees. People with important jobs and some kind of status within society, and who are committed in other areas, will be asked to give up substantial amounts of their time to come onto panels and perform tasks for the overall running of the council for no remuneration. That will pose significant practical difficulties in getting the right people onto the panels in those places. Honourable members must bear in mind that, in many places, the right people might not be there, anyway, in terms of not having a vested interest and so on.

Mr Sherrin: The potential benefits outweigh those problems.

Ms WARNER: If it works, the potential benefits are great. However, if it does not work, there are no potential benefits. I am merely pointing out possible difficulties that may be encountered. They probably will not be insurmountable; however, the Minister should keep his eye on them. The functioning of those panels will be critical to decreasing the backlog that the Minister spoke about and making the council function.

Instead of sitting back and saying, "Oh, well, the council does not work", the Minister should look to ways in which he can intervene and assist to make sure that it does work. That is what went wrong last time. That process did not occur and it did not work. The Minister should make sure that it works this time.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 and 16 agreed to.

Clause 17—

Ms WARNER (5.50 p.m.): Here again we have another part of the legislation which in black and white says and does exactly what a number of my colleagues and I have been complaining about all day. The very reason that the council was set up—to conduct a number of important functions—has now been taken away by the Bill. Clause 17 repeals the old powers of the council. It repeals the section in the old legislation from which the council obtained its whole purpose. The legislation has amended that section and truncated the functions and duties of the council to three very limited clauses. Under the old legislation, the functions and duties of the council stretched over two pages of the Act. In this clause, those functions and duties take up less than one-third of the page. In terms of bald print, one can see that the functions and duties of the council have gone. The council has been stripped of its powers. There is no clearer part of the amendment Bill that indicates that than clause 17. Whereas in the past the council was provided with power to intervene to promote the quality of life of intellectually

handicapped people, under this clause it no longer can do that. That is the problem with the amendment Bill.

The fundamental problem with this Bill is that it takes away the powers of the council. How many more times do members of the Opposition have to say it? Every part of this legislation smacks of that purpose. The Bill contains it in black and white.

The functions and duties of the council in terms of liaising with Government departments or of advising the Minister directly on all matters to do with people who have an intellectual disability—basically its advocacy role—is probably the only mechanism that the Government has at present for providing people with an intellectual disability with a grievance system.

The Government has no grievance system. The department has no grievance system. The council no longer has that role. So people who have problems and complaints have nowhere to go. That is outrageous. It is scandalous. If the Government does not want to do it through the system of the council, it should think of some other mechanism by which it can be done.

The Premier has said that this Government is committed to accountability. Let us see how the Government is going to implement accountability when it is actually presently in the process of removing that accountability.

Mr SHERRIN: I reiterate what I said in my reply, that is that this legislation is designed to allow the council to focus on its prime responsibility, to place emphasis where it should be placed, that is on considering the applications—hence the change.

To take up the final point that the honourable member made about the need for advocacy—that will be one of the prime areas that will be looked into in the formal consultation process that will be entered into. That will be looked at very carefully in the months to come. I do not believe that it is appropriate for the council to do that. The Government will be considering other mechanisms.

Ms WARNER: When the Minister already has such a system in operation, why is he going to go through a process of consultation to find out how to get a system of advocacy? Why is the Minister removing that system of advocacy at this point? It will not speed up the applications. The thing that will speed up the applications is the extension of the council's powers and resources, not the diminishing of those powers and resources.

Question—That clause 17, as read, stand part of the Bill—put; and the Committee divided—

AYES, 44	
Ahern	Lester
Alison	Lickiss
Austin	Lingard
Beanland	Littleproud
Beard	McCauley
Berghofer	McKechnie
Borbidge	McPhie
Chapman	Menzel
Cooper	Nelson
Elliott	Newton
Fraser	Perrett
Gamin	Randell
Gately	Row
Gibbs, I. J.	Sherlock
Gilmore	Sherrin
Glasson	Simpson
Harper	Slack
Harvey	Tenni
Henderson	Veivers
Hinton	
Hobbs	*Tellers:*
Hynd	FitzGerald
Katter	Stephan

NOES, 21	
Ardill	
Braddy	
Burns	
Casey	
Comben	
De Lacy	
Eaton	
Gibbs, R. J.	
Hamill	
Hayward	
McLean	
Milliner	
Palaszczuk	
Smith	
Smyth	
Vaughan	
Warner	
Wells	
Yewdale	
	Tellers:
	Davis
	Prest

Resolved in the affirmative.

Sitting suspended from 6 to 7.30 p.m.

Clauses 18 to 21, as read, agreed to.

Clause 22—

Ms WARNER (7.30 p.m.): I draw to the Committee's attention that the effect of clause 22 is to repeal several divisions of the Act. Earlier, I said that the Bill had been cut to ribbons. Clause 22 repeals the old sections 23, 24 and 25, which are substantial sections of the Act. The effect of clause 22 is to remove the officers of the council. No longer will the council have officers of its own at its own discretion in any way. There will be no more employees and there will be no executive officer to assist the council in the conduct of its activities. That completely denudes the council of its powers to operate as an autonomous body and is a further illustration of the diminution of the council's overall powers. The council will become a very weak and powerless body that will not be able to carry out its very important functions to which honourable members referred today.

Clause 22 is part of the same vicious cutting procedure. What more can I say about it? At one stage I entertained the idea that the Opposition should move some amendments to try to make the Bill better, but that is now impossible because the Minister has done such comprehensive cutting that one could only describe it as open-heart surgery on the council. It no longer has any powers. After this exercise tonight, I suggest that the Bill will have no life in it at all.

Clause 22, as read, agreed to.

Clauses 23 to 25, as read, agreed to.

Clause 26—

Ms WARNER (7.32 p.m.): This clause refers to the activities of the Legal Friend. Honourable members may recall that in my speech this afternoon I said that, after the institution of the original council, the Legal Friend was not appointed for a whole year, thereby leaving the council somewhat short of being able to carry out its duties. I said that that was partly responsible for the backlog that the Minister now claims is the reason for the introduction of the Bill. The stage has been reached at which one could virtually disband the council. The powers of the Legal Friend are phenomenal. Under the Bill, he becomes an exceedingly powerful individual who no longer has any direct relationship with the council. He will be subject only to the Minister. Given the complexity and detail of the Legal Friend's work within the area of delivery of services to intellectually handicapped people, he becomes virtually a power unto himself. He is a public servant who, if he so desires, will have the power of entry into people's homes. Without the need to consult with anybody apart from the Minister, he will have the power to make the most important decisions in those people's lives. Honourable members would be aware that most Ministers would not have the time to be able to consult with that person on a daily basis, or have the proper capacity to oversee the functions of that person, who will be given quite extensive powers. The Bill states that the Legal Friend is not subject to the chief executive of the department. I do not understand why that is the case.

Mr Sherrin: Are you on the right clause?

Ms WARNER: I am talking about the Legal Friend.

Mr Sherrin: You are on clause 22.

Ms WARNER: Yes, I am. Mr Temporary Chairman, what do you intend to do about that?

The TEMPORARY CHAIRMAN (Mr Alison): Order! We should put clause 26.

Ms WARNER: Just put clause 26?

The TEMPORARY CHAIRMAN: We are on clause 26.

Mr WELLS: I would like to ask the Minister a question about clause 26(2), which states—

> "The supplying of information pursuant to subsection (1) does not for any purpose constitute unprofessional conduct or a breach of professional ethics on the part of the person supplying the information."

Would the Minister please explain to the Committee such information as might be supplied by a medical practitioner or other person? What will be the ambit of that information? To whom will that information be given? In other words, the Bill refers to private information between an ordinary citizen and a professional practitioner and it relieves the professional practitioner of the duty of privacy with respect to confidentiality of certain information. How widely will that information be disseminated? Will it go to the council, to the Minister or to some other person?

Mr SHERRIN: My understanding is that the information will be utilised by the council. Similar provisions exist in other legislation providing that the information does not constitute unprofessional conduct. This is not a clause that should be read in isolation. My understanding is that in the provision of information by professionals to bodies such as the council, a clause is needed to provide protection against charges of unprofessional conduct. As I have said, I have seen similar clauses in other legislation. The information would go to the council. As I said in my reply to the second-reading debate, the records of the council will be maintained separately from the departmental records and will be accessed only by council officers or departmental staff who have received the express permission of the council.

Mr WELLS: I accept the Minister's point that this is not a unique clause. I also accept his assurance that there will be some limitation on the extent to which the information will be spread around. Will there be any machinery to ensure that the information will be maintained discreetly? For example, is the Minister going to issue any regulations under the Act to cover that situation?

Mr SHERRIN: I do not want to engage in a debate on the point. My understanding is that the files will be maintained separately as at present. There will be a physical separation of those files as well as very tightly restricted access to the files. From my point of view the only legitimate access would be for the work of the council.

Mr WELLS: I thank the Minister for that assurance.

The Legal Friend is directly responsible to the Minister. Does the Minister envisage that there will ever be circumstances in which the Legal Friend will report matters of a confidential nature in the course of reporting to the Minister?

Clause 26, as read, agreed to.

Clauses 27 to 30, as read, agreed to.

Clause 31—

Ms WARNER (7.39 p.m.): Clause 31 deals with the chief executive's power to establish volunteer friends and takes that power out of the hands of the council.

The establishment of the Volunteer Friends Program was a very progressive step in the original legislation. It was a very good idea. The department is not particularly renowned for its ability to deal with community-based people. Not only does the department now have the power to establish volunteer friends but it also has the capacity to terminate them. Under this clause, any volunteer friend who advocates for a client to the discomfort of the department or the Government can have his or her services terminated. Consequently, this is a fairly obnoxious part of the legislation.

Mr SHERRIN: The point that should be made is that the Government is very clear on the role of the department in this matter. Some problems exist with the recruitment of volunteer friends. I agree with the honourable member that it is a very worthwhile program. During the past few weeks I participated in the launch of a

recruitment program for additional volunteer friends. It would be my hope—indeed, my aspiration—that the entire resources of the department, including the marketing section, regional offices and so on, could be put at the disposal of the co-ordinator of the volunteer friends so that we can enhance and increase the number of volunteer friends who can be used by our clients.

Mr COMBEN: I ask the Minister: what are the problems of recruiting volunteer friends? In all aspects of social welfare work we are increasingly relying on volunteers, especially in cases of dementia and respite care. I am particularly interested in volunteers and I wonder what sort of problems the Minister faces.

Mr SHERRIN: The honourable member is correct. The program is worth while. As is the case in other spheres, this Government relies on the community for volunteers. My department is totally unabashed about its reliance on the community. We believe that many problems are not Government problems; that they are community problems which the community and the Government have a joint role in addressing.

For example, foster families are a classic instance in which the Government relies on the community. Without foster families the community could not provide care for those young people. A similar situation exists with volunteer friends. The Government is currently engaged in an advertising campaign to gain support for those programs throughout the community. Many people are not aware that those forms of community service are available. In many instances an awareness program is needed so that people who are civic and community minded are made aware that fostering is one service that they can offer. The Government is hoping to address that lack of awareness within the community.

During the past few weeks the media have been contacted and are very positive in the role that they can play. This is not the sort of campaign that involves the payment of large sums of money; but, if this Government can get the media on side it can have community announcements made to assist in recruitment.

Mr Comben: Are they just not coming forward?

Mr SHERRIN: No, they are not coming forward. My suspicion is that they are not coming forward because many community-minded people are not aware of that avenue of support. The Government wants to change that.

That will be one of the roles of the panels which, when spread throughout Queensland, will provide a network of people who can make people more aware of that service.

Clause 31, as read, agreed to.

Clause 32—

Ms WARNER (7.43 p.m.): I think that the Minister might be getting the impression that there is not much in this Bill with which the Opposition agrees.

Clause 32 relates to the Volunteer Friends Program. The position of co-ordinator of the Volunteer Friends Program, which was a progressive and imaginative idea that was implemented in the original Act, is being abolished. That brings into question the role of volunteer friends in the future and their domination by the department.

Mr COMBEN: I agree with the honourable member for South Brisbane that this is a retrograde step. The abolition of the position of co-ordinator is a backward step.

A whole range of volunteer programs exists in this State. Much work is undertaken by volunteers in the aged respite care program, the HACC program, the ADARDA day-care centre and the care of people with Alzheimer's disease. Those volunteers are approaching all political parties and saying, "Look, we can do a great job out there, but what we want are some co-ordinators and social workers."

Mr Sherrin: There will still be a position called co-ordinator of volunteer friends under my department.

Mr COMBEN: Why has section 36 been repealed?

Mr Sherrin: It is just not a statutory position under the Act.

Ms Warner: Why not?

Mr Sherrin: Because they will be accountable to the chief executive officer for the reasons that I enunciated previously. We wouldn't abolish it.

Mr COMBEN: I appreciate what the Minister has just said. The Opposition supports the fact that there will be a co-ordinator. It is unfortunate that that is no longer a statutory position. The Opposition accepts at face value the Minister's statement that a position will be created. However, the next Minister is not committed to any undertakings that the present Minister gives. It is unfortunate that the position is effectively being weakened. As a result, one day another section of our society may well be without these essential co-ordinations. On behalf of the Opposition, I give a commitment to a whole range of voluntary organisations that, under a Labor Government, this sort of position will be given statutory force and wide note.

Clause 32, as read, agreed to.

Clauses 33 and 34, as read, agreed to.

Clause 35—

Ms WARNER (7.46 p.m.): This clause repeals all mention of money at the disposal of the council, and the council again comes under the much more claustrophobic umbrella of the department and becomes a part of departmental expenditure. The council has no powers to obtain any kind of independent legal advice or to arrange for any kind of independent legal advice. That is a major problem, again quite in keeping with the rest of the Bill.

I was quite interested to note that the Minister has finally begun to see that there is a distinction between the statutory requirements under the old Act and the greater departmental discretion that is being introduced in this Bill, and that that is actually significant in terms of the delivery of the service. He seems to think it would be quicker. I would tend to the view that it will mean less assistance and fewer people involved and that the whole matter is being shoved onto the department. I am beginning to wonder whether, under these conditions, an Intellectually Handicapped Citizens Council is needed at all.

Clause 35, as read, agreed to.

Clause 36—

Ms WARNER (7.47 p.m.): I would imagine that this is the clause that the Government and the department found the most threatening. The problem is that the council did have some power to hold an inquiry, but not a holus-bolus open inquiry into any matter that it decided. But on the provision of an application before that council, it could make an investigation into what the story really was. If it found for any reason that insufficient information was forthcoming, it could institute some sort of inquiry into that. I suspect that it was the knowledge that the council would have that power to actually take the lid off a number of fairly sensitive issues and, dare I say it, that there could have even been matters that the department and the Minister wished to cover up, that resulted in this legislation being indecently hastened through the Parliament when all common sense would argue that at this stage it is not necessary to do what the Minister says needs to be done. Also, it comes just on the eve of the task force making its report known. It seems to be quite inopportune and quite out of timing with a whole range of other things that are occurring, unless, of course, what was decided with the experience of the old council was that at all costs the council has to be shut up—and that is what this legislation does.

Clause 36, as read, agreed to.

Clause 37, as read, agreed to.

Clause 38—

Ms WARNER (7.49 p.m.): The problem with this clause, as with the fairly highly controversial aspect of the original legislation, relates to the powers of access. After community consultation, the powers of access contained in the original legislation were tightened up. At that time there was consultation, but it no longer exists and certainly has not applied to the passage of this Bill.

The provisions are being changed so that the Legal Friend will have the power to obtain a warrant by merely making a request to a justice of the peace. Under the original Act, a warrant could be obtained only after intervention by the council, which acted as a responsibly appointed body. Now it is simply the Legal Friend who can, on his own initiative, and presumably without necessarily referring it to the Minister on every occasion when he does, apply for a warrant to achieve access. That gives the Legal Friend considerable powers—powers that are not enjoyed elsewhere in the community and ones which must offend against the civil liberties of the people who are having access thrust upon them—because of the decision of one person who is not controlled by any responsible body, except the Minister, who I would argue would be too busy to intervene on a daily basis. In fact, if he thinks that he can actually maintain a responsible brief on the broad powers of this friend, I think he would probably need something like 48 hours in a day to be able to cover that level of work. I do not believe that that is possible.

Clause 38, as read, agreed to.

Clauses 39 to 45, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

EDUCATION (GENERAL PROVISIONS) BILL

Second Reading

Debate resumed from 8 March (see p. 3531).

Mr BRADDY (Rockhampton) (7.53 p.m.): The legislation before the House is very important. For many years, it has been the subject of considerable community debate in this State. It is important that the Government gets this legislation right because it has taken so long to bring it to this stage. Although the Bill was introduced and proceeded to the second stage in March this year, a long period of preparation preceded its introduction. During that preparation, a great deal of debate took place in which legislation related to this Bill was criticised severely.

At the outset, the Opposition indicates that, although it has reservations about particular clauses of this Bill, the general approach—and I use those words "general approach" specifically—is not objected to by us. Support from the Opposition for this legislation will be forthcoming, but suggestions as to alterations, amendments and improvements will be made. In addition, some criticism will also certainly be levelled at of the Government's overall approach to education in this State.

By the Opposition's indication of support for this legislation, it by no means wishes to convey the impression that it is entirely happy with this Bill. Members of the Opposition believe, however, that it warrants general support because it represents an improvement on legislation that currently applies in this State. As I said earlier, the Opposition has serious reservations about some very worrying aspects of this Bill, with which I will deal at a later stage during my speech. Because the Government has not indicated at this stage that it intends to move amendments, I foreshadow that amendments will be moved by the Opposition to a couple of clauses.

The general philosophy underlying an education Bill of this type is important. This Bill seeks to replace the current Education Act and is not simply a series of amendments. This Bill does not represent legislation in toto. It seeks to set out the philosophy of the Government in relation to Government schools and non-Government schools. The Interpretations clause refers to "State school" and to "non-State school". The Opposition welcomes the overall philosophical approach adopted by the Government to those sectors of education in this legislation.

I am disappointed that this Bill does not outline in a better form the general philosophy of education. I notice that the Government has sought to outline a philosophy by setting out its guide-lines for compulsory education for State educational institutions and for non-State educational institutions, but the Bill does not set out the general principle that responsibility rests on the Government to provide education. This legislation should set out specifically the Government's obligation and duty to provide education in Queensland at all levels. It should set out guide-lines and the Government's philosophy, but it does not.

The Bill provides powers that will enable the Minister to delegate certain responsibilities and sets out obligations borne by the Minister, staff, parents and students, but it does not provide a starting point; it does not set out the absolute obligation and duty resting on the Government to provide a system of education at various levels.

Legislation should have been introduced to bring home to the Government, the Opposition and the whole community that in this modern age it is not simply a right and a privilege to have a system of education; it is an absolute obligation on the Government to provide it. Legislation should be a document to which the citizens of this State can turn when they say to the Government, "This is your responsibility. This is our right and it is enshrined in legislation." The legislation should spell out the specific duties of the Government.

This is not unheard of. This obligation is contained in education legislation in many places in Europe and is a modern approach to the duties of a Government. This would not be happening for the first time. It should be spelt out, and this legislation is deficient because it fails to start off on that basis.

Similarly, this Bill should stipulate that the Government must provide suitable education and the legislation should be closely examined to see whether it does just that. The legislation lays down an obligation upon the Government not only to provide education at all levels and for all sections of the community—children, students and adults—but also to provide suitable education.

During the preparation of this Bill the Government was provided with an opportunity to re-examine in more detail its whole approach to school education in Queensland. In recent years there have been numerous reviews and papers concerning education which have been discussed in school communities throughout Queensland. In addition, there have been the curriculum and other reviews. After all of that, it is still disappointing that a better approach to school education in Queensland has not been found. If such an approach had been found, it should have been spelt out more clearly in this Bill.

One of the greatest disappointments concerning education in Queensland at the present time is the deficiency of this Government's overall planning for secondary education. Queensland is in a different position from most other States because too many of Queensland's students are completing their Year 12 when they are too young. Many of them are only 16 or barely 17 when they complete their Year 12 education. It is common knowledge and experience that many of them are too immature when they commence tertiary and higher education. This aspect could have been covered in the overall review of the education process in Queensland prior to the drafting of this legislation.

In addition, a definition or outline of a modern school education system should have been outlined in the Bill. Most of the rest of Australia, and certainly western Europe, has students who often are two years older than Queensland students when they

complete their Year 12. This is not a minor matter; it is very important. Clearly, Queensland cannot provide a sufficiently good secondary education system when students are matriculating at the age of 16 or barely 17 years. Under the Queensland system there is insufficient time.

There should have been a review so that at least one more year of secondary schooling is provided in Queensland. As a result, students would be 18 or 19 years of age—as they are in the other States of Australia and in western Europe—when they complete their secondary education. Many experts argue that there should be two more years of secondary education in Queensland. That does not necessarily mean two extra years of schooling, but the real secondary education system should start when the children are a year younger than they are at present and an additional year could be added at the end. In other words, Queensland has not gone far enough when it comes to its secondary education system and should be providing at least one more year of secondary education. As a result, a child starting school at six years of age would complete Year 12 and go on to higher education when he was at least 17, or in some cases, 18 years of age.

The benefits of this system would be twofold. One would be that this would allow for a greater maturity of curriculum during the secondary years of schooling. More work and better work could be done during the secondary years of schooling if children were given one extra year overall of schooling. If the education process is changed so that, although children attend school for one more year, they in fact do two more years of secondary schooling, Queensland would have a better education process. There is a drastic need for an overall review of Queensland's curriculum and ageing process and the use of school time in order to provide extra secondary schooling. Firstly, the result would be that there would be a better educational curriculum process whilst the children attend school, and secondly the children would be more mature when they finish their secondary schooling before they go on to tertiary and higher education.

