

**NOTE:** There could be differences between this document and the official printed *Hansard*, Vol. 314

**WEDNESDAY, 21 MARCH 1990**

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 2.30 p.m.

**OFFICIAL PHOTOGRAPH OF NEW PARLIAMENT**

**Mr SPEAKER:** Order! Honourable members, I have to inform the House that the official photograph of the new Parliament will be taken tomorrow morning immediately following prayers. It would be appreciated if all honourable members were present at that time.

**PETITIONS**

The Clerk announced the receipt of the following petitions—

**Daylight-saving**

From **Mr Ardill** (102 signatories) praying that summer daylight-saving continue on a permanent basis.

A similar petition was received from **Mr Veivers** (822 signatories).

**Coorparoo Police Station**

From **Mr Santoro** (15 signatories) praying for the Coorparoo Police Station to be maintained and for its service to be extended.

**Staff Parking Enclosure, Caboolture Railway Station**

From **Mr Sullivan** (21 signatories) praying for an enclosed secure parking area for use by railway personnel at Caboolture Railway Station.

**Use of Public Moneys, Chinatown Mall**

From **Mr Beattie** (62 signatories) praying that a committee be established to inquire into the allocation and use of public moneys in Chinatown Mall.

**Membership of Chinatown Advisory Committee**

From **Mr Beattie** (51 signatories) praying that the Chinatown Mall Act be reconsidered to provide for wider representation of the Chinese community and for the local State member to be an ex officio member of the Chinatown Advisory Committee.

Petitions received.

**PRIVILEGE**

**Referral to Privileges Committee of Comments by Leader of the House**

**Mr BORBIDGE** (Surfers Paradise—Deputy Leader of the Opposition) (2.32 p.m.): I rise on a matter of privilege. Mr Speaker, as you would recall, during the debate on the special adjournment motion at 5.30 o'clock yesterday afternoon, I expressed the concern that, as the Parliament would sit again at 8 o'clock that evening and as you, Mr Speaker, would return to the Chamber with the Mace and proceed to prayers, in a true, open and accountable forum there would be granted an hour of question-time in what amounted to a new sitting day.

Mr Speaker, I also remind you of your comments on the ABC's *7.30 Report* on 27 February 1990, wherein you foreshadowed a new era of parliamentary democracy in Queensland.

Mr Speaker, I also bring to your attention comments attributed to the Leader of the House in the *Courier-Mail* of 26 February 1990, which I will table. I draw particular attention to his admission that—

"It was also time for Opposition parties to be given a better go during such periods as question time."

He went on to say that—

"We will ensure that members have the opportunity to raise matters that concern them."

It is therefore of great concern that, during the debate on yesterday's special adjournment motion, the Leader of the House, in responding to my concerns, said vehemently—

"It is about time that you people realised that you don't sit on this side of the Chamber any more, you're sitting over there in Opposition, and you're going to have to learn to cop it."

Mr Speaker, the Opposition feels that the comments made by the Leader of the House have severely compromised the genuine efforts of both the Opposition and yourself, and your stated intention to achieve parliamentary reform.

I therefore request, Mr Speaker, that you refer to the Privileges Committee the comments made by the Leader of the House.

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

**Mr SPEAKER:** Order! I will refer the matter to the Privileges Committee.

#### PAPERS

The following papers were laid on the table—

Reports---

Salaries and Allowances Tribunal dated 11 December 1989

Director of Prosecutions for the year ended 31 December 1989

Orders in Council under---

Grammar Schools Act 1975-1989 and the Statutory Bodies Financial Arrangements Act 1982-1989

Judges' Salaries and Pensions Act 1967-1989

#### PROPOSED MULTIFUNCTION POLIS

**Hon. W. K. GOSS** (Logan—Premier, Minister for Economic and Trade Development and Minister for the Arts): I move—

"That this House supports the completion of the feasibility study into the concept and sighting of the proposed multi-function polis in Australia."