Many of Queensland's students are now suffering and failing in their tertiary and higher-education courses because they are simply too young. If they were at least one year older, they would be better able to handle the higher-education process. Today the cost of failure in many cases is very high. Students can be excluded from programs and courses at universities and colleges of advanced education which they are intellectually capable of passing, but because of their comparative immaturity, they make mistakes, are unable to cope during their first year, fail, and give up. Even if they do not want to give up, in some cases in very competitive courses no mercy is shown and they are excluded.

I believe that the Government has failed in the process of educational reform and that this is an appropriate time to point that out. Even if they were not included in this legislation, the program and the process should have been announced and an admission should have been made that, when we changed over to our current educational forms, we made a mistake, just as we made mistakes in other respects. We are producing too many immature students who are, through no fault of their own—just because of natural immaturity—unable to cope fully with the difficulties of higher education. The combination of that and the comparative shortness of our secondary schooling is very bad.

This places an almost impossible task on teachers. We are asking Queensland secondary schoolteachers to produce students at the age of 16 and barely 17 with the same degree of knowledge, maturity and educational nous as the British, French and Germans expect from their students at the ages of 18 and 19. Many western European students are up to three years older than Queensland students when they start their university courses, yet sometimes we wonder why so many of our 16 and 17-year-olds are unable to cope and why their confidence is destroyed. They believe that they are ready for tertiary education, but in fact they are not.

The Queensland system of tertiary entrance assessment has been long overdue for reform. I know that from time to time suggestions come from the Government and the

Education Department that there has been a tertiary entrance review, a working report and so on. That is not good enough. It has gone on for too long.

It is all very well to have this new education legislation, but what was needed before it were reforms of the education system itself. They should at least have co-existed with this legislation. Our system is harming the future citizens and potential leaders of this State by asking them, as we are at the present time, to go on to university at too young an age and, because of their immaturity and the comparative shortness of the secondary education system in Queensland, they are ill-prepared. That is bad. In many ways the system that we present to them destroys their confidence. In Queensland we have become accustomed to talking about 910 students and 850 students. People regard themselves, and are regarded by their peers and by the community, as successes or failures depending upon their TE score—a one-unit score.

Obviously the time is long overdue for students produced to be with a final assessment not only from their school in relation to individual subjects but also a final certificate that relates to their attempts to get to higher education. By placing so much store on figures such as 910, we have created a destructive system. Even a student who gets a score of 950 can at present be regarded as a failure if he wants to study law or medicine. There is absolute concentration on the TE score. The system was supposedly designed to allow students to study more carefully in their schools and not to have pressure on them. In fact, the end result has been the reverse.

The school-based assessment monitored by the TE score is placing more pressure on students and the time is long overdue for reform. The Australian Labor Party has already said that, immediately it assumes office, it will undertake that reform. This Government has talked about doing something about it for years. The reform should have been in place now.

The Opposition does not accept the outline of education in this State that now separates technical and further education from the Education Department. We believe that the overall philosophy of education demands and requires that all branches of education should remain with the Education Minister and the Education Department. Pre-school education, special education, primary education, secondary education, universities and colleges of advanced education all fall under the Minister's responsibility, but whipped out of the middle of them in some sort of political mumbo-jumbo fight has been technical and further education on the supposed basis——

Mr Ardill: And the senior colleges.

Mr BRADDY: As my colleague the member for Salisbury reminds me, the senior colleges were taken out as well. That is even worse.

That delineation is entirely wrong. Because some of the students are undergoing a form of technical education, the decision was made to let that be governed by a different Ministry. But only a portion of technical and further education relates to industrial and technical education. A considerable portion of the rest of it—certainly the senior colleges—relates to education that has very little to do with trade and technical education.

I am not concerned about what other places do. I have read the arguments for and against this. In this place we worry about Queensland. The Labor Party in Queensland worries about Queensland. We in the Opposition believe that, if we are to have a proper system of education in this State—I urge the Minister for Education to fight for the students and people of this State and not to abandon them to the wiles of some other Minister—all education should be returned to the Education Department. It can be reorganised in such a way that the department has autonomy.

Obviously, there has been a power struggle in the Cabinet of the National Party Government in Queensland, and the Education Minister of the day lost. I would like to hear the Minister's views on the subject and why he believes technical and further education should remain where it is. He should tell the people of Queensland why he supports this artificial dissection of education in which one section only, which is in

many cases entirely inappropriate, is removed and enables one of his colleagues in Cabinet to go round the place spreading largess and duchessing people, particularly in an election year, and promising temporary TAFE colleges here and there. That has nothing to do with the proper education of Queensland students. It might have something to do with the re-election of that particular Minister and the hope for re-election of that particular Government, but it has nothing to do with good educational philosophy and practice.

The Bill contains one clause that worries me. Section 18 of the current Education Act reads—

> "Instruction to be free. In State schools, the cost of instruction of children whose parents are domiciled in the State shall be defrayed by the State."

The introductory summary states "Instruction to be free". Yet what is the Government doing in this Bill? It is reversing that situation. So far, little has been said in the community about it. However, it is an extraordinary clause. The clause now provides that the cost of education is to be defrayed. Clause 23 states:

> "In State educational institutions where instruction to students is provided, the cost of such instruction in respect of students who, in the opinion of the Minister, should have the cost of instruction defrayed by the State, shall be so defrayed."

The Government has taken out the absolute requirement for instruction to be free and has given a discretion to the Minister to defray the cost of education for any student in the State.

Mr Littleproud: Higher-education charges of the Federal Government notwithstanding.

Mr BRADDY: I am talking about secondary education. It is entirely different from tertiary education.

Mr Littleproud: I will answer it later on for you.

Mr BRADDY: I hope that the Minister does.

No State in Australia has guaranteed higher education for all its citizens. I believe that we should be at that stage, but it has not been reached yet. At least, in Queensland, we had a guarantee of free primary and secondary education. This Bill will take that guarantee away. That is entirely unacceptable to the Australian Labor Party.

It is not good enough for the Government to say that it intends to continue to provide education at State educational institutions for all those students of compulsory age, and even for students of post-compulsory age, who wish to continue in secondary education. We want to see in the legislation a provision similar to the one which is in the current legislation. No smoke-screens about graduate taxes or other funding in relation to tertiary education will alter the position. We do not accept the smoke-screen used by the Government when it says, "We will do the right thing." We do not believe that a proper education Bill, which deals mainly with education of schoolchildren of compulsory age and above, should have any doubt whatsoever of the philosophy and the principle. To introduce a new philosophy and a new principle of that nature is very dangerous.

I am sure that the Minister at this time has no intention of charging fees to students. However, the Government has long since resiled from the situation in which it says that education in this State is free. It frequently says the opposite. It says, "We have never guaranteed it to be free." But this Bill enables the Government to resile even further from that position.

All honourable members are familiar with the fact that most parents of students in State high schools now have to pay considerable sums of money to provide equipment. We are all familiar with the Government's failure to adequately provide materials and staff. That is one thing; but to set out in that context to change the wording of the legislation is very dangerous. I for one—and the Australian Labor Party—will not accept any undertakings or guarantees about how the discretion of the Minister will be met.

The words are clear. It gives him a discretion. The present Act does not give him a discretion. It says that he shall defray the cost. The legislation before the House gives him a discretion relative to any student. If it relates to overseas students and so on, again that is not good enough. The Minister's draftsmen are quite capable of drafting legislation which will protect the students of Queensland, making sure that they have a legislative right to education, whose costs shall be defrayed by the State, and yet would enable him to impose charges in relation to students from overseas. In fact, that is what should have been done.

The Opposition does not want any smoke-screens such as, "We are only changing this particular clause so we can get overseas students to come here, and we provide some educational institutions and processes and courses for them." The competence and wit of the Education Department draftsman and the parliamentary draftsman are such that both of those situations could have been—and should have been—competently covered. I believe that this particular clause, this particular philosophy, this particular practice, is the worst aspect of this Bill. The Australian Labor Party rejects the philosophy in the clause, and it will not accept the practice.

The legislation deals with other matters which have generated some heat in the community. I refer particularly to the definition of a non-State school and the requirement or the ability of the Minister to now approve these schools and, after their approval and the commencement of their operations, to inspect them. I understand that an amendment will be moved in relation to this inspection process. No doubt the Minister will canvass that at a later time, so I will not go into detail at this stage in relation to the inspection clause. That can be discussed at the Committee stage.

The general philosophy behind this provision is accepted by the Australian Labor Party. The Opposition believes that no school in Queensland should be able to be set up unless it has received community approval, and by "community approval" I mean the approval of the community of Queensland. The Opposition does not accept that anybody—parents included—has the absolute right to set up a school and stand apart from the community and say, "We will not let anybody, even the Minister for Education or his department, inspect this school to ensure that it meets basic and minimum standards."

The reality, of course, is that education is such a basic right of every person—and that includes children—that a minimum standard must be required and laid down. The appropriate person to lay down that standard is the Minister for Education, assisted by his departmental officers. That does not take away the basic right of the parent to be the primary educator of his or her children. The Opposition accepts that. Of course the parent is the primary educator of his or her children. However, the community lays down certain basic requirements that are of importance.

Hospitals are an example of a basic requirement. The Government requires hospitals to meet minimum standards because it wishes to protect everybody. It does not rely on the goodwill of private hospital operators. There must be a minimum standard. The same applies to education.

This Bill, of course, is not draconian. I think, if anything, it could be tougher in relation to registration. I would like to see a situation in which all schools have to be registered.

Mr Schuntner: Will you support that amendment if it comes up?

Mr BRADDY: I would like to read any amendment before I say whether or not I would support it. If the honourable member has an amendment, it would be nice if he would give me a copy of it.

As I was saying, there should be a minimum standard. It is set out in the Bill that there will not be undue interference in the curriculum of non-State schools; that although there will be an initial approval process and the right to inspect at a later stage if problems arise, the basic overall curriculum can be set by the governing authority of

the school and by the parents who set up that school. Those in the community who have argued that this will take away their right in that regard either do not understand the Bill or belong to a group of people who will accept no community standard in this matter at all. That, of course, is wrong.

As the Minister has said in another place, the rights of children must be protected, and although most of the time most parents will protect the rights of their children, things can go wrong. For example, the parents could be so misled that they do not protect the rights of their children. They could be misled by a con man who sets up a school that is bad. They could be people who just do not have the ability to make the judgment about whether a school is good enough. So there should be a basic requirement. In fact, I believe that the requirement in the Bill could be more stringent.

At the same time, the Opposition supports the right of parents and others in the community to establish and operate non-State schools. Of course, this Bill does not take away that right. I believe that the requirements that the Minister has placed in this Bill in relation to these matters are the very minimum which can be placed on members of the community. I believe that, in time, some of them will have to be strengthened.

The mainstream organisations that have been operating non-State schools for many years have no basic problems with the legislation in relation to these matters. I have been in contact with them, as I am sure other honourable members have, and I have listened to their point of view. They have suggested improvements. However, the basic right of the community to have some standard which must be met before a school starts to operate or is funded is accepted by mainstream organisations. I understand that some of the newer organisations that are now building schools and starting to operate schools also accept this standard.

However, there are others who are so hung up about the right of the parent that they cannot face the reality that the community has an obligation, through a Government and its Minister, to ensure that the rights of all citizens are protected, whether those citizens be 12 years of age or 72 years of age. A 12-year-old has these rights, and certainly one of the great rights of the 12-year-old is the right to receive an education, and the right to an education that is of a basic standard.

After the legislation is passed, I urge the Minister to review regularly what is being done with non-State schools and, if necessary, to improve the legislation. All honourable members are aware that the majority of non-State schools in Queensland are extremely well run and are an important part of the educational process. Those who are calm and collected about that have supported the legislation. They have asked the Minister to consider their rights. They have been calm about the legislation, which does not take away the rights of parents. To some extent the legislation protects the rights of their children. The legislation is about a community being in partnership. There is a partnership between the community—the parent, the student and the staff of schools. The partnership, which should be supported by all honourable members, must continue. The partnership will continue either in State schools provided by the Government or in non-State schools. If there is going to be a partnership, all parties should be respected. As I said, the rights of parents are not taken away by the legislation.

The Bill provides for an adequate age for compulsory education in accordance with current standards, which the Labor Party will support. Arguments have been advanced to change that age. Certainly arguments have been put forward to encourage students to stay at school longer. The present compulsory age of 15 years points out to some extent the inadequacy of Queensland's education system. Many students who complete Year 12 are only 16 years of age. I reiterate strongly the criticism that I have made. Queensland must review immediately its education system so that students receive more of their education in secondary school. They should be leaving certainly at least a year later than they are at present.

The Queensland Government has not bitten the bullet. It is notorious for its failure with secondary education. The Grants Commission figures for the 1987-88 financial year, which were released recently, show that Queensland's expenditure on education per head

of population was again the lowest of all the States. Of all the areas that were defined by the Grants Commission, secondary education received the least spending. The Minister and the Queensland Government should be totally ashamed of what they are not doing with the funding of secondary education. About $130m a year would have to be provided to bring Queensland up to the average spent by the other States. The National Party is always juggling figures in Queensland. However, the figures I have cited are accurate and were provided by the Grants Commission, which has made an assessment. The commission found that the areas which received the least funding were secondary education and technical and further education. Spending on primary education in Queensland is on a par with that of the other States.

The story about secondary education is shameful. It is a story of underspending and underprovision for the future. If the Queensland Government does not turn around that trend drastically in the next Budget, it will pay a very high price for that at the next election. Members of the Australian Labor Party have travelled all round the State and showed the figures to the people. We have said, "There are the figures. Queensland spends $130m a year below the average." That is an extraordinarily large amount of money. Contrary to what members of the Government say about being able to provide a good education in comparison with that provided by the other States, a good education cannot be provided when the Government underfunds education to the extent that it does.

The performance of teachers and students would be greatly improved by the provision of proper funding. The Government cannot consider providing an additional year of secondary education when it is drastically underfunding what it is providing at present. If the Government is not prepared to spend money on secondary education, it will continue to put immature 16-year-olds out into the street or send them to universities and colleges of advanced education totally unprepared emotionally. That is probably one of the reasons why the Government has not moved to change the system. In Queensland, 16-year-old students attend universities, whereas their equivalents in Europe are 18 and 19 years of age and are more mature and better able to cope with learning.

The Opposition is entitled to support the overall provisions contained in the legislation. In some respects it is an improvement. Although I have made some criticisms of it, I wish to discuss other matters in detail at the Committee stage, when considerable debate will take place.

I congratulate the Minister on the improvements contained in the legislation. I also congratulate him on standing firm in the face of the attempts by some people in this State to prevent the reforms that he is instituting with the minimum standards of non-State schools and the right to inspect them if difficulties cannot be resolved in some other way. At least the Minister has achieved an improvement with that. He has stood firm. Phone calls and letters are flowing in to my office. I am sure that the Minister and his department have received a similar or larger number of responses.

Although the Minister has done something that is worth while, it could have been better and it should have been better. It certainly could have been better if it was done in conjunction with the mainstream educationalists in non-State schools. However, the legislation is a start. The Opposition is thankful for small mercies. I urge the Minister to keep the legislation under review during the period that he remains the Minister for Education in this State.

Mr LINGARD (Fassifern) (8.37 p.m.): I am sure that the churches will be very surprised when they read the statements by the Labor Party about the expanding role of the State. I am sure that parents will be amazed when they hear that the Labor Party believes that the State should have a more expanded role in the application of education. All of the complaints that the Government received about the previous proposed amendments to the Act were to the effect that the State was taking away too much control from the churches and the parents.

The Opposition spokesman on Education talked about the expanded role of the States, similar to that which exists in Europe. If ever there was socialism in the dominance of the State in the provision of education, this is what we are talking about. If ever a Government has tried to put the role back to the parents and recognise the roles of parents and churches, the Government is doing so in this legislation.

I am sure that students will be completely amazed when they hear the Labor Party's attitude to the extension of the school leaving age. The Opposition spokesman on Education claims that students are going to university far too early. If he believes that he can squeeze in another year between secondary school and university, he will face one heck of a backlash from students. The fact is that students do not attend university at 16 years of age; they enter Senior in their 16th year and approach university in their 17th year. The honourable member's statement was completely wrong.

The Labor Party blames the TE score system for preventing students with 935 and 945 TE scores from undertaking law and medicine. It is not the TE score system that prevents students doing law and medicine; it is the quota system in universities that does not allow enough students into universities to undertake law and medicine. It is not that the 935, which is a rank order of students, stops them doing that; it is that in the rank order, the number of students who can enter universities is limited. All honourable members know that the Federal Government limits those students in tertiary institutions.

It is my pleasure to join in this debate. Basically, the Education (General Provisions) Bill is about the current Education Act, which provides for education in general in Queensland. It provides for the operation of the State school system and the formation of p. and c. associations, and talks about advanced education and colleges of advanced education.

It must be realised that the earlier education Bill covered aspects such as the Board of Secondary School Studies and the Board of Teacher Education. Therefore, it is necessary to introduce this legislation at this time.

In supporting this legislation, I must congratulate the Government, the Minister and all his workers on its acceptance by approximately 95 per cent of the general public. The other 5 per cent includes that small group of private churches and private institutions that were worried about the dominance of the State and believed that more authority and responsibility should be given back to the churches and parents, which has been done in the extensive amendments that have been circulated.

There has been a great general acceptance of this Bill. On Monday, that small group of churches issued a press release stating that they are satisfied with the negotiations that were to be undertaken on Monday night and Tuesday. As a result, this legislation can be presented in a form that is satisfactory to almost 100 per cent of the community.

I congratulate the group of parliamentary workers who, during the past three or four days, have worked very hard on the final alterations to the Bill. I thank also the policy-writers, a significant number of churches and my colleague the member for Mount Gravatt for the work that they have done.

The honourable member for Mount Gravatt has done a lot of work in formulating the amendments so that they meet with the general satisfaction of the community. The preamble of the legislation refers to the role of parents and churches. It states—

> "Whereas parents are the natural, first and primary educators of their children and have a right and responsibility to arrange for their children's education in the broadest sense:
>
> And Whereas the State undertakes to assist parents to fulfil that responsibility through support and as necessary provision and maintenance of schools . . . "

The Minister has maintained the right of parents and students to select schools. The Bill refers to both State schools and non-State schools. There is no zoning in Queensland's State school system as exists in other States. There is no stipulation that

a student must attend a particular primary school. If a student wishes to by-pass a particular primary school and attend another State school, that student is completely entitled to do so.

Education for students who are especially disadvantaged is completely free in the Queensland system. Because of their parents' particular financial situation, if students wish to apply for a supply of pencils, pads and books, it is possible for a principal to apply to the department for assistance and therefore defray the costs for those particular students. That system represents a means test for those students whose parents cannot afford to provide a basic education. But there is no reason why any student in Queensland should say, "I cannot attend school because I do not have enough finance." A principal can provide pencils, pads, and every other piece of necessary equipment for students in our schools.

As honourable members would be aware, transport is provided to the nearest primary school. No student can say, "I cannot get to school because I have no transport." If a student lives a long distance from a school, distance education and correspondence courses are available.

As to the non-State school system—if parents wish to by-pass the present system, they can do so. However, this Government says, "If you wish to by-pass the State school system, you must pay the costs of transport, which we will subsidise in a certain way. You will have to pay the costs of education, which, once again, can be subsidised." It is obvious that the State Government recognises private schools, because it still pays per capita grants to those schools in the belief that they are both important and very necessary.

A significant aspect of this Bill is that it removes the original approved and non-approved school system. Now, all schools will either be State schools or will become non-State schools. With the non-State schools it is obvious that almost anything is possible, provided they are responsible institutions. Responsible parents who are registered teachers may provide whatever education they wish to provide for their children, as long as a minimum standard is reached. This committee has gone to great pains to make sure that there is a core curriculum or reference to a basic curriculum that all schools must observe.

Personally, I have a great hesitation about home schooling. Because of my previous experience in schools, I have that hesitation as I know that when trouble occurs in a school some parents wish to withdraw their students. They wish to do so for many reasons, such as their disbelief in the school's beliefs or that the children have particular problems in their relationship with their peer group or they have particular problems with their parents. I hesitate to extend home schooling. However, we all accept that in some cases it is very, very necessary. But very strict conditions must apply. This Government has moved to provide very strict conditions in that it has said that those students must be taught by a registered teacher unless in the opinion of the Minister another very, very special reason exists for them to be taught at home. Some cases do exist in which there are some very special reasons. It might be that sickness prevents a student from leaving home and therefore he has to be taught by the parent who in the opinion of the Minister can provide a suitable home schooling service.

I hesitate at home schooling simply because I know that some parents who have very, very different beliefs want to retain their children within their homes. I know that many parents will not allow their children to receive health care in our hospitals. They believe in home health care. If that is allowed to be extended to schooling, I am sure that a problem will arise in the future.

Mr R. J. Gibbs: It would be rare, for example, for the situation I had in my electorate where a family claimed they had three child musical geniuses in one family.

Mr LINGARD: Many parents believe that their children are geniuses. Many parents believe that they, and only they, can teach their children properly. That is a value judgment that many of us would disagree with. Those parents make a value judgment

that they believe their children are better off at home; that they are better off not mixing with the ordinary run of students. That is a value judgment.

Recently I spoke to a group of brethren who have very, very strict beliefs in how to bring up their children. They do not believe in videos, TVs or computers. They have a very strict belief that their children should not touch computers. I have no doubt that many of us in this Chamber would have different value judgments on whether that is right or wrong. Those are the sorts of decisions that the Minister will have to make. He will have to decide whether those sorts of beliefs should be allowed in relation to home schooling. I sound a note of warning that the Minister will receive many of these sorts of requests which sound quite valid, but which, if they are allowed, will cause problems in the future.

It must also be accepted that many churches believe that they should have a special curriculum within their own school. However, we as a Government say that they must teach a basic core curriculum so that the Government can be sure that, in the future, those students who attend those schools can go on to other institutions. It is no use the Government's allowing Year 8 and Year 9 courses for those students and then finding that when they come into the State-run institutions they do not have the ability to fit into Year 10. This Government has a responsibility to ensure that all schools have a basic core curriculum.

I have never seen parents come into a school and discuss with its principal the school's curriculum. Most parents believe and understand that all schools offer a basic curriculum. They believe that it has a special philosophy. Sometimes they agree with that philosophy, other times they disagree with it. But I have never seen parents walk into a school and discuss the curriculum with the principal and then make a decision about whether they will send their child to that school. It must be ensured that every school has a core curriculum and that no problems are encountered by any parent who wishes to send a student to any of those schools.

Mr R. J. Gibbs: This is one of your better performances.

Mr LINGARD: I thank the member for Wolston. He has always been extremely complimentary. It is interesting to note that he is only staying in Parliament until the next election to collect his superannuation.

In the last few days, mainly because of pressures from some State schools, discussions have been held, as a result of which amendments to the Bill have been drafted. It is interesting to note that some of the schools run by the churches were very worried about the presentation of academic awards. I am sure that the honourable member for Mount Gravatt will discuss this matter. I have no doubt that everyone agrees that, as new universities are established, it must be ensured that the degrees and diplomas that are issued by them are of a suitable standard and that such a standard is not allowed to drop. It would be terrible if people were running around with doctorates in very useless fields. The American system is not wanted. The Government wants to maintain present standards.

Clause 30, which provides for religious instruction, has been criticised. However, it is obvious that the provisions contained in that clause have been lifted from the existing legislation. There is no difference.

Clause 3 is an attempt to prescribe minimum standards and to ensure that any parent can send his child to any school and be assured that it has a basic core curriculum.

Clause 10 has been a matter of concern. It relates to the Minister's power to delegate his right to form an opinion. After criticism from the churches, that clause has been changed, and that is reflected in the amendments that will be moved at the Committee stage.

I have spoken about home schooling. A concern was expressed that no other organisation could start distance education courses. But the Minister has certainly assured

the church groups that if they wished to start up distance education courses, which were to be approved by him, then they would be allowed to do so.

In relation to the right of inspection for special schools, criticism was made of the fact that the Government might charge special institutions that were inspected by inspectors. After representations were made to the Minister, he allowed that part of the legislation to be waived. Inspectors will still visit those schools but no costs of the inspection will be incurred. Parents also grumbled about legal costs and they wondered whether legal costs would be retrieved by them in the event of a court case. Obviously, decisions in a court case are up to a judge. A judgment on the payment of costs would be made by the judge.

The rewriting of clause 75 of the Bill is very interesting. People who read the amendments will see that the clause contains a definite statement that I believe will satisfy church schools. It was quite obvious that church groups believed that the previous amendment meant that their curriculum would be determined by the Minister.

A new international school has been approved for Jimboomba in my electorate. I believe that overseas students who attend institutions that could be regarded as international schools should undertake a basic Queensland core curriculum.

Mr Schuntner: Has the council approved the sale of that land for the school at Jimboomba?

Mr LINGARD: What the council will do at this stage is of no particular concern. The golf club which was set up by a private group is now defunct and the land has been sold on certain conditions. One of those conditions is that the State Government will allow the establishment of an international school. After an approach was made to the State Government, it was decided that the Government would allow a school to be established. However, that does not mean that all the other conditions of the sale have been approved. If the Beaudesert Shire Council should decide in its wisdom not to approve establishment of the school for the reason that the infrastructure facilities such as the road system are unsuitable, it will be up to that council not to approve the application.

The member who interjected is clutching at straws. I know that he has been told by my opponent to mention this matter because it might be an issue that he could have a go at the Government about. The member is entirely wrong. The land has been sold on certain conditions and the Government has met one of the conditions. Obviously, other conditions will have to be met. If they are met and if the Beaudesert Shire Council approves the application, perhaps the sale will go through. The member is completely wrong in his assumption. I think it is disgraceful that he would try to embarrass me for political reasons.

Clause 24 refers to the suspension and exclusion of students from school. Speaking from personal experience as a high school principal, I can vouch for the fact that it is very necessary to give a principal the ability to suspend a student for a specified period if it is believed that genuine reasons exist for that suspension. Previously, principals did not have that power. Obviously there are times when a principal must be able to say to a student, "You are suspended for a period of five days."

Mr Beard: What about the head at Kedron?

Mr LINGARD: The head teacher at Kedron might be able to do that if he believes that a cooling-off period is necessary. Sometimes conflict arises between a teacher and a student. If a principal believes that a five-day cooling-off period is necessary, it could be of benefit if he exercises those powers. Sometimes antagonism develops between two students and it is necessary to impose a suspension on them for five days because of what they have done. The Bill also provides for exclusion if it is the opinion of the regional director and others that it is appropriate.

Clause 26 extends penalties that can be imposed on students who abuse members of the staff. This clause will apply not just to teachers, but also to people who work for p. and c. associations and on the tuckshop.

A pleasing aspect of this Bill is that it is designed to promote co-operation between industry and commerce. Recently the Parliament passed a Bill that provided for similar co-operation between colleges of advanced education and industry. Those institutions will be able to work with business organisations and promote their expertise in the commercial world. This legislation will enable the Minister to work with business houses to generate revenue that might be applied to enhancing the education system.

I believe that the presentation of this Bill is a credit to all concerned. Many people must look on this legislation with a strong sense of pride. Initially, a good deal of opposition to this legislation was expressed, which was also the case with previous education legislation. However, the opposition has been set aside by the adoption of constructive negotiation techniques and by a great deal of hard work on the part of the Minister and his staff. The presentation of this Bill is the final piece of legislation in a set that has attracted minimal criticism. The speeches made during this debate contain very little opposition to this legislation. Moreover, all the half-page advertisements submitted by the churches have disappeared. I believe that there is almost 100 per cent acceptance of this legislation.

Mr SCHUNTNER (Mount Coot-tha) (8.58 p.m.): At the outset, I express my appreciation of the Minister's arranging a couple of briefing sessions between me and a departmental officer. It was most helpful in assisting me to gain an understanding of the Bill that is before the House.

Mr Comben: Did you see Rona Joyner? She had five briefings?

Mr SCHUNTNER: No, I did not.

I agree that this Bill is necessary. I am pleased with the general thrust of this legislation. However, I must ask: why is the Minister in such a hurry to have this Bill passed by the Parliament tonight?

Honourable members received a program that set out a session of three weeks. I cannot see why this matter is so urgent that it must be dealt with tonight; nor can I see why it is so urgent that normal arrangements made by dozens of members of Parliament had to be cancelled so that this Bill can be pushed through in a hurry.

Mr Sherrin: Oh, rubbish!

Mr SCHUNTNER: It might be rubbish in the opinion of the Minister for Family Services who might have had a free evening, but I can assure him that I certainly did not. I stand by my statement. Dozens of members of Parliament would have had to rearrange their programs because they were told this morning that the House would be sitting tonight, despite what had been stated on the program, that is, that parliamentary sessions on Thursdays would conclude at 4.30 p.m.

That fact raises immediately the question of why the Government is in such a hurry to push through this legislation. Why could it not have been done next week or the week after? Although I agree that this legislation should not be delayed until the next session, I am concerned about the speed with which the whole business of the Parliament has been put together over the past few days.

Mr Hamill: Do you want to put forward a few amendments?

Mr SCHUNTNER: That could be the case, yes. It is a clear indication of the degree of concern. A significant number of amendments had to be put together to accommodate those concerns.

I wish to refer to the bulk of the legislation which concerns State school education, which is where approximately three-quarters of the youngsters in this State are educated. In saying that I recognise that the most contentious parts of this legislation, which I will

be considering later on in my speech, have affected the non-Government sector. Reference is made in the legislation to facilitating the commercial involvement of the Education Department in the production and sale of certain educational material. The Liberal Party supports that development, but I point out, as I did last night when speaking to another Bill, that entrepreneurial commercial activities do not in themselves mean some kind of sudden financial bonanza for those who are undertaking such activities.

I counsel the Government very strongly not to launch forth into some new, wide range of commercial activities, such as the production of textbooks for schools, which might be technically possible under this legislation. I understand from previous speeches on this topic that the reason for this provision is to open the way for commercial exploitation through the sale of materials to various markets in south-east Asia. That is fair enough, but there is a concern amongst some people that this element in the legislation could be used as a peg on which the Government could hang a great deal of undesirable commercial activity. When one looks at this Government's activities in the commercial area, such as the Queensland Treasury Corporation and its handling of superannuation moneys, one has reason for concern.

A central part of this legislation that affects hundreds and thousands of youngsters is the part referring to the provision of State education. I am pleased to see that the relevant clauses place an emphasis on the age, ability, aptitude and development of the student. There is also an emphasis on continuity in education and on the nature of the knowledge that is imparted in the education process. Those things are extremely important. On many occasions I have referred to the previous Education Act which lays down that the nature of education in Queensland should be centred on the needs of the individual student and not on the needs of the 200 000 students in the State or even a group of 30 students in the class. Another important point that must be considered when one looks at the fundamental question of the purpose of education and what the State should be providing by way of education as it is spelt out in the Act is the need to take continuity of education into account. I welcome the inclusion of continuity in the relevant clause of this Bill.

I now turn to look at the control of curriculum, which underlines several parts of this legislation and has been a very important part of the legislation that has been passed in the last 12 months. It is true to say that a common thread has been running through the whole thrust of educational leadership over the last four years. That common thread revolves around who develops and controls the school curriculum. Under the control of the previous Board of Secondary School Studies a widely disparate group met and developed syllabuses. There was a great deal of confidence within the general education community in its capacity to do that.

The Board of Secondary School Studies has been eliminated and Queensland now has a Board of Senior Secondary School Studies which is obviously concerned with Years 11 and 12. I will go back further than the abolition of that board and pick up the thread from approximately four years ago. At that time a document entitled *Education 2000* was released and those honourable members who recall the document will remember that it caused a great deal of concern because of its centralising thrust. Other elements in the document also caused concern, but that was one of the overriding problems that many people saw in it because many of them provided responses to the document. Never before have I seen such a response to a document put forward in submissions to a committee of inquiry. The inquiry was chaired by Professor Bassett and over 900 submissions were received by the committee. The overwhelming view of the people who made those responses was that they did not like the centralising thrust of the document.

After the Bassett committee's report was presented, the education legislation, Mark 1, was presented to the Parliament on April Fool's Day 1987 and it had the same thrust running through it. For instance, the legislation made it clear that the Minister had power over all education in the State. It gave him power to appoint members to any committee of any State or non-Government school throughout Queensland.

There was massive reaction to what I shall call the Mark I version of the education legislation, which was introduced in 1987. Some time later we had the Mark II version, which was introduced later in 1987 and pushed through the House against considerable opposition. This time there had been some modification to try to accommodate, or to appear to try to accommodate, the various concerns that had been expressed. However, what happened after the legislation Mark II was passed by this House? There was a change of Premier and a change of Education Minister. The Bill was never proclaimed and in due course, in 1988, Mark III of the legislation came in and it was ultimately passed at the end of last year.

That caused a number of people some anxiety, and I make it clear that I was concerned about some aspects of that legislation inasmuch as it gave a greater degree of centralised control than I think is right and proper. For instance, it was very explicit that the boards that were set up—for instance, the Board of Senior Secondary School Studies—had to act on the directions, and carry out the instructions, of the Minister. That made the boards very subservient bodies and made it very clear that the centralised domination remains. Although I have pointed out that reservation, I know that people can refer to *Hansard* and find that the Liberal Party supported that Bill. Nevertheless, my point remains valid, that although there had been some watering-down between the Mark I version and the Mark III version, the centralising thrust continued through them all.

I have stressed that because that tendency continues in this Bill. I realise that in due course some amendments will be put before the Chamber. They are another attempt to accommodate the concerns of many people, in this case particularly those in the non-Government area, because of the degree of centralised control. I will have a little more to say on that at the Committee stage and I will also mention it when considering the effects of this Bill on the non-State area.

I shall move on to other parts of the legislation. I welcome those clauses that deal with education centres. I regard the creation of teacher centres and education centres as one of the better achievements of education during the early 1970s. I well recall 1973, when a number of people, including myself, were involved in a significant way in establishing the Brisbane Education Centre and a number of other education centres that followed throughout the State. In the Bill they are called teacher centres. I am not sure whether that refers to the same thing as those education centres, but if we are talking about centres that are exclusively teacher centres, I believe that is a very worthwhile inclusion.

The Bill refers to provision being made for student hostels and residential colleges. I understand that there is no immediate intention to move to create these hostels or colleges, but it is a significant inclusion in the Bill and I am drawing attention to it because I think the time may well come when we look at student hostels or residential colleges in certain parts of Queensland.

Mr Beard: I hope we do.

Mr SCHUNTNER: I know that at times in the past places such as Mount Isa have had church and other voluntary groups involved in some way in providing accommodation for youngsters from the country, but it may well be that we need to upgrade education in areas such as Charleville, Longreach and Mount Isa to make education more available to more people than is currently the case. If that happens, there will be some impact on some of the non-Government schools that currently draw upon those areas. There would need to be close and careful consultation about the implementation of any steps in that direction. However, I believe it was worth spending a few moments referring to that part of the legislation because, from my own involvement in meetings in those areas at places such as Longreach, I know that there was indeed a very high level of demand from the parent community for education of the type that could be provided under that part of the Bill.

I wish to reinforce a comment made by the member for Rockhampton about section 18 of the Education Act, which has been there for a long time. It deals with instruction in State schools being free. While I am certainly highly critical of many things that the Labor Party and particularly the Federal Labor Minister for Education have been doing lately—I expressed those criticisms last night—I have no hesitation in agreeing with the comments made by the member for Rockhampton, Mr Braddy, about section 18 of the Act.

It is of some concern that in the legislation there appears to be no provision that it is the responsibility of the State to provide free education for students of compulsory school age. One cannot help wondering what could be the ramifications of that. I hope there are no overtones of students in State schools having to pay more than they currently pay through levies and other charges that from time to time are imposed on them.

The move to define education into compulsory and post-compulsory, when seen in conjunction with the provision to which I have just referred, opens up the possibility that at some point in the future youngsters could be charged for post-compulsory education in State schools. I hope that I am quite wrong in thinking that that is in anyone's mind. However, I would be pleased if the Minister, when he replies, would reassure the House that that is not intended by the Government.

Another part of the legislation increases the authority in the hands of school principals to suspend students. I welcome that development and do not intend to say much about it. An episode at Kedron State High School was reported tonight on television. I will not go into the details. However, it is sad to see that circumstance arising in our schools. I feel great sympathy with the people who are involved. I will not say anything about that incident that is in any way political. It has just happened today and I will leave it in the hands of the Education Department to investigate.

The section dealing with religious instruction has not been changed. That response is fair enough. I am not aware of any huge outcry for change in the section of the Act dealing with religious education. However, I am extremely worried about a part of the ALP's education policy that would generate significant changes in that part of the Education Act. On another occasion, if I have an opportunity, I will say more about that and some other points that worry me considerably.

The p. and c. associations will no doubt welcome the parts of the legislation dealing with the formation and functions of their associations. I am pleased that the legislation gives a higher priority to the involvement of p. and c. associations in aspects such as the real education that is going on in the schools—the co-operation involving the parents, the teachers, the students and the wider school community. It is significant—and I support it—that the financial role of p. and c. associations is placed further down the list. Although it does not say specifically that the list is in some sort of descending order of priority, the fact is that that is an element of what the p. and c. associations do. The task that the p. and c. associations have had to perform in the past—I am referring to the financial task—has been put further down the list.

A part of the legislation deals with schools teaching an overseas curriculum. To have a reference to that development in the legislation is facing the realities of 1989. When I look at the parts of the legislation that deal with the overseas schools and the parts that deal with our own schools, there seems to be a difference that I do not particularly like. In terms of costs in Queensland State schools, the Government can defray the costs for youngsters who attend those schools, but there is no obligation to ensure that the education is free to the students; whereas, in schools for overseas students, the legislation makes it clear that the State can provide various allowances for those students. If the overseas students are not domiciled in Queensland and they are being taught an overseas curriculum, I wonder why in any circumstance we would be paying money to them. Perhaps that will be cleared up later.

I turn now to what I think are the key issues in terms of the response from the community. Those key issues deal with compulsory education and non-State schools. As well, tied up with compulsory education is the question of what criteria are applied

for dispensation from the requirement to attend school on a compulsory basis. Generally speaking, the compulsory education requirement and the dispensation clauses are welcome. There is considerable contention in the area of home schooling and the non-State area.

Diversity throughout schooling is very important. Firstly, I will mention diversity within the State school system. We have big schools and little schools. I have taught in a school of approximately 1 600 students and in a school with nine students. The sort of education that is provided varies significantly according to the size of the school. I am not saying that one is necessarily better than another. If I had my preference, I know which size school I would be teaching in. There are different emphases on curriculum and the various elements of curriculum when one school is compared with another. That is desirable. In fact, it would be a good move to have clusters of schools with an emphasis in one school in each cluster on film and television, in another school on speech and drama and in another school on music, thereby allowing youngsters to attend the particular school in which a greater emphasis is placed on the aspect that is of major significance to them. That is already happening to some extent. I recognise that and I welcome it.

When I was at the Toowong State High School a dozen years ago, that school was a smallish high school within the overall Brisbane context with a student population of about 550. The very size of that school attracted a number of students from different parts of Brisbane who wanted to ensure that they were attending a small school rather than one with a student population of 1 200 or 1 300.

There is diversity amongst primary schools, and the type of class groupings and the type of teaching in the schools can vary significantly. There is also diversity within the non-State system. Some systems are based on religion, some are non-denominational Christian schools, some are co-educational, some are single-sex schools, some are primary, some are secondary and some are a mixture.

Recently, honourable members have seen the emergence of home schooling, and some schools are said to have a packaged overseas curriculum. All of that illustrates the factor of diversity that I have been talking about in the last couple of minutes. That raises the question of what the role of a State Government should be, and I think that that is the central point in this whole piece of legislation.

Obviously, I see considerable value in significant diversity. However, I think that some controls are desirable. It would be possible to have an extremist group that wants to establish a school. The main thrust of that extremist group may not be the development of education in accordance with the sort of thing that I talked about earlier as being something that the State system is to provide or the sort of thing that happens in many of the non-Government systems.

If the main objective of a particular extremist group is the perpetuation of that particular sect's existence and its further growth to the exclusion of other things that most people would regard as desirable in education, one would have to question whether that school should be operating within Queensland.

If a school does not provide adequate sporting facilities, again I would wonder whether the children at that school are able to have the proper all-round education that is required. To take an extreme case, if one had a school that was concentrating on teaching youngsters some form of terrorism to be applied in society at large, that would be detrimental to the interests of the whole of society.

Therefore, I say that some form of control is necessary. That in turn raises the question of what mechanism is most appropriate. I have had to form the view that the type of mechanism that would be most desirable is one of a broader nature rather than one of a narrower nature. To arrive at that form of mechanism, that is, one of a broader nature, I think one has to consider a type of registration as being more appropriate than a centralised control in the hands of the Minister.

A board to register schools would obviously need some guide-lines. The composition of such a board would need to be carefully thought out. My own opinion is that, if the

board is set up to register non-Government schools, clearly the majority of the members of that board should come from the non-Government sector, be they parents or teachers. It may well be that the State Education Department should have a kind of liaison involvement with that particular board. Perhaps it should have full representation on the board. However, I emphasise the point that any such board should have a majority of non-State school representation.

What honourable members have seen is a continual slide over the last few years to more centralised control. I am speaking to the Bill that is presently being debated. I know that amendments are to be moved at a later stage. At the Committee stage I shall have more to say about the particular clauses in relation to the form of control that I think is appropriate.

Mr NEWTON (Glass House) (9.27 p.m.): I have pleasure in being a member of the Minister's education committee. Parents and citizens associations form an important part of education and are referred to in the Bill. Before I became a member of Parliament, I was a very involved member of the community. My wife has been associated with the parents and citizens associations for some 22 years. That would take quite a lot of beating in this Chamber. I have been involved in them myself for 15 years.

Mr Davis: Thirty-seven years altogether?

Mr NEWTON: No. My wife has been involved for 22 years and I have been involved for 15 years.

Mr Davis: Did you beat your wife or did she beat you?

Mr NEWTON: My wife beat me. She always beats me.

Parents and citizens associations are a very important part of the function of schools, not so much in the formulation of the curriculum as in helping to implement the curriculum. Over the years I have observed the apathy in some schools. I must say that, because of a great deal of community effort that has been put into what is a very fast-growing area, the associations have a very good record.

I must mention the Morayfield State School, which, when I attended it during my school years, only had eight students. That school now has 890 students, which is quite an increase.

Mr Lee: Which school is that?

Mr NEWTON: The Morayfield State School. The honourable member for Yeronga attended a school at Narangba, which used to be in my electorate.

As I have said, parents and citizens associations are a very important part of any school. They are formed in the same way as other committees. Members of a p. and c. association discuss many matters, one of which is fund-raising. Some people might say that the Government should provide all the funds required by a school. Parents and citizens associations form an integral part of schools and are instrumental in providing facilities that cannot be provided by the Government. A little school at Delaney's Creek, which is in my electorate, has a p. and c. association comprising the parents of 20 families. It is a credit to that little school that the last annual meeting of that association was attended by the parents of 19 of those families. The association is in a sound financial position and is doing a magnificent job for that little country school.

One of the committees under the jurisdiction of a parents and citizens association is the tuck-shop committee. I pay a tribute to the many people on those committees who do excellent work for the community. There are many good families who——

Mr Sherrin: Have you got any names?

Mr NEWTON: I do not want to name anybody. Once a person starts naming people, it is possible that he may forget some people who should be named. They are all good people.

I have been involved with the tuck-shop at the new Bribie Island State High School.

Mr Hamill: You visited it and it went broke.