In particular, this House expresses its support of the efforts of:—

- (a) the Government of Queensland;
- (b) Mr Nick Greiner—Premier of New South Wales;
- (c) Mr Will Bailey—Chairman of the Joint Steering Committee of MFP;
- (d) Mr Charles Blunt—Federal National Leader;
- (e) Mr Rob Borbidge—Queensland Deputy Opposition Leader; and

(f) Mr John Elliott—Federal President of the Liberal Party.  
for their continued commitment to a full investigation of the concept of a multi-function polis in Australia.”  
Motion agreed to.

## MINISTERIAL STATEMENT

### Rental Bond Authority

**Hon. T. J. BURNS** (Lytton—Deputy Premier, Minister for Housing and Local Government) (2.35 p.m.), by leave: This is a lengthy statement about the Rental Bond Authority, and I seek leave to table it and have it incorporated in *Hansard*.

Leave granted.

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

After three and a half months of operation, the Rental Bond Authority already has exceeded expectations, brought justice and fair play to rental agreements in this State, and promises to have a considerable impact on housing in Queensland over the coming decade.

By February, 28, 1990, the Rental Bond Authority had received 12,506 rental bonds worth \$6.89 million from landlords and agents in south east Queensland, 40 per cent more than anticipated.

On March, 1 the authority expanded its coverage to the entire State and by March, 20 the total number of bonds received was 17,494 worth \$9.6 million.

This tremendous response reflects the widespread community support for the authority throughout Queensland.

I commend the general manager of the authority, Robin Yarrow, who has brought the Rental Bond Authority from theory to reality over the past six months. His inspired leadership and the dedication of the authority members and staff has enabled the Rental Bond Authority to provide Queenslanders with the most comprehensive and effective service of its kind in Australia, if not the world.

A senior Victorian Government official made a recent special visit to the Queensland Rental Bond Authority to discuss with Robin Yarrow that State's plans for the establishment of a similar authority. There are strong indications that the Victorian body would be modelled on the Queensland Rental Bond Authority.

As well as performing his duties in establishing the Rental Bond Authority, Robin Yarrow undertook a series of meetings and seminars with real estate agents, landlords, tenants, Australia Post office officers, housing workers, accountants and solicitors throughout the State, informing them about the authority and its plans and introducing them to their responsibilities.

To the best of my knowledge, no Government agency has gone to the public to advise on practices and procedures in order to educate users and save them from potential breaches of the law. This proactive approach has paid dividends: real estate agents and landlords are to be congratulated for their positive response to the authority.

This method of introducing the Rental Bond Authority is an example of the Goss Government's commitment to accessibility, fairness and service for the people of Queensland.

That same commitment was the reason the Rental Bond Authority was made responsible directly to me as Minister for Housing and Local Government. The authority is an independent body, dedicated to providing an unbiased service to landlords, agents and tenants.

The Rental Bond Authority is an important part of the Housing portfolio. It provides a valuable service to the parties to rental agreements and complements and enhances the rental housing sector in this State.

Unfortunately, despite the authority's fair-mindedness and personal attention—designed to provide users with a solid understanding of the Act and the authority's methods—there are those who refuse to comply with the law. Well, as you may have read in the papers, the honeymoon is over.

The authority last week referred the names of eight landlords and one agent to the Crown Solicitor who has prepared cases against them for contravening the Rental Bond Act. Summonses will be issued shortly.

A continuing public information campaign and the fact that the authority has been up and running in south east Queensland for more than three months rules out ignorance as an excuse for non-compliance with the Act by this small minority. Those people who believe they can continue to defy the law will be dealt with accordingly, and currently face fines of up to \$900 for each breach of the Act.

The intention of the Rental Bond Act was to bring fair practices to bear in an area where dishonesty, opportunism and lack of regulation and Government control all too often left the wronged party to a rental agreement with no legal recourse. The Rental Bond Authority is a sound investor and unbiased protector of bond monies, one which is saving both the tenant and the landlord or agent from potential damage while benefiting the whole community by using the interest earned on bond monies to provide services and programmes for its users.

The Act empowers the authority to fund and administer rental advisory services, to research the relationship between tenants and landlords and other related issues and to provide residential accommodation.

A research officer was appointed on March 5 to investigate these and other matters for the authority. I expect to receive recommendations on a range of matters in due course.