Mr NEWTON: I point out to the member for Ipswich that the new high school is a prototype. The school is a credit to the people associated with it. It will be in a sound financial position because the community is right behind it. Residents of an aged persons' home on Bribie Island work one day a week at the tuck-shop at the school. I praise those people for their assistance, which I am sure they will continue. Apart from providing an outing for those people, it allows them to become involved with the younger generation. The tuck-shop has been set out very well. It is a credit to the Works Department and to the Education Department.

Mr Davis: What's the menu like at the tuck-shop?

Mr NEWTON: I like all the menus at the high school tuck-shop. It has a very healthy menu. Nutritious food is provided because the organisers of the tuck-shop are concerned about the well-being and health of the children. It is a very nice tuck-shop.

Mr Sherrin: Health foods?

Mr NEWTON: The tuck-shop provides health foods. It provides salad rolls and other food. Children can buy packets of sultanas on which they can nibble.

Mr Comben: Have they got any papaws?

Mr NEWTON: A lot of fruit can be found on the menu. I will not just stick up for papaws—apples and bananas are provided.

Mr Hamill: They tell us you are a cream-bun man.

Mr NEWTON: I am not. I eat very healthy food, too. I know that it shows.

Mr Simpson: How would Mr Hamill handle a bun?

Mr NEWTON: Mr Hamill could not eat it; it would all stick to his moustache.

The financial return to schools from tuck-shops is considerable. A large amount of money goes into the schools' coffers and helps them to buy various items that benefit the schoolchildren. Tuck-shops are staffed by many voluntary workers, who will now be covered by insurance. One never knows what might happen to them. A person could fall over and break his arm. If an accident occurs, the workers will be covered by insurance. It is mandatory for insurance cover to be provided for them.

The schoolchildren appreciate the work done by workers on tuck-shops and by the members of the committees that conduct special days at schools. A committee is necessary to arrange the various activities held on special days, such as the operation of ferris wheels. The funds raised from such occasions are used for the benefit of the schools.

Mr Lee: None of the ALP blokes go to those things.

Mr NEWTON: I would not say that; but the way that Opposition members are acting, I do not think that many of them are involved in school activities.

In my area, the involvement of many people in the special days is appreciated. Considerable funds are raised by the committees. Later this year the Caboolture primary school will celebrate its centenary.

Mr Lee: Am I going to get an invitation to that?

Mr NEWTON: Is the honourable member involved there, too? I will make sure that Mr Lee receives an invitation to attend the school on that day. A large number of people have been involved in arranging the activities for that day.

Credit should be given for the voluntary work performed by members of parents and citizens associations. They provide direct assistance to the children. The voluntary

workers provide the little extras that otherwise would not be provided. I am a great supporter of parents and citizens associations. I urge other people to become involved with them. Apart from celebrating special days, p. and c. associations show great interest in children. People who attend special days held by schools can see how the schools are conducted. It is possible for parents and citizens to have a close association with the teachers. The p. and c. association with which I am associated has received a very big input from the teachers. Teachers give their time without charge so that they can be members of p. and c. associations. I give credit to all p. and c. associations for their involvement with school curriculums.

Mr HAMILL (Ipswich) (9.37 p.m.): This legislation is the last in a long series of makes, remakes and redrafts——

Mr Comben: It is not the last.

Mr DEPUTY SPEAKER (Mr Row): Order! The member for Windsor! We do not need any assistance.

Mr HAMILL: I am always prepared to acknowledge the contributions of my colleague the member for Windsor.

This legislation is the last draft in a long process of legislative endeavour by this National Party Government. It goes back to the days of the coalition Government when it was sought to try to amend the education Acts of this State. During the almost six years that I have been a member of this Assembly, I can well remember a number of attempts from a succession of Education Ministers to bring in piecemeal legislation seeking to alter in some respect or other the Education Act of the State.

In 1987 the then Minister for Education, who is now the Speaker of the House, introduced his Education Act Amendment Bill. That Bill went right through the House and was passed. The Labor Party was not terribly impressed with it, but it went right through the Chamber. But what happened? The Minister became the Speaker, the then Premier went off to other pastures, and the Bill went back to the drawing-board. That has happened so often.

Now we have another Minister and another Bill. It is a fairly substantial Bill, and I thought that it was going to be the definitive work of the National Party Government—until I saw the proposed amendments. They are almost substantial enough to be another Bill in their own right. In fact, I find it quite audacious of the Minister to come before the Chamber this evening with substantial amendments and not have the courtesy to allow honourable members more time for their detailed consideration. It is offensive for the Leader of the House to be hurrying up Government members who are making a significant contribution, such as that made by the honourable member for Glass House. This is very important legislation.

Ultimately we have to consider the true picture with education. It does not seem to matter too much what is in each successive Bill, because the bottom line is still the same. The bottom line is simply that Queensland schools and Queensland p. and c. associations are doing it hard.

If this Government spent the necessary time and effort in making adequate outlays to the education system rather than redrafting, redrafting and redrafting again its legislation, perhaps schools in this State would have better resources and would be more able to meet the educational needs of our young people in 1989.

I was intrigued to read the Minister's second-reading speech. He said that this Bill—

> "... contains provisions which will permit the education system in Queensland to develop in ways consistent with the directions and thrusts of Quality Queensland ..."

I ask the Minister: will this Bill end up in the same filing system as the very expensive report that was commissioned by the Queensland Government on its economic strategy? Will it, too, end up as pulp? Will we then go into a new process of amendment

because this Government continually buckles when certain extremist elements in the community come forward and level criticism at it?

I can well remember when an earlier Minister for Education—the gentleman who is now the Deputy Premier of this State—ran into a hornets' nest over a proposal that the National Party then supported for the registration of schools. What happened? It was withdrawn because a vocal minority—a self-styled moral majority——

Mr Davis: Rona Joyner.

Mr HAMILL: Rona Joyner and others of her ilk, levelled criticism at the then Minister for Education, Mr Gunn, and at a number of his successors because they saw an undue interference in what they considered to be their right to limit the scope of education for young people who entered those dubious institutions that are known as tutorial colleges, schools and what-have-you.

At those times the Opposition repeatedly asked successive Ministers to stand up for the rights of young Queenslanders.

Mr Lee: You weren't here.

Mr HAMILL: I certainly was.

This legislation has been before the Chamber so often during the past six years that there have been a number of occasions on which to level that criticism at the Government. Tonight is no exception.

In the amendments that have been circulated I was interested to see a fairly lengthy statement by way of preamble to the Bill. I find that most interesting. If we talk about platitudes, this would have to be one of the most magnificent examples that I have seen in a long time. The preamble states—

> "Whereas parents are the natural, first and primary educators of their children and have a right and responsibility to arrange for their children's education in the broadest sense:
>
> And Whereas the State undertakes to assist parents to fulfil that responsibility through support and as necessary provision and maintenance of schools . . ."

One could almost make it into a Gregorian chant—

> "And Whereas the State requires that all children who are not less than six nor more than 15 years of age receive education through efficient and regular instruction . . ."

On and on it goes.

Why does the Minister not include another paragraph to say—

> "And Whereas we do not have the intestinal fortitude to stand up for a lunatic fringe who would deny their children a broad and meaningful education."?

Why is that not included in the preamble of the Bill?

Mr Simpson: You don't agree with it?

Mr HAMILL: The honourable member is the sort of narrow-minded individual who has consistently stood in the way of the National Party Government's and the coalition Government's exerting a tighter rein over the lunatic fringe that would seek to subvert the minds of decent young Queenslanders.

The erstwhile Minister stands condemned for that. Why do we have to put up with such platitudinous drivel as appears in the Bill that is before the House this evening? Why has the Government not got cracking on the real problem that is fundamental to the education system in Queensland today? That problem is that young kids in Queensland are being denied the level of resourcing in Queensland schools that their counterparts of like years can expect and enjoy at schools interstate. Where is my source?

Mr Simpson: No source.

Mr HAMILL: The only source that the honourable member for Cooroora would probably know is tomato sauce.

The source that I cite for the funding is that of the Commonwealth Grants Commission. For many years the Commonwealth Grants Commission has revealed the parlous state of education-funding in Queensland.

Mr Simpson: Not funding, a level of attainment.

Mr HAMILL: For the information of the member for Cooroora, I point out that funding means the amount of financial resources that are made available to schools in Queensland.

In its most recent report, the Commonwealth Grants Commission reveals something that we all know. In fact, it reveals yet again a Queensland education system badly starved of finance. It shows a Queensland education system that has been given a very low priority by successive National Party and, indeed, coalition Governments. It shows that in 1987-88, Queensland spent $546.69 per capita on education. The Government even spent that on account of the honourable member for Cooroora. Even he is included in the statistics, although I am sure that such expenditure on him would be totally wasted. That amount is $62.73 less per head of population than the national average of $609.42. Maybe those statistics are a little difficult for those of the intellectual capacity of the member for Cooroora to grasp, because they do involve sums involving more than two digits and also a decimal point. Therefore, let me try to explain those statistics in terms that even the honourable member for Cooroora might readily understand.

According to the last census—I am sure the member for Cooroora probably regards that as a doubtful source as well—some 30 000 people live in my electorate of Ipswich. If one looks at the per capita funding figure, that means that for the two State high schools and the half a dozen State primary schools in my electorate, collectively, if the Government had been spending per capita the Australian average, an extra $2m would have flowed into those schools alone. That sum of $2m would have gone a long way in those schools, particularly as both of the high schools have demountable class rooms and a number of the primary schools have demountable class rooms. I remind the Minister for Education that one of the high schools—in fact, it is the high school that I attended as a student—still has the demountable class rooms that have been there now for almost a quarter of a century. Such is the testament to the level of capital investment in Queensland's education system under a succession of conservative Governments in this State. It is a damning indictment of the Queensland Government's lack of provision for education in Queensland.

Mr Hynd: Where do we get the money?

Mr HAMILL: The member for Nerang made some comment about money. Of course, it comes down to finance. The Queensland Government receives a considerable sum of money. In fact, half of Queensland's Budget comes from funds distributed by the Federal Government. However, the Queensland Government seems to have some intriguing priorities. For the life of me, I cannot think of any other priority that should rate higher than the welfare of our people, most particularly the welfare of our young people, who, after all, are our State's future. Ministers are heard to speak about our education system becoming more relevant to society, offering greater opportunities to young people to obtain employment and so on. Yet the very same Government relegates education to a very low priority indeed and it always puts it under the aegis of the most junior Minister.

There we have it. The Queensland Government is busily shaping, reshaping, crafting and recrafting dubious provisions in a succession of Bills and doing precious little about education-funding. The present Premier sat on a parliamentary select committee on education and was one of those people who were most vocal about class sizes, prescribing class size levels which, in view of the committee, were seen as desirable. To the Government's credit at the time, it adopted those guide-lines.

What happened in the first year of the Ahern Premiership? The Education budget was slashed to smithereens; teacher aides were put off; resources were withdrawn from class rooms and class sizes reached levels that had not been reached for many years. In fact, in the first year of the Ahern Ministry, there was a greater incidence of oversized classes than there had been for many years. That happened because, in real terms, education-funding in Queensland had been cut by 7 per cent.

In the second year of the Ahern administration, the Education budget actually received an 11 per cent increase in money terms. Although that meant a small real increase for 1988-89, the Minister and his cohorts had obviously forgotten that the schools were stripped bare the previous year. In fact, the increase for this financial year did not meet the losses sustained in the previous financial year, nor, owing to the rate of inflation, was it sufficient to meet that need coupled with the general cost of education provision. So education in Queensland is still behind the eight ball. Those statistics that I cited from the Commonwealth Grants Commission bear testimony to that very fact.

The Queensland Government ought to hang its head in shame because of its record in education. Legislation with which members of Parliament have had to deal over a number of years has been inadequate. It has lacked responsiveness to community demands.

The clauses in the Bill that pertain to p. and c. associations are an insult. Although the legislation recognises p. and c. associations and provides a framework for their operation, no recognition is given in any real sense to the enormous contribution made by p. and c. associations to the welfare of Queensland's schools. I find it obscene that a school's budget depends on monthly takings at the school canteen or the relative success of the chook raffle that may have been run in the neighbourhood or at the pub. It is simply not good enough to fund an important part of Queensland's social infrastructure in such an ad hoc fashion. P. and c. associations are crying out to this Government to be given a fair go, but they have not received one. Consistently, they are being milked by this Government to provide facilities that ought to be part of the fundamental fabric of the school.

Let me relate this problem to my own electorate. The high school I attended—the one that has had temporary demountable class rooms for a quarter of a century—has in very recent years been able to build an assembly hall.

Mr Newton: The community should be very proud of it, too.

Mr HAMILL: The community is very proud of it because the community had to pay through the nose for it with relatively little support coming from the Queensland Government.

Who owns the capital asset? Whose capital asset does it become? As soon as the building is constructed, the title is vested in the Minister for Education and the building becomes part of the Education Department. In other words, the system works as an informal tax that is being levied on the community. It is paid by the p. and c. associations—despite their hard work and arduous efforts in raising funds. P. and c. associations have worked hard to improve the capital position of the Education Department which, after all is said and done, obtains the title and manages the facility.

Mr Lee: In all fairness, how could you talk about tax when you have got Keating in Canberra? That is a fair question. That man is so unfair.

Mr HAMILL: The member for Yeronga speaks about the unfairness of taxation. I find the tax regime very fair. However, if I had the enormous financial resources of the member for Yeronga, I might think otherwise. He is probably leaving the Chamber to check whether his last device—designed to minimise his taxable income—is in place, for fear of receiving a bill from the Australian Taxation Office.

P. and c. associations also believe that they are being unfairly taxed by a Government that does not do the right thing by them, by students in schools and by the community at large. The Bundamba State High School is situated in my electorate. This year it

hopes to be able to turn the first sod in the construction of its assembly hall. The Bundamba State High School enrolled its first students in 1970. It has taken that school 20 years to reach the stage of turning the first sod to construct the foundations of its assembly hall. I mean no disrespect to the Bundamba community when I say that it is not an affluent community. It is not inhabited by the Mr Norm Lees of this world who have extensive rural interests and a substantial private income. The community is composed of working people who have very little to spare. That community has had to raise a very substantial sum of money—$400,000—to cater for the needs of the school. Almost three-quarters of that sum has been raised within the school. The sum represents an enormous amount of fund-raising activity. An enormous number of monthly canteen profits have been poured into a very worthwhile project. An enormous number of raffles and dances had to be run. In spite of that, this Government's attitude is that that is the role of the p. and c. association.

P. and c. associations ought to be able to do more for the school than simply act as a fund-raising adjunct of Treasury. Unfortunately, however, that is what p. and c. associations have been reduced to in this State.

I am disappointed with the Government's record in relation to education and the provision of education. The legislation before the House is the type that can only be expected from a Government that gives education a third-rate priority.

Mr HENDERSON (Mount Gravatt) (9.58 p.m.): It gives me a great deal of pleasure indeed to speak to this Bill. Although the hour is late, I wish to deal with its provisions fairly extensively. Education is a most important service that is delivered by the State and by private organisations. It is therefore worth while spending some time discussing the provisions of this Bill.

Basically I wish to mention concerns expressed to me by parents in my electorate. I wish to examine how this legislation addresses those concerns. I believe it is entirely wrong to assume that the complaints I refer to have been made by a small minority. The fact of the matter is that this Bill has the potential to become an extremely powerful instrument for controlling the whole education system of this State.

The National Party Government in Queensland does not believe in centralising power. It believes that power should be devoluted throughout the system. The Government believed that the Bill contained some provisions that were entirely unacceptable.

At the outset, I wish to respond to criticism made by other speakers who said that the Bill does not recognise the rights of parents at all. The rights of parents are often recognised in education. I wish to read to the House Article 42 of the Irish Constitution, which contains a rather interesting statement on education—

> "Article 42: 1. The State acknowledges that the primary and natural educator of the child is the family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.
>
> 2. Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State.
>
> 3. (1) The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school as designated by the State.
>
> (2) The State shall however, as guardian of the common good, require in view of actual conditions, that the children receive a certain minimum education, oral, intellectual and social."

That clause is congruent with a number of other interesting clauses.

Mr Hamill interjected.

Mr HENDERSON: I would draw the attention of the honourable member for Ipswich to parents' rights under common law and various UN declarations and covenants, including the Universal Declaration of Human Rights, article 26 (3).

Mr Hamill interjected.

Mr HENDERSON: I draw his attention also to the International Covenant on Civil and Political Rights, article 18, the UNESCO Covenant against Discrimination in Education, article 5 section 1(b) and the Chalcedon report in the United Kingdom.

Mr DEPUTY SPEAKER (Mr Row): Order! I regard the interjections being made by the honourable member for Ipswich as unruly.

Mr Comben: He has been silent for five minutes.

Mr DEPUTY SPEAKER: Order! The honourable member for Windsor is only encouraging the member for Ipswich, and I will put both members out of the Chamber if they do not desist.

Mr HENDERSON: All those impressive documents recognise parents' rights in education. I have some interesting news for the honourable member for Ipswich, and I am certain that he will be very interested in it. It is this: an Act cannot be amended by including a preamble. The preamble is here, but no amendment to the Act can include it. I hope that the Minister will comment on this dilemma, because, if this preamble is to be included, an interesting statutory exercise must be embarked upon.

The next matter I wish to draw to the attention of the House is the problem with subjective legislation. I do not think there is a single person in this place who would not agree that the citizen, judiciary, administrator and legislator are most comfortable if legislation is objective and that the more objective it is, the greater the degree of certainty. There is something patently wrong with legislation that is pre-eminently subjective. Any subjective legislation is a blueprint for uncertainty. The following clause is contained in the Bill—

> "A school, not being a State school, that, in the opinion of the Minister, provides satisfactory facilities and efficient and regular instruction in a range of school subjects acceptable to the Minister . . ."

This has the effect of legislating a purely subjective opinion into the Bill. I will give the House a few possibilities. For example, the clause could state, "A school, not being a State school that, in the opinion of the honourable member for Windsor, provides satisfactory facilities and efficient and regular instruction in a range of subjects acceptable to the member for Windsor." Anyone who saw a clause such as that in a Bill would ask what it all meant and what the likely result would be. Apart from the fact that Queensland would have the best educated mob of little greenies in Australia, a clause of that nature would be a blueprint for uncertainty. It is the uncertainty that parents were concerned about, and rightly so. I know that the Minister feels that they were rightly concerned.

The Minister is a decent and honourable person and told the people that he would not do something like that. The fact of the matter is that the power was there and, whilst one may not doubt the veracity and honourableness of this Minister, in the hands of a different person it could become a very powerful instrument to coerce or blackmail schools. It is no defence to say that anyone could write his own legislation later. That contradicts one of the basic principles of political strategy, which is that if one can use a person's own instrument against him, then use it, because one can silence one's critics. I believe that these people had a reasonable and legitimate concern about a clause of that nature, and I am pleased that it has been amended.

Later on the Bill contained a rather interesting clause that stated that the Minister could delegate all his powers except the power of delegation. From time to time this clause pops up in legislation. It is time that this House paused to consider what this really means. In the context of the terminology of the original Bill, that meant that the

Minister could delegate his opinion to someone else, thereby giving that person the right to make an opinion. Although it is argued that that delegate is responsible to the Minister, it was a reasonable statement that the basic principle of ministerial responsibility was being challenged in a very severe way. I do not believe that in issues as important as the definition of a non-State school it is permissible for that decision to be made by someone other than the Minister because it affects so many people in Queensland. It is not acceptable for any Minister to be able to delegate everything except his power of delegation. Basically, that amounts to the education of this State being handed over to an unelected bureaucracy that is unresponsive to the Parliament. That is unacceptable.

I turn now to comment on the clause referring to religious instruction and race and the concerns that have been raised in this debate. The religious instruction clause was included in the original principal Education Act as a result of a referendum of the people of Queensland, albeit quite some decades ago. Probably not many people realise that fact. It is interesting to note that on page 35 of the Bill, clause 90 refers to "Religious instruction in school hours". This clause repeals a section of the principal Act that was inserted after a referendum. It is insufficient to put the same wording back into the legislation. I have done a bit of research and have found that this is only the second instance when any Parliament has repealed a referendum result.

The first one can be seen down the hallway; that was the abolition of the Legislative Council. The people of Queensland voted for its retention, but subsequently the Legislative Council was stacked and it voted for its own abolition. I guess some people in this House would say that I am only splitting hairs because, after all, word for word clause 30 of this Bill is what was taken out of the Act. Anyone who wants to argue that way is failing to see a fundamental principle, that is, that we are repealing a section of an Act that resulted from a State referendum.

I realise that the Bill is capable of being interpreted in several ways, but it was a concern of at least some people that under clause 60 we were legislating into existence a State monopoly on distance education. I recognise—and I accept—that, under clause 3(2) it is probably a true interpretation to say that, for example, within the meaning of that definition, a distance education centre established by the Catholic Church could be a non-State school and, therefore, it could be established according to that clause. If that is the case, I accept that. All I am saying is that some people were concerned about that and at least we can answer that concern.

A number of people were particularly concerned about clauses 68, 69 and 70. I want to voice those concerns because I agree with them. I commend the Government for at least attempting to solve the problem. It took a great deal of thought. I know that there were a great number of discussions about a possible amendment. The amendment relates to Bible colleges. I want to use a specific example, that is an Assemblies of God Bible college in my electorate. I know a fair amount about this, because I am one of those who set it up. The Bible college offers a three-year course. At the end of two years, students can get a certificate of ministry degree and, at the end of three years, they can get a diploma of ministry degree. They can also get a certificate of missionology and a diploma of missionology. After they graduate from this course they do a two-year internship and at the end of that they have the credentials to be an Assemblies of God pastor.

According to the wording of clauses 68, 69 and 70, there is absolutely no doubt that, because of the awards of degrees, diplomas and certificates, that course would have been absolutely illegal. Because everyone who attends the college comes after Year 12 and because they go there to be educated, the college is definitely a tertiary institution. There is no doubt that these awards were being conferred in the terms of clause 70 of the Bill. Had this Bill not been amended, that clause would have very effectively knocked out that training course and naturally the church felt somewhat upset by this. The alternative was to say, "Okay, you get the permission of the Minister and you can go ahead and do what you are doing. Provided the courses are acceptable, the Minister has the prerogative to give permission." When it comes to the Assemblies of God Church,

the Life Gate Baptists and such people, that is like waving a red rag to a bull. A biblical college should be based on biblical principles, and a basic biblical principle says, "Render to God the things that are God's and unto Caesar the things that are Caesar's."

The church rightly says, "The training of the ministers of the gospel is entirely a matter for the church. The State has no right and no responsibility whatsoever to tell the church how to train its ministers of the gospel", and to that I would say, "Hear, hear!" I would fight that principle to the death. I would even have voted with the Labor Party against this Bill had the Government persisted in clinging to the clause in its original form. I make no secret of that. I have said it before and I would say it again: that was totally unacceptable to the church.

It is not good enough for the State to say, "We have a monopoly on diplomas, certificates and so on. If you don't want to agree with us, you can't do it." To that, we in the church would have said, "Tough luck. We are going to do it and you can gaol the whole damned church if you want to." That was the type of challenge the churches were prepared to throw down to this legislation, but I am pleased to say that, after some rather strong talking, at least the Government is aware of the problem.

I believe that the amendments proposed here go some way towards solving it and I believe that those amendments are worth while, although I have not had a terribly good chance to look at them. I want to say, and say quite sincerely, that that would have caused a very considerable fight indeed. I wish anyone who wants to pick a fight of that dimension with the churches all the best. All I can say is that the churches have been around for 2 000 years and they will be around for the next 2 000 years. If anyone wanted to pick a fight on that one, they would certainly have lost.

The most controversial part of all was the inspection of non-State schools. If honourable members read the statement I made about the Irish Constitution, they would see that I for one believe that in any theory of statism whatsoever the State has a responsibility to insist upon certain minimum education standards among its citizenry. I say quite categorically that I support that and support it fully. In terms of any principle at all, no person has any right to neglect wilfully and deliberately the education of children. People can rant and rave about parents' rights as long as they want to or, as we like to say within the National Party, until the cows come home, but they will never, ever convince me that that is their utter, total and complete right.

The State has a role in education because the common good of every citizen in this nation depends on the education of its children and its people. The State is only as good as its educated, constructive and contributing populace. A nation of ignorant people is an ignorant one which, in terms of technology and advancement, is going absolutely nowhere. So right at the beginning I want to say that the State has that right and I would argue that with anyone in any place and at any time. Therefore, a natural outflow of that statement is: how does one police that situation? The State has a role to play in policing that general education standard that it expects for the common good. However, that must be done in a rational, straightforward, clear-cut way so that all parties involved know where they stand.

I found that the original section 74 was a purely subjective statement and no-one really knew where they stood. On what grounds, for example, could anyone come and inspect a school? In that situation—although I am told by quite eminent Queen's counsel that my interpretation might not be correct; nonetheless, many people hold it—the Minister may do so, if in his opinion the public interest would be so served. Many people say that that is a blueprint for tyranny. The public interest can mean anything. For example, the Ayatollah Khomeini has said recently that the author of *The Satanic Verses* should be murdered. The basis of his murder is that he is a heretic, therefore in the public interest he should be murdered. That does not mean that we in Queensland are going to set up a school for murder or anything like that. The honourable member for Mount Coot-tha said, "What is to stop someone from setting up a school of terrorism? What is to stop someone setting up a school to teach the making of bombs?" The answer is that they are not schools. The reality is that they are not education, either, and they

would not be set up as educational institutions. If that were the case, one could argue that, when the celebrated Fagin of Charles Dickens fame taught children to pick pockets, he was running an educational institution. I have argued that in front of a class of third-year education philosophy students. I was given the assignment to prove that that was not a school.

Mr Beard: How did you go?

Mr HENDERSON: I got a very good mark on it.

Mr Beard: What, on the pickpocketing or the argument?

Mr HENDERSON: The argument.

For the information of people who claim that someone could set up a school to teach the making of bombs, I point out that it would not be a school, it would be an industrial enterprise. I do not doubt that the Honourable Vince Lester would be in there in a flash to find out if they had workers' compensation and if they were obeying the industrial laws. So it would not be a school. Arguments about the Bill supporting terrorism are nonsense in the extreme. Those situations could not arise.

A concern that was expressed repeatedly to me was the fact that clause 75 of the Bill left itself open to the interpretation that the Government could have the power to censor various curriculums in Queensland schools. It was not until I drew the attention of the Minister and the policy committee of the party to that fact that it was amended in a most acceptable way. I commend the Minister for that amendment. It makes it absolutely clear that this clause does not apply to a State or non-State school within the meaning of the Bill.

The concerns that people raised were fair and reasonable. Like all Governments, it is our duty to listen. The Government represents the people. If it is a true Government, it represents all the people. Whether 5 per cent of them are ratbags or not is irrelevant. The fact is that in a democratic society a person has a right to be a ratbag, and Governments have a responsibility to listen to him. Whether it takes any notice of the ratbags, of course, is a different matter. But at least every ratbag in Mount Gravatt has the opportunity to come and talk to me, and I believe that I have a responsibility to listen to him. However, I feel sad that there is a tendency among people to label people as ratbags. I would have thought that they were some of the most sincere, some of the most conscionable and some of the most decent people whom one would find. If they did not care, they would not bother. The fact is that they were deeply caring parents of children in Queensland schools who felt that this Bill was nothing less than a possible blueprint for tyranny. I must confess that I support that particular view. Therefore, I am pleased with some of these amendments. The most pleasing aspect of it all is that this Government listened and it acted, and the problems for 90 per cent of the people have, as I see it, been fixed up.

I pay a particular compliment to the Minister and to Mr Lingard, the member for Fassifern, who is the chairman of the Minister's committee. He has been extremely helpful, very constructive and very understanding in this situation. I thank the Minister's committee. Most of all, I say forcefully and strongly that the people who did complain and who were concerned are citizens of this State with children being educated. We have a responsibility and a duty to listen to them. I am proud to stand up here and say that I listened, thought that they had valid objections and was prepared to argue for them. If we members do not do that, I ask the members of this Chamber, "Who does?" If we do not accept that responsibility, we will end up with a complete injustice.

Mr COMBEN (Windsor) (10.21 p.m.): At this late hour on a Thursday night, I shall not keep the House long, as Henry VIII said to each of his six wives.

It was interesting to hear the member for Mount Gravatt say that he is effectively supporting the regulation of all types of education institutions and schools in this State. That is different from what we have been hearing out in the electorates, that there were

various people out there who were fighting the National Party because there was going to be too much regulation and too much approval of schools. Opposition members believe, as the member for Mount Gravatt has just said, that there should be approvals, that the schools that our young people attend should be relevant and should be able to be controlled by our society in such a way that the students will receive a relevant and proper education which will equip them for the world ahead and not just for some narrow band of oddballs who believe that education is something that corrupts the young people of today.

I can certainly speak for a number of mainstream churches that have no problems at all with the Education (General Provisions) Bill, which honourable members are debating tonight. This Bill is intended to allow the education system in Queensland to develop in ways consistent with an entrepreneurial ethos which will facilitate appropriate alliances between the education and business sectors and promote the development of economically and educationally productive initiatives. It has worthy aims. Whether or not it will work in that way will be seen in the future.

This evening I intend to be fairly succinct in my remarks and to confine them to matters relevant to my electorate. First of all, I publicly thank the Minister for Education, who recently was able to support the Wilston State School p. and c. association in its fight to retain a teacher who was to be removed. I know that usually in this place I have little good to say about the Government and the Ministry in general. However, on the public record, I certainly thank the Minister, Mr Littleproud, on behalf of the students, parents and teachers of the Wilston State School p. and c. association. A good campaign was mounted about the needs of that school and how badly affected it would have been had that teacher been removed. Credit is due to people such as Michael Kelly and Phillipa Fardon of the p. and c. association for organising that campaign and to the Minister's regional director, Noel Adsett, for listening. That was an excellent example of the p. and c. association working with the local community and eventually getting the result that the local community believed was necessary. I do not hesitate to give credit to the p. and c. association and to the Minister.

Clause 4 of the Bill deals with p. and c. associations. It is commendable that a statutory base has been expanded and the role of the p. and c. associations is now recognised in this Bill, which I assume will be an Act after tonight. As my colleague the member for Ipswich said, it is a pity that in expanding and enunciating the role of p. and c. associations, no real financial support went to them. It is still a sad day in Queensland that its supposedly free education system is in fact one in which p. and c. associations still have to raise money to buy toilet paper, soap, photocopying paper and a whole range of other items. Free education is still a dream of many parents, p. and c. associations and, I am sure, many honourable members, and something that they hope to see in the future. However, it is far away on the horizon. It is a light on the hill of the worst sort. It is something that should be available now.

I want to raise a number of other problems in regard to educational facilities at schools within the Windsor electorate. The p. and c. associations in all the Windsor schools work very hard. The Newmarket, Wilston, Enoggera, Windsor and Stafford State Schools and the Newmarket State High School all have active and effective p. and c. associations which are hard-working and have a dedicated staff.

The specific request that I receive regularly from all the schools in my electorate is for painting. The Enoggera State School has not been painted for 15 or 20 years. I am going to extend an invitation to the shadow Minister to come and see just how bad the paintwork of the Enoggera State School is. The paintwork on the Enoggera State School must be just about the worst in the State. It is really quite pitiful. In fact, I sometimes wonder whether there is not lead paint on that school. There are now tessellations in it because it is so old and it has gone hard. It is a depressing sight. Stan Bowls, the principal, and his staff do an excellent job, but how can they be expected to teach properly in those conditions? I think that the Minister, as a former State school teacher, is well aware of those sorts of problems.

Enoggera State School is a small but effective school, and it is inappropriate to have such an off-putting environment. It is certainly off-putting to new parents to see the educational facility in which they are placing their children.

For years the Wilston State School has needed new toilets for students under the school. At present the toilets have the old cast-iron cisterns with chains that are often so short that they cannot be reached by the youngsters. It is depressing for the parents of longer standing to have new parents approach them and ask, "Can't we do something about the toilets?" Two or three years ago a very substantial campaign was mounted. I can well remember a photograph in the old *Telegraph* showing me standing next to a toilet and saying, "Loo and behold". However, it was still not enough to convert the Minister's predecessor and to get him to do something about those toilets. The work that the Minister has done for the Wilston State School has been appreciated, but more work needs to be done.

I was depressed to hear Mr Hamill say that Bremer State School has had temporary demountable buildings for some 25 years. The Wilston State School has just received demountable buildings. They are an unsightly addition to the school. It is a very beautiful school, which is still in its original style. It has not had the massive additions that many schools have had. It is a pity to see those demountable buildings at that school. I hope that something can be done to remove them within a short time. The Wilston State School is an expanding school, and its needs are great. That expansion will continue, and some sort of overall policy plan will be needed in the future.

The Windsor State School badly needs repainting. It is an historic building and—

Mr HINTON: I rise to a point of order. I do not believe that the honourable member is sticking to the contents of the Bill. Honourable members do not really need to hear the honourable member rambling on about all the schools in his electorate.

Mr DEPUTY SPEAKER (Mr Row): Order! There is no point of order.

Mr COMBEN: I was only going to comment on one other school and then move on to a couple of other matters. I have 23 minutes left. I can finish my speech in three minutes or I can take the whole 23 minutes, if the honourable member prefers.

Mrs Nelson: We are terrified.

Mr COMBEN: Members of the Opposition are terrified every time they look at the member for Aspley. I have heard that most of her constituents are also terrified of her.

As I was saying, the Windsor State School is an historic building. It is part of the historic precinct being established through part of Windsor by the Windsor and District Historic Society and Alderman David Hinchliffe.

Mr Alison: Where is that in the Bill?

Mr Littleproud: Let him get on with it.

Mr COMBEN: I thank the Minister.

The Windsor State School is part of the historic precinct that we are trying to form in the area. Its students are vitally affected by this Bill. I am interested to know how Government members can say that talking about the needs of a school that once had an enrolment of 1 000 students and is affected by the Education (General Provisions) Bill is not relevant. Most of my constituents will read this speech, and they will be very fascinated by National Party members who have taken points of order when I have stood up in this place to go in to bat for the students in the schools in my electorate. It is a very sad day when Government members do that.

At one stage the school at Windsor had an enrolment of 1 000 students; today it is about 200. The staff at that school do an excellent job, but they are handicapped by the facilities and the poor conditions.

The Newmarket State School is in urgent need of repair and painting inside and outside. On Monday morning I had a quick look around the school with headmaster Chas. The Works Department has said that it will paint the outside of the school. However, painting of the interior of the school is also necessary. I realise that the Minister is considering those problems. I hope that he will put my requests high on his list of priorities.

At the Newmarket High School, seating facilities need to be provided outside the buildings. During winter-time, students who take a break for an hour or so must sit on wet grass or wet bricks. Although 500 students attend the school, seating facilities are provided for only 150 students. Additional seating facilities are required.

The educational facilities at the Windsor school are covered by the Education (General Provisions) Bill. Ministers for Education have been good to my area. A new library has been provided at the Newmarket High School. Ministers have regularly visited the area and teachers have been provided recently. The Opposition is not putting up a political argument. The items that I have indicated are required at the schools, which I have gone in to bat for this evening.

Clause 53 of the Bill deals with mandatory insurance cover. It states—

> "An association shall purchase and maintain such insurance coverage as required by the Director-General by notification published from time to time in the Education Office Gazette."

The position at Wilston is relevant to the present discussion. A number of volunteer workers, if they are 70 years of age or younger, can be insured easily and adequately through the workers' compensation scheme. However, if a worker is over 70 years of age, he cannot be insured. Recently the p. and c. association asked me, "What is the situation when the school itself says, 'Can we have a volunteer come along?'?" I think that there is a distinction between circumstances in which volunteers work for the p. and c. association and are insured and circumstances in which the school itself says, "We want a volunteer to come along to assist with supervision at the swimming-pool. What are the liabilities? Where can we get insurance for that? Does this mandatory insurance cover provision give us some sort of hope that firm answers will be given from the Education Department?"

Clause 30 deals with religious instruction in school hours. Subclause (2) states—

> "Instruction in accordance with regulations prescribed in that behalf shall be given in State primary and special schools during school hours in selected Bible lessons."

Once the Government allows a person to go to high school, he can do what he likes there. Government members knock Opposition members for being some sort of atheistic, hedonistic group of people who are out to corrupt young people.

The reality is that Opposition members are truthful. I think that all honourable members are aware that a number of Opposition members treat their faith with a little more respect than the scant regard that some opportunists on the Government benches have for theirs. At least people such as Hawke and Hayden do not go through a charade professing some sort of belief when they do not have it. I see too much hypocrisy and cant on the Government side of the House.

Mr Hamill: True indeed, they shall be judged.

Mr COMBEN: I think that the comments from Mr Hamill are true.

I know that Government members worry about these matters particularly. I am pleased that one day I will not be judged by my National Party so-called peers in this place about my own faith. For so many years Government members have tackled Opposition members and portrayed us as something false. I hope that one day they will stand in front of their Maker and be judged.

Clause 30(2), which states that religious instruction shall be given in State primary and special schools during school hours in selected Bible lessons, is not enforced in Queensland. The honourable member for Pine Rivers has advertised in her electorate that the Labor Party is going to get rid of that provision. The truth of the matter is that the Queensland Government has not enforced that provision, but it is retained. Government members hold up the Act and say, "Aren't we marvellous?" Once again, there is hypocrisy, falsehood and cant. It is about time that a few people in this place stood up with some Christian views and admitted the real position instead of constantly referring to problems.

The Bill is like the curate's egg—it is good in parts concerning the p. and c. associations, but there are an awful lot of bad bits in it as well.

Mr SIMPSON (Cooroora) (10.36 pm.): It is with pleasure that I support the Bill. There is no other responsibility of this Government that is more important than education. That is reflected in its last Budget, in which spending on education, which was a record, increased by 11 per cent. Independent surveys show that the results in education in Queensland have been the best in Australia. The end result in education is not determined by totalling up what is spent on education. That is where the fallacy lies in the Labor Party's argument.

Members of a family have a basic right to education and parents have a right to send their children to the school of their choice. It has been shown that the Labor Party does not believe in that policy; it believes that all children should be compelled to attend a State school. I do not agree with that. Schools such as the Christian Outreach school and the New Life Centre school on the Sunshine Coast provide a very worthwhile and effective education. In some areas schools such as that are educating children who cannot be educated in the State system for a number of reasons, one of which—no, I had better not say that.

Mr Beard: Why not? Come on. Be in it.

Mr SIMPSON: No. It may be possible to identify the people involved.

The Labor Party has cut back tertiary positions for our children who attend universities. Members of the Labor Party are hypocrites who are against proper education standards and facilities. That is what they have to live with. The Labor Party fails to provide proper opportunities for students in Queensland. It is forcing Queenslanders to become second-rate citizens, which is wrong.

The family is the essential unit. That is what I like about the preamble to the Bill. Those standards that have made this Parliament and this country are necessary so that people have a choice.

The necessary basic tools for education are the three Rs. Qualified teachers should be properly trained to motivate students to learn. If I were the Minister for Finance, I would spend more on education. I realise that funds must be balanced between health, roads and so forth, but I would place more emphasis on education to help overcome a major deficit in the education system, namely, the lack of discipline. Because of that lack of discipline in our schools, classes are being forced to become smaller. In overseas countries students are educated for longer periods and the attitude to education in those countries is so different from what it is here in Australia.

Discipline starts in the home and must be supported in the schools so that the unruly element does not interfere with the remainder of the students. The p. and c. and p. and f. associations do a tremendous job in supporting and personalising education in our schools. That self-help program is essential to the support that children need.

The proposed amendments to the Act will help to secure the support of highly trained staff within the education system. I thank the Minister for listening to my concerns about the Act. I am pleased that people will have the right to choose their schools and that, as long as they follow the basic standard of the three Rs, they will not experience interference.

In terms of education, Queensland is already ahead of the other States of Australia. I thank the Minister for persevering with a piece of legislation that has been criticised for a long time. It pays to do the job properly, and I believe that we are getting close to that.

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth and Sport) (10.41 p.m.), in reply: I thank all honourable members for their contributions to this wide-ranging debate.

Mention was made that this legislation has been brought forward following an involved process of consultation over approximately 16 months with all sectors of the education system. I am sure that honourable members would agree readily that, when putting together legislation, it is impossible to please everybody. But I would be so bold as to say that, in terms of education, this piece of legislation would please more people than would any other Bill that has come before this House for a long time, simply because this Government has gone through an exhaustive process. For a long time, the people who represent various public interests, my personal staff and I have worked tremendously hard to put this legislation together.

Honourable members would remember that when I introduced this Bill into the House a few weeks ago, I mentioned in my second-reading speech that I would welcome consultation. That consultation has certainly been forthcoming, and evidence of it exists here tonight. That consultation involved the formulation of amendments to try and make more people happy with this legislation. Despite some of the comments that have been made tonight, the general thread is that the legislation pleases most people.

It is impossible for me to move all of the amendments that I foreshadowed. I had foreshadowed an amendment to the preamble, but I am advised that because the original Bill contained no preamble, it is not possible for me to move an amendment to it at the Committee stage. Perhaps it would be proper if I read out what was intended, because the Government intended to move amendments in good faith. Unfortunately it is not possible to do so. If it were possible, the preamble would read—

> "Whereas parents are the natural, first and primary educators of their children and have a right and responsibility to arrange for their children's education in the broadest sense:
>
> And Whereas the State undertakes to assist parents to fulfil that responsibility through support and as necessary provision and maintenance of schools:
>
> And Whereas the State requires that all children who are not less than six nor more than 15 years of age receive education through efficient and regular instruction:
>
> And Whereas parents are free to choose the school in which their children receive education:
>
> And Whereas the State supports involvement of parents, teachers and members of other relevant professions in the education process:
>
> And Whereas the quality of education and the appropriate use of academic awards is of importance to the State:
>
> And Whereas the State requires efficient and effective use of State resources in education services . . ."

Although I was unable to move the necessary amendment, the intent was there because the Government followed through with its wide-ranging consultation.

I turn now to some of the comments that were made by honourable members. I will deal firstly with the contribution of the Opposition spokesman on Education. It became abundantly clear to me that the great ideological difference between myself and the Government of which I am a member and the honourable member is that he made the statement that "it is the duty of the Government", whereas in the preamble to which I have referred the Government recognises the importance of the parents who delegate the right to education to whoever they choose—whether it be a State school, a non-State school or some other form of education that gets special dispensation.

The honourable member then spoke about many things that have been mentioned before. Because the hour is late I do not think I need to go over old ground. One pertinent point he raised was about the clause of the Bill referring to free education. I point out to the honourable member that the present Act contains a section heading, "Instruction to be free." This heading has no legal standing in interpreting the Act. The section itself states that the "cost of instruction" shall "be defrayed by the State". The heading does not have any bearing; it is the wording that appears after it. This legislation contains the same intent, because clause 23 says that the cost shall be defrayed. Therefore, there is no impediment whatsoever to free education.

Various members spoke about the inspection of schools. That matter was raised with various people in the non-State school sector after the Bill was introduced into the House. Extensive consultation has taken place with people in the independent school sector, the Catholic school education council, the Christian schools and the community Christian schools. Through that consultation and toing and froing an amendment has been prepared, which will be introduced later on tonight during the Committee stage. It should meet with satisfaction from everybody. A few people are not yet completely happy with the legislation. However, I suggest that something like 98 per cent of the people involved in education are happy with it.

One of my colleagues, the member for Fassifern, Mr Lingard, gave a general overview of the Act. He paid a tribute to the departmental officers who have been working with the legislative group. For the last four or five months they have put forward a full suite of Bills. I endorse what he said. He gave some more definition and explanation of the cost of inspections. He alluded to the fact that that matter is contained in the existing Act. It is proposed that it be taken out. He also spoke about the new provisions of suspension and exclusion being handed over to the principals of high schools, which is something that has been very well received.

The member for Mount Coot-tha spoke about a hurry. I understand that some dinner arrangement of his tonight was upset. My own personal arrangements for tonight were also disrupted. I believed it was more important that I should play my parliamentary role than attend some social function. He made some comment with regard to the Bill's provision allowing entrepreneurial activity. He thought up the worst possible scenario. The only reason that provision is contained in the legislation is to give me and my department a head of power to go and market some of our expertise overseas, selling consultancy and equipment, and also to go overseas and ask people to come and access our schools to in fact earn income for the department and for Queensland. From public statements that I have made, the honourable member would be aware that some overseas students will be brought into the State next year. They will pay fees to attend high schools so that they are in fact an income-earner for the State. There is nothing wrong with that. Queensland happens to have good quality education that is in demand in the Asian sector.

I was rather amazed that the member for Mount Coot-tha then showed a sudden interest in the non-Government school sector. It made me think about his background. I was a member of the Queensland Teachers Union when he was its president. I was well aware of his stance on things such as marching on Labor Day and also suggesting that no more money should go to non-Government schools. Nevertheless, he has now found an interest in non-Government schools. So be it. That is exactly what the Government has had for a long time. In fact, this Bill contains more recognition for and approval given to the non-Government sector than is contained in any other education legislation.

He spoke about the curriculum and how, under the Board of Secondary School Studies, there was broad representation. I can inform members of the House that under this Bill, for the very first time members in the non-Government sector will play a part in developing the curriculum, not from Year 8 to Year 12 but from Year 1 to Year 12. That is to be commended. It has been recognised by the people in the non-Government sector.

The honourable member for Mount Coot-tha also spoke about the power of the Minister to direct boards. I point out that the legislation provides that the Minister only has the power to direct a board on matters of policy. Having set up the policy, having set the parameters, from there on it behoves me to stand aside and let the board get on with things. So long as it works within the parameters and the policy that I have set, I have to stay away from it.

The member for Rockhampton said that if an ALP Government were to come to power in Queensland, it would quickly turn the education system around and overcome the TE score problems. I can tell the member for Rockhampton that, under the existing legislation, he can certainly have ideas and he can certainly talk to the chairman and the board and tell them his wishes, but he dare not turn them around and give them direction. In fact, it takes them a while to consider all the things that can happen. That process is happening now. I have spoken to Mr Ken Imison, who is the Chairman of the Board of Senior Secondary School Studies. He holds views similar to mine. I have not directed him; I have just spoken to him about what I perceive are public needs. Those needs are what the honourable member was speaking about. The process is in train, but it will take some time for it to be worked through and to work out its feasibility.

The member for Mount Coot-tha spoke about the delivery of education and said that perhaps the Government may be able to become involved in hostels. I am not very keen on that. That is something that is outside the parameters of education. However, I think an alternative to that is being reached because the delivery of education is being further enhanced through correspondence through the distance education schools. Following the Sherrin report recommendation, the Government is in fact enhancing the way in which education is delivered at the tertiary level through the rural areas of Queensland as well.

The member for Glass House spent his time talking about his own knowledge and depth of understanding of p. and c. associations. A clause in the Bill deals with the role that those associations play. Along with the member for Mount Coot-tha, the member for Glass House acknowledged the role that they play. The Government has not just said that they are associations that raise money. Their functions have been very carefully arranged, whereby the most important function is to have some input into the structure of the school and to give advice in terms of the curriculum and the quality of education. It is also acknowledged that they play a tremendous part in raising money.

The member for Glass House spoke about the unfortunate fact that not many parents take up the responsibility they have of supporting their school. The response varies from school to school. Nevertheless, that is one of the responsibilities that people have.

He spoke about the provision in the Bill that provides insurance cover for those people who are members of the p. and c. association and who go along to the school to work, or those people who are working at the school under the direction of the p. and c. association. That provision has been very well received by p. and c. associations throughout the State.

The member for Ipswich was in his usual form, giving a performance rather than a speech. He was highly critical, of course, of the Queensland educational level of funding. He made no mention, of course, of the way in which the Federal education authorities have in fact withdrawn funding from services such as pre-school education, and how they are now imposing administration charges and a graduation tax. He waxed lyrical in his criticism of the Queensland Government without once giving a thought to the hypocrisy he was guilty of.

He also referred to capital investment and said that the Queensland Government has a very poor record of capital investment in education in Queensland. I seem to recall that ALP policy is to cut back the capital works program in this State to provide more funds to spend on education. The honourable member referred to all the buildings

that are required throughout the State. I remind him that buildings are part of capital investment. I believe that he was somewhat confused.

The honourable member also spoke in similar vein about p. and c. associations. The member for Glass House also mentioned this matter. During the honourable member for Ipswich's speech, I wrote a shorthand note expressing my view that his contribution was long and rhetorical. I wonder how much support the honourable member gives to schools in his electorate, particularly those he is closely involved with.

The member for Mount Gravatt and the member for Cooroora highlighted the consultative processes that have been engaged in over previous weeks. Those honourable members approached me and other members of the National Party with concerns about the wording of this Bill. In many cases, I was able to point out that those concerns were without foundation. In other respects, action was taken to have the legislation amended. It is not always possible to frame legislation in exactly the way that is desired. However, I believe that after listening to those people, undertaking a great deal of hard work and burning the midnight oil, legislation has been framed that will satisfy the concerns of those people. As a result, a wider acceptance of this Bill than ever before has been achieved.

The last speaker in the debate was the member for Windsor. He chose to concentrate on local issues, as every member in an election year does. Obviously he has a wide understanding of the schools in his electorate. He spoke in a way that reflected the views expressed by the member for Ipswich and referred to the poor performance of the Queensland Government—or at least what he considers to be a poor performance. He also completely ignored the role of the Federal Government.

The honourable member raised the matter of mandatory insurance, which is mentioned in clause 53. He spoke about the problem of volunteers not being covered by insurance. He mentioned that the insurance cover already in existence did not extend to accidents suffered by volunteers. I inform the honourable member that if volunteers work in the schools and join the p. and c. association, or work under the direction of the p. and c. association, they are covered by mandatory insurance.

I thank all members for their contributions to the debate. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. B. G. Littleproud (Condamine—Minister for Education, Youth and Sport) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr SCHUNTNER (10.56 p.m.): I move the following amendments—

"At page 3, after line 15, insert—

' "registered schools board" means the board established or to be established to register non-government schools;' ";

"At page 3, line 43, delete all words after '(2)' and insert—

'A school, not being a State school, that is registered by the registered schools board.' "

All or nearly all other States of Australia have a board that carries out the function of registering non-Government schools. I have examined in some detail the provisions of several forms of legislation that apply in other States. The features of that legislation are typically that the composition of the board is broadly based and it is constituted by representatives from the non-Government sector. Although it is often the case that Government sector representation is provided for, that is a minority element in most of the boards.

Guide-lines are laid down in the legislation of other States and set out the operations of the board. In addition to those guide-lines, regulations or Orders in Council apply to indicate the way in which the board should operate. The reason why Queensland needs registration to be in the hands of a board is that, despite the suggestions made by the Minister when he foreshadowed a possible amendment that will broaden the effects of subclause (2), no significant guarantee has been given that the effect of this clause will be different from the original intention.

I am somewhat disappointed because at first glance it appeared to me that an appropriate amendment would provide greater assurance for people who are concerned about the effect of this Bill. No suggestion has been made by the Minister to the effect that decision-making will be taken away from the singular control of the Minister and put into the wider context of control by the board. It is no good having a decision-making process that concentrates power in the hands of the Minister if no appeal mechanism is provided. In this day and age, it is inappropriate to allow such important powers to remain under the control of one person.

Earlier I referred many times to the thrust of centralised control, which is really what this is all about. It is no wonder that at the outset the Labor Party indicated that it would support this legislation because it contains some very significant socialistic aspects. This point about centralised control is right at the heart of it. One of the major points of debate within the National Party over the last couple of weeks and in the party room meeting on Wednesday would have been the aspect of centralised control. I would be surprised if some comments have not been made about the need to broaden the control so that it is not at the whim of one person.

The hour is late. I have touched on this point before and I do not intend to draw this debate out any further. It is a fundamental point and I am quite certain that, despite the soothing words of comfort, the fact remains that if this legislation is passed in the form in which it has been presented to this House or in its intended amended form, it will provide no guarantees at all that there will be sensitive and balanced elements in the decision-making. The legislation needs to have some breadth in which to operate. Some people might say that this would result in the setting up of another expensive quango, but that is nonsense. The members on the education boards are not paid and therefore this operation would cost virtually nothing.

Mr LITTLEPROUD: The amendment moved by the honourable member is unacceptable to the Government. It was considered at length in discussions that I had with the various people. Although there are some people in the non-Government sector who would accept the idea of registration, my responsibility is to put legislation in place that is acceptable to as many people as possible. I am aware that some people are diametrically opposed to the registration of schools.

I foreshadow that the Government amendment will cover the matters raised by the honourable member for Mount Coot-tha. It will have the effect of setting up a working committee that is representative of the non-Government sector as well as other educators. The suggestion of registration is unacceptable to the Government.

Mr BRADDY: The Opposition supports the amendment moved by Mr Schuntner. Despite the gratuitous remarks made by him about the Labor Party and socialistic control, the reality is that the Labor Party is anxious to see the most sensitive control possible and community involvement in the decision-making. I regret that there is no board, but I believe that the fact that some school communities reject the idea of registration is not sufficient reason not to bring it in, if it is the right course. The majority of school communities and authorities which make non-State schools viable are quite prepared to have a registration process and believe it would be to the benefit of education in this State.

In addition, it would be beneficial if the legislation contained some appeal provisions relating to the rejection of approvals, rather than merely working parties. I agree with the substance of the honourable member's remarks, leaving aside the insult to the Labor

Party. The amendment would improve the legislation. There should be a school registration board and an appeal tribunal to enable consideration of schools that have been rejected. The Labor Party supports the amendment moved by the Liberal Party.

Question—That the words proposed to be inserted (Mr Schuntner's first amendment) be so inserted—put; and the Committee divided—

AYES, 31		NOES, 39	
Ardill	Schuntner	Alison	Lingard
Beanland	Sherlock	Austin	Littleproud
Beard	Smith	Berghofer	McCauley
Braddy	Smyth	Borbidge	McKechnie
Burns	Vaughan	Chapman	McPhie
Comben	Warner	Elliott	Menzel
De Lacy	Wells	Fraser	Nelson
Eaton	White	Gamin	Newton
Gibbs, R. J.		Gately	Perrett
Goss		Gibbs, I. J.	Randell
Gygar		Gilmore	Row
Hamill		Glasson	Sherrin
Hayward		Gunn	Simpson
Innes		Harper	Slack
Knox		Harvey	Tenni
Lee		Henderson	Veivers
Lickiss		Hinton	
Mackenroth		Hobbs	
McLean	*Tellers:*	Hynd	*Tellers:*
Milliner	Davis	Katter	FitzGerald
Palaszczuk	Prest	Lester	Stephan
PAIR:			
	Shaw		Neal

Resolved in the negative.

Mr LITTLEPROUD: I move the following amendment—

"Omit lines 43 to 45 on page 3 and lines 1 and 2 on page 4 and substitute—

'(2) A school, not being a State school, that provides, in the opinion of the Minister, facilities for and instruction in preschool, primary, secondary or special education in accordance with guidelines prescribed by Order in Council, is a non-State school for the purposes of this Act.' "

A few moments ago I foreshadowed this amendment, which provides another stage of consultation with the working party that I will set up rather than having another board.

Mr HENDERSON: I support the amendment and simply say that the great advantage of this is that, like all Orders in Council, sooner or later it will come before the House, which will have the ability to judge the definition in one way or the other.

Mr SCHUNTNER: Despite what the member for Mount Gravatt said, there is absolutely nothing in the amendment that does not allow the Minister in his unfettered judgment to make decisions about what is or is not a non-State school. The guide-lines are prescribed by an Order in Council. If that were ever tested the Government would have the numbers to support the Minister.

The guide-lines are not prepared by the House, they are prepared by the Minister or by a group of unknown composition. There is certainly no assurance in these words that it is not the department or the Minister who draws up those guide-lines. One could reasonably expect that that would be the outcome.

There is no provision for an appeal against any decision and I repeat that, despite Mr Henderson's comments, there is absolutely nothing to give anybody any assurance about those decisions.

In making those comments, I want to make it clear that I believe that some form of control should be exercised. I am not looking for open slather for anybody under any circumstances to set up some place and have it called a school. I believe that in my earlier speech I made that amply clear.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 9, as read, agreed to.

Clause 10—

Mr LITTLEPROUD (11.17 p.m.): I move the following amendment--

"At page 6, line 11, after 'delegation' insert—

'and the powers, authorities, functions or duties assigned to him under sections 3(2), 6(1)(a)(ii), 58(2)(a), 58(2)(e), 75(1), 75(6) and 76(1)'."

The clause deals with the powers of delegation by the Minister. It has been amended so that any right to form an opinion rests with the Minister and is not delegated to someone else.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clauses 11 to 17, as read, agreed to.

Clause 18—

Mr SCHUNTNER (11.19 p.m.): This clause is about the control of curriculums for State educational institutions. Towards the end of last year, legislation was passed that established the ministerial advisory committee on curriculum. That legislation purported to involve Government and non-Government schools in a significant way in the development and the control of curriculum.

Just before Christmas, what emerged in a rather secret fashion was that the Education Minister and his department established another virtually parallel structure of committees dealing with curriculum. The letter that was forwarded to the people who were involved in various education organisations stated—

"Within the Department of Education, now, I have approved structures which will provide for curriculum development in the pre to 12 range. Our goals here are to develop a continuous curriculum during the compulsory years of schooling and to broaden the senior secondary curriculum. These structures are made up of a Ministerial Curriculum Committee (not to be confused with the Consultative Council above) supported by a Review Committee . . . "

To get some idea of the bureaucracy of committees that is being established within the department to ensure a stranglehold over the curriculum by that advisory council that was set up—we, as members of Parliament, thought that we should have a major role in this—let me indicate the structure of the departmental committees.

The committees will include the following—

1. Ministerial Curriculum Committee under the chairmanship of the Director-General of Education.

2. A review committee under the chairmanship of the Assistant Director-General (Studies).

3. A system of sub-committees (curriculum advisory committees) to assist with curriculum development activities, under the chairmanship of either an associate director, senior inspector, supervisor of studies or district inspector.

4. A system of reference groups which will be attached to the curriculum advisory committees. The chairman will be a member of the appropriate curriculum advisory committee.

5. A system of development groups.

6. A system of cross curriculum advisory and reference groups, which will be established on an ad hoc basis by the review committee, will advise on particular cross-curriculum initiatives which will arise from time to time.

In reality, not enough teachers are prepared to work on those committees. The Board of Senior Secondary School Studies is approaching the schools asking who will serve on the myriad of committees that the Board of Senior Secondary School Studies is setting up. At the same time, the Education Department is also getting in touch with schools—Government and non-Government—asking who will serve on this almost parallel set of committees. I think that the very establishment of this parallel set of committees is a clear indication of what the motivation and intention really are in relation to the control of curriculum. I express concern about clause 18.

Mr LITTLEPROUD: When he was discussing the previous amendment that he proposed, the member for Mount Coot-tha talked about setting up a new board. Now he is being critical of me and saying that I have too many committees and too many boards. I find it rather hard to understand that.

I also point out that the consultative committee is an advisory committee, which will report to Parliament. Of course, the development committee that I have on the curriculum is made up of the very wide representation that the honourable member supported in regard to the Board of Secondary School Studies. I am doing the same thing now in Years 1 to 12. Previously it was done only in Years 8 to 12. I do not follow the logic of the honourable member's argument. He has not understood the full ramifactions of the set-up that I established a couple of months ago.

Clause 18, as read, agreed to.

Clauses 19 to 22, as read, agreed to.

Clause 23—

Mr BRADDY (11.24 p.m.): This clause is a very serious attack on what is known as free education in Queensland schools. I raised this matter in the second-reading debate and the Minister purported to give a reply. Frankly, the effect of the Minister's reply was that he does not understand the clause.

First of all, I should read what the Act presently provides. Section 18 of the Education Act begins, "Instruction to be free". That is the heading of, or preamble to, the section. Of course, the Minister says that that has no substance and, therefore, he says that, when one reads the substantive clause and section, one sees that what the new clause does is the same thing. Of course, that is just not so. The section as it now stands goes on to say—

> "In State schools, the cost of instruction of children whose parents are domiciled in the State shall be defrayed by the State."

So the effect of the current section is that, in law, the State Government of Queensland has no option other than to pay the cost of instruction in State schools of children whose parents are domiciled in the State. It is a mandatory provision. I hope that the Minister now understands that it is compulsory. In fact, of course, the Queensland Government does not defray all the cost at present. The p. and c. associations are being called upon to make extraordinary efforts. However, the Education Act contains a mandatory provision that in State schools the cost of instruction shall be defrayed by the State.

Putting aside the introduction for the purpose of the argument, clause 23 of this Bill provides—

> "In State educational institutions where instruction to students is provided, the cost of such instruction in respect of students"—

and this is the important bit—

> "who, in the opinion of the Minister, should have the cost of instruction defrayed by the State, shall be so defrayed."

So at present the State has a legislative obligation to defray the cost for all students who attend State schools. That is being taken away and in substitution of that the Minister is given a discretion to defray the cost for students in the schools who, in his

opinion, merit such action. What that means is that in legislation in the future Queensland will no longer have a system of free education in its schools. It will be entirely at the discretion of the Government. It will be in effect at the discretion of the Minister.

That is a very important step. In his reply, the Minister demonstrated that he does not understand what he is doing in this legislation. If the Minister sticks to what he said before, it means that he is still not understanding the reality of the change. At the least I seek some recognition of what he is doing. Is the Minister prepared to say to the people of Queensland that the National Party Government of this State has taken away free education in State schools? That is what he has done, and that is what members of the National Party will be doing if they vote to support what their Government is proposing in this clause. The clause removes mandatory free education in State schools and substitutes discretionary free education in the schools. It is an extremely important provision. I find it extraordinary that the Government would do it and that the Minister would justify it in the way that he has so far.

Mr LITTLEPROUD: The words "in the opinion of the Minister" are in the clause for a very good reason. It so happens that along the Queensland/New South Wales border there are children who are in fact domiciled in New South Wales but who attend Queensland schools because they happen to be the closest schools. Likewise some Queensland children travel across the border into New South Wales to attend school. So the Minister needs some discretion to cater for those children going backwards and forwards across the State border.

Mr De Lacy: You are not going to charge them just because they come from New South Wales?

Mr LITTLEPROUD: No, because it is a reciprocal arrangement. Some Queensland children attend New South Wales schools. It is not at all uncommon.

The next point I make is that the word "defray" is in the clause. If people think that the education system in Queensland under the Labor Government, before this Government came to power, was free, they are wrong. There have always been costs. There has always been an opportunity for the community to put some money into the schools.

Finally, I point out that the honourable member's amendment contains a huge flaw. It states "who are domiciled in Australia". One of the honourable member's learned colleagues questioned whether I should be asking people from New South Wales to pay. I think the honourable member meant, "domiciled in Queensland". Surely it cannot cover all the people in Australia?

Mr BRADDY: The words that I used were deliberately chosen. The amendment that I propose to move states—

> "In State educational institutions where education to students is provided, the cost of such education in respect of students who are domiciled in Australia shall be defrayed by the State."

I meant Australia because obviously there would be a few students who cross the border, but they can cancel each other out. Students of State schools who do not have boarding facilities are not going to travel from Sydney to be educated in Goondiwindi. For the sake of a few students, I deliberately chose to be seen as an Australian as well as a Queenslander. That is what the Labor Party stands for.

I do not accept the Minister's statement that the present course has been adopted because of the interstate students. That matter should have been covered in a different way. The Minister's statement about the defraying of costs is at least a statement that it is the intention of the Government and of the people of Queensland that the costs of education of those students attending State schools be met by the State Government and that it should not be a discretionary matter.

If the clause is passed, the Minister will be able to pick and choose. He could say to a Government or to a future Minister for Education, "Those students whose parents

have an income of more than $50,000 a year will pay school fees in State schools." It could be iniquitous and lead to all sorts of inequities. I am positive that the provision has not been thought through properly. The Minister has smashed the egg with a sledge-hammer. It is inordinately clumsy and an attack on what we regard as our free education system. Whether the Minister likes it or not, this clause has been the standard-bearer for it. The National Party will have to answer to the people, because I will certainly be telling them that now more than ever the payment of fees in State schools is a discretionary matter. The Minister does not know what some other Minister will do with this clause. With it, I think that the Minister has fathered a monster.

Mr SCHUNTNER: Nothing that I have heard in the last few minutes alters my opinion that I expressed in my speech during the second-reading debate. I expressed extreme concern about this clause. The fundamental point at issue is that the Bill, like the Act, makes provision for compulsory education. That decision was taken by our forbears well over 100 years ago. There are responsibilities associated with any Parliament that makes a law providing for compulsory education. One of those responsibilities is to provide free education to those youngsters who will avail themselves of the State education system. There is nothing wrong—provision is clearly made in the Bill, although it was not as specific in the Act—and in fact it is highly desirable to allow choice so that those people who want to exercise a choice and have their education in a Catholic, Lutheran or other approved, registered—although Queensland does not have them registered—non-Government school will be able to do it at some reasonable cost. That would usually be the case. However, the fundamental point still remains that it is incumbent upon the State of Queensland to provide a free education system if compulsion is going to be part of the law, and I think that it should be.

With all the talk about whether the wording should be "domiciled in Australia" or "domiciled in Queensland", it seems to me that common sense tells us that there would not be too many children who are domiciled in Victoria, Tasmania or Western Australia and who are attending Queensland schools. The only children domiciled outside of Queensland who would be attending our schools would be those who come from places just over the border, such as Tweed Heads. I do not see any difficulty in saying that, if the person is domiciled in Australia, the wording in the amendment, "domiciled in Australia", should be supported.

Mr HAMILL: I support the contentions put forward by the honourable member for Rockhampton and the honourable member for Mount Coot-tha. Whilst in my speech during the second-reading debate I spent considerable time discussing the aspect of funding in schools and quite rightly levelled a charge against this Government that parents and citizens associations were inflicted with an informal tax to augment the lack of funding from the Queensland Government, the point ought still be made that the amount of fund-raising carried out by parents and citizens associations is of a discretionary nature. I say that because the fund-raising is not compulsory on all parents. If parents are concerned about the quality of the educational provision that is made for their children, they will contribute to the fund-raising ventures undertaken by parents and citizens associations. There is no compulsion on them to do so. However, if the amendment put forward by the Minister is enacted, circumstances could well change. As has been stated by the member for Rockhampton, the Act requires the State to defray the costs of education, full stop. In other words, a duty is put upon the State to provide tuition at no direct cost to the individual, at no direct cost to the student or presumably his family. If the provision in the Bill is carried, the situation will change. The Minister can say, for example, as he seemed to suggest in his reply a short time ago, that that handful of students who come from New South Wales and who wish to attend schools in Queensland could be hit with a tuition levy if the Minister deemed that to be appropriate.

Furthermore, the Minister could determine that, for example, students over the age of 15 years attending schools in Queensland may have to pay their way by meeting some sort of charge or fee that has been levied upon them for their attendance in a

State school. It could be that a charge or levy will be imposed upon parents for the attendance of children at a State pre-school. The legislation provides that discretion to the Minister. It is a major departure from the principle that has been the corner-stone of the provision of education by the State authorities in Queensland for more than a century. It is the fundamental right of a student to attend a State school, pre-school or high school without having to pay a tuition fee. That the Minister is turning back the clock is very regrettable. In his reply, the Minister tried to muddy the waters by talking about charges being placed upon students in higher-education institutions. However, a fundamental difference exists. Education up to the age of 15 years is compulsory in Queensland. There is no escaping that, even though some Government members would be happy to allow the crackpots to take over in some areas.

The proposition which the Minister is supporting would provide not only for compulsory education but it would also require compulsion in the payment of a fee if the Minister were to exercise his discretion in that manner.

Quite frankly, this is a repugnant amendment which should be defeated by all members voting together for a change. We ought not to erode the principle which has existed in the legislation for a century, namely, that the provision of education in the State school system should be free of any tuition fees and so on. As I said earlier, let us hope that the discretionary charges that are placed upon parents are also met by a more realistic funding regime under this Government.

Mr WELLS: Does the Minister accept or not accept that by this amendment he is taking away the statutory guarantee for all Queensland children that they will have the cost of their instruction defrayed by the State?

Mr LITTLEPROUD: Oh, the purity of the ALP! In 1974 the ALP promised free tertiary education throughout Australia. Now it is introducing a higher-education charge and a tax.

I turn now to some more examples of why in the opinion of the Minister there should be a defraying of instruction costs. This legislation covers overseas students—full-fee-paying students—who will come to our schools. Are we going to educate them for free simply because we want them to make money for our State?

Mr Hamill: The amendment covers that.

Mr LITTLEPROUD: The Act covers that.

Adult students are going back to school. Are we going to pick up the tab for those people who have already had a chance to go to school and decide to return to school? The present policy is that if those adults want to access our schools again in Years 11 and 12 after having left, they should pay for that education.

State educational institutions such as the Bardon Professional Centre provide courses for which it is necessary for professional people to pay. There needs to be a discretion in the opinion of the Minister. I give an assurance that there is no intention on the part of the National Party Government to change the present status.

Mr Hamill: Why change the Act in that respect?

Mr LITTLEPROUD: Because I have to include the opinion of the Minister to cover those other circumstances that I have just outlined.

I stand on my past record. I wish that the Labor Party Government in the Federal sphere were so pure.

Mr INNES: The statement that was just made by the Minister overlooks one crucial and fairly elementary point. The Act which is being replaced had the qualification of "domiciled in the State". In the State schools the cost of instruction of children whose parents are domiciled in this State shall be defrayed by the State. We are moving from a situation in which it was guaranteed that the children of people who are domiciled in the State would have free education to a situation in which no such qualification exists.

By maintaining the words "domiciled in the State" or "domiciled in Australia", that would have allowed the Government to charge all of those overseas students who are now included as one of the examples. The reality is that the Government does not even confine itself to people who are domiciled in the State. It accepts students from New South Wales and some students from Queensland who go to New South Wales.

We are moving from a situation which refers to "domiciled" and ensures and entrenches compulsory free education to a situation in which there is no safeguard. As a result, Queenslanders can be charged for Queensland children to be educated in State schools. The Labor Party and the Liberal Party are entitled to point out that very significant change, which is fundamental to the origin of compulsory education.

From the moment that we said to people who might have kept their children in sweated labour or in the fields that their children had to go to school, we had to assume the obligation to provide that education free of cost. The moment that a discretion exists in the Minister, people are caught in a situation in which their children are forced to go to school but only if the parents can afford it. That was the fundamental point that we overrode and the fundamental right that was established in 1878—I think it was. Today—110 years later—we are opening up the gates.

As the Government rightly condemns the Labor Party for breaking its promises, it should not open the gate itself. If the Government means what it says, it should say it in legislation. The reality is that people can no longer trust the Government. Apparently the groups with which the Government consulted believed that the legislation would contain a preamble, but that was not possible. If the Government intends to change the Act, it should retain the essential parts and change only those parts that need changing.

Mr BRADDY: I formally move the following amendment—

"At page 11, omit lines 38 to 41 and substitute—

'23 Education to be free. In State educational institutions where education to students is provided, the cost of such education in respect of students who are domiciled in Australia shall be defrayed by the State.' "

Any problems, distinctions and discretions in relation to other educational institutions could be overcome by proper drafting of the legislation. The reality is that children must attend schools. There is no valid comparison between what is done in State schools, the age of the people who attend at them and the reasons why they are there and what is done in tertiary and higher-education institutions.

The Government is betraying a great principle. The Minister can speak for himself as to his intention. He can speak for himself for today. He might even be able to speak for the Government for today, but he cannot speak for the Government after this. He certainly cannot speak for the Minister after this. This clause is a time-bomb and is a betrayal of what we stand for.

Mr ARDILL: All night long I have sat on my hands listening to a matter that vitally concerns me, and has done for the past 23 years that I have been involved in my local school committees. Most of the members who have spoken tonight, with the exception of the member for Cooroora, have spoken for me. For that reason I have not entered into the debate until this late hour. I did not want to delay the business of the Committee.

Government members: Then sit down!

Mr ARDILL: I cannot sit down—and why should honourable members opposite remain seated—and take no notice when a matter of such vital importance is being discussed.

This Minister, for whom I have always had the utmost respect, is turning back the clock to 1874. He does not appear to realise just what he is doing. I appeal to him and to the rabble who are criticising now to do something about it. They did not take the trouble to speak, either. Therefore, they certainly should not be criticising me. I ask

them to listen to what is being said by people on this side of the Chamber who do care, who do have children in schools. For the past 23 years my kids have attended schools in my area. I have been involved with the p. and c. associations of those schools. I am as well informed about the matter of education as anyone in this Chamber.

Government members interjected.

Mr ARDILL: By the sound of the raucous laughter opposite, I would say that I am more interested in this matter than they are. They have their opportunity to listen and consider. They have plenty of time. I am permitted to speak for 20 minutes, if they want me to keep going. Perhaps in 20 minutes' time——

Government members: Sit down!

The TEMPORARY CHAIRMAN (Mr Booth): Order! There is too much consistent interjection. The honourable member will proceed.

Mr ARDILL: Perhaps in 20 minutes' time they may have had time to realise just what they are doing. They are taking away the right of people in this State to have free education for their children for today and the future. They should think about what they are doing.

Mr Tenni: That's what the Labor Party did in Canberra.

Mr ARDILL: The Labor Party may have. A future party, no matter what it is called, sitting on the Treasury benches in this Chamber, may and probably will take advantage of this legislation if it is allowed to be passed. Surely the Government can reconsider what it says is a very small matter. Perhaps it is the Toomelah amendment. Is this to stop Toomelah residents coming across the border into Goondiwindi? Is that what is intended?

Mr Hamill: They have made schooling compulsory.

Mr ARDILL: That is exactly the point I was about to make. For years this Government has compelled parents to send their children to school. It is continuing to do this, but with certain exceptions.

Mr Tenni: What are the exceptions?

Mr ARDILL: The Minister for Education has spelt out those exceptions in the amendments that are before us. I do not know where the Minister for Mines and Energy has been tonight, but I have been sitting here listening to the debate and reading the amendments that are before us.

Mr Hamill: The Minister for Mines didn't spend much time in school, either.

Mr ARDILL: The Minister for Education did. I believe that he should reconsider this matter, even at this late hour. He has stated that it will not be acted upon by him, so it is not a matter of using the Government's money to get a further allocation of funds. He has clearly said he does not intend to do that. Surely this one small matter can be reconsidered. Honourable members opposite should talk to their advisers and reconsider it. I appeal to all of them, now that they are listening—and they should have been listening to what the other members had to say tonight, but obviously they were not because they were chattering away—to please consider what they are doing. They are allowing a future Government an opportunity to take advantage of this provision. All of us have seen Governments of all political colours take advantage of what has gone before them. That sort of activity is still occurring. For expediency, a Government will adopt the enactments that were made by a previous Government. Government members have an opportunity to reconsider this and restate very clearly their commitment to free education.

A Government member: You have said that once.

Mr ARDILL: I will say it again for the next 20 minutes. Let us think about it.

Mr Gately: You are becoming repetitive.

Mr ARDILL: The member for Tweed Heads is always repetitive whenever he comes into the Chamber.

The TEMPORARY CHAIRMAN: Order! The Committee will come to order. The honourable member for Salisbury will proceed. It does not give me any joy to hear him threaten the Committee with tedious repetition, because that will not be allowed.

Mr ARDILL: The repetition is caused by the criticism that is coming from the other side of the Chamber. I am finding it difficult to believe that they do not understand what has been said to them here tonight by honourable members on this side of the Chamber.

Mr McPhie: That's right. We don't understand what you are saying.

Mr ARDILL: I am sorry if the honourable member's education is so lacking that he cannot understand what he is doing.

I again ask the Minister to reconsider the matter.

Mr WELLS: A few minutes ago I asked the Honourable the Minister a very straight and simple question about the clause. That question was: does it or does it not take away from Queensland children the statutory guarantee of free education, or at least defray instruction costs? He did not give me an answer. All he did was rabbit on about the cost of education, subsidies that he was receiving from the Commonwealth and so forth. It is very clear that this provision takes away that statutory right. The existing provision states that the Government "shall", and this provision says "students who, in the opinion of the Minister, should have". It is all very well for the Minister to say that he will not exercise that discretion. However, the statute will contain a discretion for the Minister to do it. There will no longer be a provision in Queensland law which gives a statutory right to Queensland schoolchildren to have the cost of instruction defrayed by the State.

Members of the Opposition will go to all the electorates represented by National Party members. We will tell the people in those electorates that it is no longer the case that a statutory right to free education exists in this State.

With one blow, this Minister has done more damage to the National Party than all the ministerial expenses and cash advances problems put together. Everybody in the electorates represented by National Party members will be concerned that the guarantee of free education has been taken away. It will not matter that the Minister rises in this Parliament and says that he will not exercise the discretion. It will not matter that the Minister says, "I have this technical equivalent of a nuclear weapon, but I will not use it." What will matter to the people is that they will read in black and white that things have changed. They will read in black and white the words that state that the powers of the Government to defray the cost of education have been taken away. Those black-and-white words have been replaced by words that state that the Minister has a discretion.

This Minister constantly has to run to his advisers for assistance on this particular clause. This Minister has come into this Parliament to insult the people of Queensland by taking away rights that they fought for many years to obtain. With one blow, the Minister has done more damage to the member for Currumbin than all the ministerial expenses issues put together. The member for Currumbin and other poltroons who choose to interject during this debate will put themselves at very great risk if they do not vote for this amendment. I say to members opposite that if they do not vote for this amendment, but rather vote for the amendment moved by the Minister, then they will take the most dangerous step ever in their political careers.

Mr HAMILL: The Government is ready to cave in on this important principle.

Mr Gately: Oh, what a lot of rot!

Mr HAMILL: I did not refer to cave-dwellers, so the honourable member for Currumbin can go back to sleep.

While members of the Government prepare to cave in on this issue and while I give the Minister more time to stew over the proposition with his advisers, I would like honourable members opposite to bear in mind a few points. The Minister rises in this Parliament and gives certain assurances. Are they the same type of assurances he gave the lunatic fringe when they railed against the measures contained in this legislation during the consultative processes that took place on Monday? The types of assurances I refer to are similar to the preamble that I earlier described as a Gregorian chant—or, as some of my more devout colleagues suggested, plainsong. The fact of the matter is that the Minister's promises are worth nothing. They are as empty as the vision of excellence.

It will be a sad and sorry Government that goes to the polls later this year and has to say that its vision of excellence for Queensland students is the removal of free education. That will be a lovely vision of excellence to use on the hustings. The empty-headed Minister for Community Services can tell that to the people of Charters Towers! What a great achievement it will be when the kids from north Queensland are told that their parents will have to start paying tuition fees if this Minister or a future Minister for Education decides that those students should no longer have the costs of their instruction defrayed.

Mr Katter: Oh, seriously, Mr Hamill——

Mr HAMILL: The Minister should not say to me, "Oh, seriously, Mr Hamill." If he wants to interject, perhaps he should do so from his proper place. Perhaps he has forgotten the seat he ought to occupy in this House.

The fact is that this is a very serious matter. If the Minister thinks that it is not serious that the Government of which he forms part is to remove a corner-stone of the principle of free education in this State, I do not know what is. Perhaps it is the case that this Government should not be the Government any longer. The people of Queensland will not cop the amendment that has been proposed by the Minister.

Mr Gunn: They will not cop the ALP.

Mr HAMILL: I know that the Deputy Premier does not think highly of education. I know that when he visited the special education school at Wacol, a course in language was being given to migrants. He said to the staff, "You learn them good English, do you?" The former Minister for Education was not known for his commitment to education. This legislation demonstrates that the National Party Government has not changed its spots.

Members of the National Party are not committed to education and they are certainly not committed to protecting the future of young Queenslanders. The provisions contained in existing legislation are important. The amendment that has been moved by the honourable member for Rockhampton is fundamental.

I have nothing against children from New South Wales coming to Queensland schools to receive tuition. Reciprocity ought to be available to Queensland students when they are in New South Wales so that they should be able to obtain free tuition. Let us not forget that we are all Australians. The amendment moved by the member for Rockhampton states that principle quite clearly. It protects the rights of Australians, particularly young Queenslanders. It protects young Queenslanders from Ministers who would capriciously remove the right of free tuition that has been a right enjoyed by all Queensland students for more than a hundred years.

Mr SIMPSON: It is quite obvious that this Government does not believe in charging ordinary students for tuition given at State schools in this State.

Mr Beard: Then take it out of the Bill.

Mr SIMPSON: Just a minute.

Mr Comben interjected.

Mr SIMPSON: Just cop this, young Harry. How is it that four or five speakers from the Opposition are moved to urge that education should be free when they did not march in protest to declare that education at universities should be free?

Mr Hamill: You outlawed marching years ago. Were you out in the streets?

Mr SIMPSON: The honourable member is a hypocrite; that is what he is.

Obviously, if any clarification is necessary, it will be attended to. The commitment of this Government is to better education and free education for ordinary students in this State. Members of the Opposition do not believe in free education. The Hawke Government clobbered tertiary students with the imposition of a fee. Members of the Opposition are hypocrites.

Mr SCHUNTNER: Mr Temporary Chairman——

The TEMPORARY CHAIRMAN: Order! The honourable member for Mount Coot-tha has exhausted his time. He has spoken three times.

Mr SCHUNTNER: Not on this clause.

Mr WELLS: The honourable member for Cooroora stands up in this Chamber and says that this Government is committed to free education. What are the people of Queensland to believe? Will they believe the pious words of the honourable member for Cooroora, or will they believe the black and white statute enacted by the Minister for Education? It is here in black and white; this Minister is taking unto himself a discretion whether or not to provide free education to the people and children of Queensland. That is the plain and unalterable fact. It does not matter how many times he consults with his advisers to see if he can find a better form of words to add some sort of colour of plausibility to the statute that he is now proposing to enact, or how many times he says that he believes in free education, the fact is that he is giving himself a weapon with which he can blast free education in Queensland out of the water. That is the weapon that the Opposition will reveal to the people of Queensland. I say to every single member of the National Party that the risk that he is taking in voting for this amendment is the very risk of losing his political life, and if he is fool enough to vote for this amendment, then he is fool enough to lose it.

The TEMPORARY CHAIRMAN: Order! I was incorrect when I ruled that the honourable member for Mount Coot-tha had used up his time. I call him again.

Mr SCHUNTNER: Symbolically at midnight this Chamber will witness a late shuffle by this Government in respect of this clause. This highlights the problem of rushing this legislation through the Chamber tonight. I know that there has been consultation over previous months, but, from the large volume of amendments that have surfaced in this place, one wonders whether or not the Government should go back and think again about the Liberal Party's previous amendment.

Mr Innes: What about the technical area of the preamble—the preamble promise to all the people they are trying to placate? They can't even get that right.

Mr SCHUNTNER: That is correct, and it will certainly be a disappointment to those people.

I spoke during the second-reading debate approximately three hours ago, and one point I made needs to be reinforced. In recent years much emphasis has been placed on compulsory and post-compulsory education. This particular clause was written with an eye to the future when the youngsters of Queensland beyond Year 10 will be charged for attending State schools. Following this quite substantial debate on one of the most fundamental education issues—that is, compulsory and free education—there has been

a flurry of activity and that loophole might well be closed. This illustrates the sheer folly of not waiting until next week and of rushing the Bill through late on Thursday night or early Friday morning. It is ridiculous.

Mr LITTLEPROUD: I intend to overcome this impasse. Honourable members are waxing lyrical in this debate, but there is no intention on the part of the Government for it to go down that track. I move the following amendment to the amendment—

> "At page 11, omit lines 38 to 41 and substitute—
>
> '**23. Instruction to be free.** In State schools the cost of instruction of children whose parents are domiciled in the State shall be defrayed by the State.' "

In explanation, that is virtually the wording in the old Act.

Mr BRADDY: As the Minister has just pointed out, the amendment he has just moved is exactly the same provision as is contained in the current Education Act. In the circumstances—because he is restoring the provision which has applied in Queensland for more than 100 years—the Opposition agrees to the amendment and the matter can proceed on that basis.

The TEMPORARY CHAIRMAN: Order! Is the honourable member for Rockhampton prepared to withdraw his amendment?

Mr BRADDY: Yes.

The TEMPORARY CHAIRMAN: The amendment moved by Mr Braddy has been withdrawn. The Committee will consider the Minister's amendment.

Mr SCHUNTNER: The Liberal Party supports this most recent amendment. It is exactly the same as the provision that has been in place for 100 years. It makes me wonder why it was ever put forward in a different form.

Amendment agreed to.

Clause 23, as amended, agreed to.

Clause 24—

Mr SCHUNTNER (12.08 a.m.): I wish to ask the Minister a question that relates to three different parts of this clause. I raise this to protect the rights of any youngster who might be suspended or expelled. It is normal legal practice for certain information to be provided in writing. I feel sure that this point would have been made to the Minister by one or more of the education groups that have consulted him. Clause 24(5) deals with the case of a suspension and mentions the notification of the suspension. I ask the Minister: will that notification be in writing?

Mr LITTLEPROUD: That is the intention. Initially it may well be done in a more expeditious manner, but certainly there will be something in writing as well.

Mr Schuntner: Is it the same for clause 25?

Mr LITTLEPROUD: Yes, it is the same answer.

Clause 24, as read, agreed to.

Clause 25—

Mr SCHUNTNER (12.09 a.m.): The Minister has indicated that, with reference to parts (3) and (4) of this clause, the notifications of exclusion will also be in writing. I am happy to accept that assurance.

Clause 25, as read, agreed to.

Clauses 26 to 51, as read, agreed to.

Clause 52—

Mr SCHUNTNER (12.09 a.m.): This clause is wide open on the people who could be employed by a parents and citizens association. Is it a possibility that a p. and c. association could be employing teaching staff in a school?

Mr LITTLEPROUD: That is not the intention at all. I would imagine that p. and c. associations would not want to do that at all. In fact, schools will be properly staffed by the department, as they always have been, but this provision gives associations the power to employ people to do contractual work in schools for the improvement of the grounds or something of that nature.

Clause 52, as read, agreed to.

Clauses 53 to 57, as read, agreed to.

Clause 58—

Mr LITTLEPROUD (12.10 a.m.): I move the following amendment—

"At page 22, omit lines 8 to 10 and substitute—

'(a) that the child concerned is receiving, in the opinion of the Minister, instruction—

(i) in a place other than a State school or a non-State school in accordance with guidelines prescribed by Order in Council;

(ii) in a range of subjects acceptable to the Minister, in some other manner which, in the opinion of the Minister, is efficient and regular;'."

Obviously the guide-lines prescribed there will be put together by a working party which will be representative of the non-Government sector and education authorities. Something will be agreed upon and put into an Order in Council. So there will be the prescribed standards, which people have spoken about earlier tonight as being so necessary.

Amendment agreed to.

Clause 58, as amended, agreed to.

Clause 59, as read, agreed to.

Clause 60—

Mr LITTLEPROUD (12.12 a.m.): I move the following amendment—

"At page 23, line 30, after 'instruction in a' insert—

'place or'."

This is purely a machinery measure with regard to the dispensation of compulsory attendance.

Amendment agreed to.

Clause 60, as amended, agreed to.

Clauses 61 to 66, as read, agreed to.

Clause 67—

Mr LITTLEPROUD (12.13 a.m.): I move the following amendment—

"At page 26, line 33, omit—

'TERTIARY'

and substitute—

'HIGHER EDUCATION'."

Amendment agreed to.

Clause 67, as amended, agreed to.

Clause 68—

Mr LITTLEPROUD (12.15 a.m.): I move the following amendment—

"At page 26, line 35, omit—

'(1)'."

Amendment agreed to.

Mr LITTLEPROUD: I move the following further amendment—

"Omit lines 36 and 37 on page 26 and lines 1 to 20 on page 27 and substitute—

'(a) the term "award" means a degree, graduate diploma, diploma, associate diploma, certificate or a status, title or description of bachelor, master or doctor or the right to use a title or description (whether denoted by words or by abbreviation of words or by letters);

(b) the term "duly authorized" means authorized by—

(i) an Act or an Act of the Commonwealth or another State or the law of a Territory of the Commonwealth;

(ii) the Minister;

or

(iii) the Government of the Commonwealth or another State;

(c) the term "tertiary education" means education, other than primary or secondary education, offered wholly or primarily to students who have completed their primary and secondary education and who are above the age of compulsory attendance at school;

(d) the term "higher education" means education which is specifically recognized by State and Commonwealth authorities as higher education;

(e) the term "higher educational institution" means any university, college of advanced education or other institution in Australia that provides higher education, or any institution from time to time declared by the Governor in Council by notification published in the Gazette to be a higher educational institution for the purposes of this Part.' "

Mr SCHUNTNER: Could the Minister explain that amendment?

Mr LITTLEPROUD: The honourable member would be aware that all tertiary institutions in Australia are under the control of ACTA, which controls the conferral of awards or certificates. The Government and people in tertiary education generally are also concerned that we should safeguard the quality of the titles that are used by tertiary institutions. There is the capacity in some institutions overseas to take on these same terms and misuse them. If that were to happen in Queensland, the prestige of those awards would be devalued. This clause aims to safeguard the use of those terms, but to allow institutions that do in-service training of their own, yet realise that they are not part of the official tertiary and higher-education sector, to still have some recognition.

At present, people who study insurance or who attend hair-dressing courses receive some type of diploma or some sort of recognition. This clause allows that recognition still to be given, but it safeguards the terms that are so significant to the tertiary sector. We are not completely cutting out titles to courses completed in institutions other than tertiary institutions covered by this Bill. However, at the same time, we are safeguarding the existing position.

I have discussed this matter at length with Dr Botsman, who is my special advisor and who is also chairman of the Board of Advanced Education. He is satisfied that the clause meets those requirements.

Amendment agreed to.

Clause 68, as amended, agreed to.

Clause 69, as read, agreed to.

Clause 70—

Mr LITTLEPROUD (12.19 a.m.): I move the following amendment—

"At page 27, line 30, omit—

'tertiary'

and substitute—

'higher'."

Amendment agreed to.

Mr LITTLEPROUD: I move the following further amendments—

"At page 27, line 39, omit—

'tertiary'

and substitute—

'higher' ";

"At page 28, line 8, omit—

'tertiary'

and substitute—

'higher' ";

"At page 28, after line 10, insert—

'(4) Without derogating from the provisions of this section, it is lawful for a person to confer, undertake to confer or hold himself out as competent to confer a diploma, associate diploma or certificate for education, not being higher education—

(a) with the approval of the Minister first had and obtained;

or

(b) in the absence of such approval, if the diploma, associate diploma or certicate is endorsed clearly with the words "This Award is not recognized as higher education within the meaning of the term in the *Education (General Provisions) Act 1989*.' "

Mr ARDILL: I agreed with what the Minister said about clause 68. However, now he has come up with this Mickey Mouse amendment. He is speaking about awards of Mickey Mouse diplomas or associate diplomas. I agree that they should be allowed to present a certificate. However, why are they allowed to present a Mickey Mouse diploma or associate diploma? Is that not against the Minister's previous argument that people should not be able to use the higher-education terms?

Mr LITTLEPROUD: At the bottom there is a qualification which states—

"This Award is not recognised as higher-education within the meaning of the term . . ."

That must be clearly endorsed on any certificate that is given.

Mr SCHUNTNER: I agree with the honourable member for Salisbury. That qualification could be in microscopic-size printing on the bottom of a document which purports to be a document of substance and which really is not. At this late hour, I will not pursue the matter any further. However, I place on record that I do not think that it is right.

Mr HENDERSON: I support the amendment. Clearly, the member for Mount Coot-tha has not read it. It states that those words must be endorsed "clearly" on the certificate.

I believe that the amendment is timely. I canvassed this point in my speech in the second-reading debate. I repeat that the Government recognises that it should not have a say over the training of ministers of the gospel in some of the Christian churches. If those churches want to award a diploma of ministry, they should be free to do that. That is part and parcel of the religious freedom of this nation. As long as the certificate is inscribed in the manner prescribed in this amendment, it is perfectly acceptable. The majority of members in this Chamber would see it as being acceptable.

Amendments agreed to.

Clause 70, as amended, agreed to.

Clause 71, as read, agreed to.

Clause 72—

Mr LITTLEPROUD (12.23 a.m.): I move the following amendments—

"At page 29, line 19, omit—

'school' ";

"At page 29, line 27, omit—

'school'."

Amendments agreed to.

Clause 72, as amended, agreed to.

Clause 73, as read, agreed to.

Clause 74—

Mr LITTLEPROUD (12.24 a.m.): I move the following amendment—

"At page 30, omit all words from and including '(1) The Minister may' in line 5 to and including 'in relation thereto' in line 16 and substitute—

'(1) Subject to subsection (2), the Minister may cause—

(a) a non-state school;

(b) a place other than a State school or non-State school referred to in section 58 (2) (a) (i) or a place where instruction in some other manner is conducted pursuant to section 58 (2) (a) (ii);

(c) any other institution preparing students for a Junior or Senior Certificate,

to be inspected by a person authorized by him in that behalf, if the Minister is in receipt of a complaint which—

(d) is concerned with a matter which threatens or interferes with, or is likely to threaten or interfere with, the education of students at that non-State school, place or institution, as the case may be;

and

(e) is not an anonymous complaint and which, in the opinion of the Minister, is not a frivolous or vexatious complaint.

(2) Before causing an inspection to be made under subsection (1), the Minister must consult with and have regard to the views of—

(a) in the case of a non-State school, the principal and the body and authority that appear to the Minister to be the relevant responsible body and authority in respect of that school;

(b) in the case of a place of a kind referred to in subsection (1) (b), the person who is or appears to the Minister to be in charge of that place;

(c) in the case of an institution of a kind referred to in subsection (1) (c), the person who is or appears to the Minister to be in charge of that institution.

(3) The authorized person referred to in subsection (1) shall prepare and transmit expeditiously to the Minister a report in connexion with any inspection conducted under this section and shall transmit at the same time a copy of that report to the principal and the body and authority referred to in subsection (2) (a), the person referred to in subsection (2) (b) or the person referred to in subsection (2) (c), as the case may be.' "

Amendment agreed to.

Clause 74, as amended, agreed to.

Clause 75—

Mr BRADDY (12.27 a.m.): This clause relates to conditions affecting the establishment of overseas teaching concerns in Queensland. My concern relates to subclause (6), which states—

"Subject to appropriation by Parliament of money for the purpose, the Minister may pay such allowances, if any, as may be prescribed in respect of persons enrolled in or attending a place who, in the opinion of the Minister, are persons in respect of whom allowances should be paid."

I do not believe that schools that are established basically for overseas students and to teach overseas curriculum should be places which receive funds and allowances from the Queensland Government or payment from the people of Queensland.

The Commonwealth Government has indicated that it will not be prepared to pay funds and allowances for students who are attending private tertiary institutions, and I believe that the same principles should apply in relation to these establishments that are basically set up to teach overseas curriculum. If students are going to attend these institutions, they or their parents should pay for their education. Perhaps industry might like to award scholarships. I do not think that there are sufficient funds for education in Queensland as it is, without diverting funds for this purpose.

I therefore move the following amendment—

"Omit lines 41 to 43 on page 30 and lines 1 and 2 on page 31."

Mr LITTLEPROUD: Earlier the honourable member and I discussed the fact that the clause prescribes that people have to be domiciled in Queensland to receive free education. However, in some circumstances children of Queenslanders go overseas for a short time. I cite the example of the children of public servants and of members of the diplomatic corps and the armed services. This clause enables this Government to pay an allowance to enable those children to continue their schooling while they are away overseas.

It is certainly not intended to pay any allowance to any overseas student who is going to study in any school set up in Queensland by an offshore company or another nation. It is only to cover the contingency in which some Queensland students may qualify to receive some assistance when they leave Queensland to continue their studies.

Mr COMBEN: Honourable members have just listened with some interest to the Minister's explanation that somehow he is going to pay allowances to places overseas.

Mr Littleproud: No, Queensland students who go overseas.

Mr COMBEN: Queensland students overseas is the Minister's explanation. That is fine.

If one reads subclause (6), in the third line it states, "persons enrolled or in attending a place". The word "place" is defined in subclause (1) as being various things which—

"... constitutes a complete or partial primary or secondary curriculum of an overseas country..."

That place must be somewhere in Queensland.

Mr Littleproud: I missed that point. I will explain that to you.

Mr COMBEN: Very well.

My argument would be that it would be a place in Queensland with overseas students. I think that negates what the Minister said. I will wait to hear his explanation.

Mr LITTLEPROUD: There are circumstances that will apply to overseas schools that will be established. One such school will be set up at Coomera and will be attended by students in Years 11 and 12 from Queensland, and they will be studying a Queensland syllabus. They will be entitled to free education because they are Queensland students studying a Queensland curriculum. That is the qualification I make. That is something to which they are entitled, whether they go to a State school or a private school. However, if they go to that school and study a Queensland curriculum as a subset of that international school, which is part of the agreement that the Government will be signing with those people, there will be an international school of their nationality as well as a subschool that will be teaching a Queensland curriculum. That contingency will need to be covered so that the young people attending that school will be entitled to the same allowance as other students attending a school in Queensland.

Mr HAMILL: Whilst I appreciate the Minister's attempt to explain the matter, I am still not convinced that what the Minister is speaking about is exactly what the legislation provides. As the member for Windsor pointed out, the reference to a place in clause 75 is indeed that "facility, school" etc. that is providing wholly or partially the curriculum of an overseas country. Subclause (6) refers to the payment of allowances to students attending such a place. Upon the construction of the whole provision I am sure that it would be construed that what we are dealing with in subclause (6) is the payment of allowances to schools that are teaching an overseas curriculum. If it is a school that is teaching a Queensland curriculum, unquestionably if that school falls within the guide-lines as may be from time to time determined by the Minister and the Government for the payment of allowances, quite clearly an allowance should be paid. That is not the point that is being made about clause 75. We are dealing with a school that is teaching an overseas curriculum. That is stated quite clearly in subclause (1). It is in those cases that the allowances provided for in subclause (6) be paid, not, as the Minister suggests, authorising payment to those students who might be studying a Queensland curriculum in an overseas school in this country. It is certainly a confusing point. I suggest that maybe the drafting of the section is allowing that misapprehension to arise on the part of the Minister's advisers. I seek further guidance from the Minister.

Mr LITTLEPROUD: There is another set of circumstances. Perhaps a married couple with their family could come to Queensland from overseas and live here for seven or eight years. Knowing that they are going to live in Queensland for only seven or eight years, they may well take out Australian citizenship with the intention of relocating overseas again. If they qualify for citizenship and they know what their future is going to be, they could choose to enrol their child in a school at which he can take a Japanese curriculum and return overseas later on. However, while they are in Australia they pay their taxes and they live as Australian citizens. Because they know that their child will return to Japan, they want him to have the opportunity to study a Japanese curriculum. The legislation gives me a special consideration under which I can use my discretion and say, "Is that a dinky-di case?"

Mr COMBEN: Opposition members appreciate the explanation that has been given. We do not necessarily disagree with it. Will the Minister give an assurance or an undertaking that he would not be using this clause to pay allowances to purely overseas students coming——

Mr Littleproud: I give that assurance.

Mr BRADDY: Mr Temporary Chairman, in those circumstances, on the Minister's undertaking and because of the final explanation that he made, I withdraw the amendment.

The TEMPORARY CHAIRMAN (Mr Booth): Order! The amendment has been withdrawn.

Mr LITTLEPROUD: I move the following amendment—

"At page 31, after line 5, insert—

'(8) The provisions of this section do not apply to a State educational institution, a non-State school or a place where instruction of a kind referred to in section 58 (2) (a) (i) or (ii) is received.' "

Amendment agreed to.

Clause 75, as amended, agreed to.

Clauses 76 and 77, as read, agreed to.

Clause 78—

Mr LITTLEPROUD (12.37 a.m.): I move the following amendment—

"At page 32, line 21, omit—

'sections 74 (2) and 75 (5)'

and substitute—

'section 75 (5)'."

Amendment agreed to.

Clause 78, as amended, agreed to.

Clauses 79 to 99, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

FARM WATER SUPPLIES ASSISTANCE ACT AND ANOTHER ACT AMENDMENT BILL

Hon. M. J. TENNI (Barron River—Minister for Mines, Energy and Northern Development) (12.40 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Farm Water Supplies Assistance Act 1958-1984 and the Water Resources Administration Act 1978-1984 each in certain particulars and for a related purpose."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. TENNI (Barron River—Minister for Mines, Energy and Northern Development) (12.41 a.m.): I move—

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

I seek leave of the House to table and incorporate in *Hansard* my second-reading speech.

Leave granted.

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

In 1958 the Farm Water Supplies Assistance Act was passed to enable farmers to obtain financial assistance for on farm works to improve water supply and drainage. The Act also empowered the Commissioner of Irrigation and Water Supply, as he was then known, to carry out those works.

Since that time more than 5 000 farmers have availed themselves of the opportunity to obtain financial assistance amounting to some $29 million. In addition, there have been more than 49 000 applications for expert advice from the Water Resources Commission on all aspects of water conservation, distribution and use for irrigation, domestic, stockwatering and other purposes.

The scheme has worked very well and has been a credit, not only to the architects of the Scheme, but to the many dedicated officers who have made it work so well over the years.

However, Honourable Members, an opportunity now arises to improve the operational efficiency of the scheme.

The Act as it presently stands provides for the establishment and maintenance of the Farm Water Supplies Assistance Fund from which advances are made to farmers. This Fund is administered by the Water Resources Commission.

The Act also establishes the Farm Water Supplies Assistance Authority, a Corporation sole constituted by the Minister administering the Act, whose sole function is to borrow or raise money for the Fund.

Moneys raised by the Authority are made available to the Queensland Industry Development Corporation (Q.I.D.C.). Since the passing of the Queensland Industry Development Corporation Act, this body has been responsible for determining the suitability of applications for advances, the terms of the advances and security arrangements. Repayments are made to Q.I.D.C. and then credited to the Farm Water Supplies Assistance Fund.

Application for financial assistance must be made to the Water Resources Commission which must refer them to the Department of Primary Industries or, in the case of assigned sugar cane lands, to the Bureau of Sugar Experiment Stations for report on the prospects of success before they are sent to Q.I.D.C.

Quite clearly the provision of financial assistance to farmers has been subject to joint management. That has created problems and has resulted in the Water Resources Commission and Q.I.D.C. duplicating some functions.

A review undertaken in 1987 highlighted a number of features that could be improved.

As custodian of the Farm Water Supplies Assistance Fund the Water Resources Commission duplicates a set of functions that are the normal business of Q.I.D.C.

The absence of direct contact between Q.I.D.C. and its farmer clients gives rise to a middleman situation in which the Water Resources Commission is obliged to contribute to the processing of loan applications.

The intermingling of financial assistance with the provision of technical assistance, as presently required by the Farm Water Supplies Assistance Act, results in an administrative process that is both cumbersome and difficult to co-ordinate.

Also, service charges of the order of about $100,000, levied each year by Q.I.D.C., are paid out of the Farm Water Supplies Assistance Fund.

The Amendment Bill addresses those problems.

Firstly, it proposes the dissolution of the Farm Water Supplies Assistance Authority whose sole function, as I mentioned earlier, is to borrow or raise moneys for the Farm Water Supplies Assistance Fund.

The Bill also proposes that the Farm Water Supplies Assistance Fund, currently administered by the Water Resources Commission, be closed and the balance in the Fund be transferred to the Q.I.D.C. Agency Fund within the Trust and Special Funds of the Public Accounts which are administered by the Treasury Department.

The Bill provides for the Q.I.D.C. to meet interest and redemption payments on moneys previously borrowed by the Farm Water Supplies Assistance Authority and to receive the principal and interest repayments from farmers who have borrowed from the Farm Water Supplies Assistance Fund.

Applications for advances will be made directly to Q.I.D.C. which will deal with them in accordance with its own legislation in the same manner and on the same terms and conditions as now apply.

The transfer of responsibility will eliminate the duplication of activities with a subsequent improvement in efficiency which will benefit the clients.

The funds will be managed by an institution primarily operating as a financier. There will be direct contact between the lender and its clients, financial assistance will be separated from

the provision of technical assistance, each of which will be handled by bodies with the relevant expertise.

Honourable members, the opportunity is also being taken to remove certain redundant sections from the Farm Water Supplies Assistance Act and to alter others that deal with the technical services provided by the Water Resources Commission.

Originally the Farm Water Supplies Assistance Act envisaged that the Water Resources Commission could undertake the actual construction and installation of works on behalf of farmer clients. It is most likely this provision was included because of perceived difficulties in finding local contractors able and willing to carry out works. In reality, this provision has not been pursued by farmers who have rightly used private contractors. It is not appropriate to retain this provision when adequate and competitive expertise is available in the private sector to undertake such works.

The Commission has also provided from the outset a very sound technical service that includes detailed investigation, design and preparation of plans and specifications for its clients. Assistance is also provided to farmers to supervise the work of private contractors or for the farmer to undertake the work himself.

Based on already identified client needs, the Commission will enter a new phase in the provision of technical services to farmers. Whilst continuing to provide, where needed, the types of services it has traditionally provided, far more emphasis will be placed on advisory and extension services in the future.

The Commission's officers will be more readily available, and able to respond more quickly to requests for information about on-farm water conservation, distribution and use and about drainage projects.

Naturally, there will be many occasions when the advice given to clients will lead to the need for detailed investigation, and design of projects. In future, that service will be provided primarily by consultants although the Commission will continue to provide that service where the services of consultants are not readily available.

It is therefore proposed to remove or amend those sections of the Act that deal with construction of works by the Commissioner of Water Resources and to amend section 14 to reflect the changed emphasis in technical services to farmers.

The balance of the Farm Water Supplies Assistance Act and Another Act Amendment Bill deals with matters arising out of the dissolution of the Farm Water Supplies Assistance Authority and the closure of the Farm Water Supplies Assistance Fund.

The small amendment to the Water Resources Administration Act recognises that there will no longer be a need for the Commissioner to report on the activities and affairs of the dissolved Authority.

The Commissioner will of course continue to report on the technical advice and services provided to farmers for on farm projects.

I turn now to a more detailed description of the Bill.

Clauses 3 and 4 are substantive provisions which dissolve the Farm Water Supplies Assistance Authority, close the Fund and transfer assets, liabilities, etc., to the Q.I.D.C.

Clauses 5, 6 and 7 incorporate changes to the interpretation provision, enable applications for financial assistance to be submitted directly to Q.I.D.C. and allow Q.I.D.C. to deal with applications in accordance with its own legislative requirements.

Clause 8 enables Q.I.D.C. to make advances for the purposes of the Farm Water Supplies Assistance upon such security as Q.I.D.C. may require and ensures that advances and securities given may be dealt with under the Queensland Industry Development Corporation Act.

Clause 9 repeals sections which otherwise would impinge on Q.I.D.C.'s management of the financial assistance provided or contain provisions relating to the Commissioner constructing on-farm works. This section is not relevant today as explained earlier.

Similarly, clause 10 removes two sections dealing with the construction of works and the hire of machinery.

Clause 11 simplifies the existing provision and requires joint borrowers to inform Q.I.D.C., instead of the Commissioner of Water Resources, of the agreed apportionment of their indebtedness.

Clause 12 repeals section 13 which once again deals with the construction of works by the Commissioner.

To emphasise the changes in the provision of technical services to farmers clause 13 amends section 14 to enable the Commissioner to provide technical, supervisory or other advice for the development of works on farm lands. As I said before, the Water Resources Commission will develop its extension service to farmers by providing on the spot expert advice which may or may not lead to more detailed investigation. Clause 13 also makes other minor amendments to section 14 to reinforce the notion that Commission officers give advice to the owners of works during construction as opposed to the officers supervising actual construction.

Because provisions dealing with entry on land and the need to obtain licences are no longer considered necessary, and the Farm Water Supplies Assistance Fund is to be closed, sections 15, 16 and 17 are repealed by clause 14.

Clause 15 transfers liability for redemption of outstanding borrowings made on behalf of the Farm Water Supplies Assistance Authority to Q.I.D.C.

Because the Farm Water Supplies Assistance Authority is to be dissolved there is no need to retain sections 17B to 17G and they are repealed by clauses 16 and 17.

Finally, to complete the necessary amendments clauses 18 and 19 withdraw the obligation on the Commissioner of Water Resources to report on the activities of the Farm Water Supplies Assistance Authority.

Honourable members will, I am sure, agree that any initiatives to streamline departmental procedures and to increase operational efficiency can only be to the benefit of a department's clients and accordingly are to be supported.

I am certain that the Farm Water Supplies Assistance Act and Another Act Amendment Bill will result in improved procedures and thus benefit the public.

Mr TENNI: I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

The House adjourned at 12.42 a.m. (Friday).