The authority has informed me that one of the subjects under consideration is rental bonds which were paid to landlords or agents prior to December 1, 1989. The parties to these agreements are not protected under the law as are the thousands of Queenslanders whose agreements were made after that date. In fact, the authority estimates that far greater number of tenants, landlords and agents are unprotected simply by virtue of their agreements taking place before December 1 than are currently protected under the Act.

The authority also may recommend the Act bind the Crown so that rental agreements to which various Queensland Government departments are a party will be protected under the Act.

The need for comprehensive and effective rental advisory services for all parties to rental agreements has become apparent to the authority since it began operations. An average of about 200 enquiries are received each day: half from landlords and agents and half from tenants. A large number of tenant enquiries concern existing tenancies, matters with which the authority is not directly involved. However, research is underway into how best to provide rental advisory services for the people of Queensland.

The Rental Bond Authority also will ensure that equality is applied to the provision of residential accommodation. The authority will be in a position to finance residential housing projects by 1995 and funds will be allocated to ensure all users benefit equally under authority programmes.

The straightforward forms and methods developed by the Rental Bond Authority make it easy for people to lodge and claim bonds. One extremely cost-effective approach is the use of official Australia Post Offices to act as agents for the distribution of authority forms and brochures and for the acceptance of automatic bond refund claims. Currently, automatic bond refunds are possible within 20 minutes via facsimile from post offices.

These Australia Post agencies make the Rental Bond Authority the only such body in Australia with agents outside its capital city office.

The Rental Bond Authority employs a caring and listening strategy, unusual today in organisations serving the public. As part of this type of management, the authority is recording constructive criticisms of its practices and procedures and plans to discuss likely changes with users at the appropriate time.

The authority also will be in a position to relieve the burden on the Small Claims Tribunal in regard to matters affecting rental bonds. The number of cases brought before similar tribunals in other States has fallen significantly over time since the introduction of rental bond authorities.

Of the 455 claims for refund received by the authority so far, only four (one percent) have required Small Claims Tribunal adjudication. One matter already has been resolved by the tribunal. I would hope and expect this trend away from the need for small claims adjudication to continue.

The Rental Bond Authority is designed to serve the people of Queensland, to provide a fair and equitable service, not to benefit one section of the community over another. It is in effect a control mechanism that protects both landlords/agents and tenants from unscrupulous practices. The success of the authority will improve the relationship between landlords/agents and tenants.

By June, 1991, it is estimated conservatively that \$20 million will be invested with the authority. By the end of its third year, the authority will hold more than \$30 million in rental bonds.

The Rental Bond Authority is an important part of the overall plan for improved housing services in Queensland.

The Goss Government will continue to encourage the authority as it takes its place at the forefront of the development of rental housing policy and administration in Australia while providing services which will benefit the people of Queensland for generations to come.

#### MINISTERIAL STATEMENT

##### Police Sergeant Lorrelle Saunders

**Hon. T. M. MACKENROTH** (Chatsworth—Minister for Police and Emergency Services) (2.36 p.m.), by leave: I refer to an article in this morning's *Courier-Mail*, in which a solicitor acting for Police Sergeant Lorrelle Saunders makes certain claims relating to compensation. I would like to place on the public record the facts and circumstances surrounding these claims, which are mischievous and which lent no support to the case being argued by Sergeant Saunders.

In doing so, I do not wish to detract from Sergeant Saunders' case, but I find the portrayal of events by her solicitor disappointing and cheap, and a deliberate misinterpretation of my actions. Without detracting from Sergeant Saunders' case, I point out that what the solicitor demands is a hasty, unexamined and totally subjective answer to a question to which I have only incomplete answers. I do not believe that giving due consideration to a claim for half a million dollars from the public purse on an unresolved issue is, to quote that solicitor, "tardy treatment". Asking for the full story before dispensing large amounts of compensation is, to my mind, responsible decision-making. The Leader of the Liberal Party, who today has so vocally defended Sergeant Saunders' claims, would surely be the first person to recognise that big spending has to be justified.

The following are the facts concerning my dealings with Sergeant Saunders' solicitor. Prior to the State election, he wrote to me when I informed him that, on the election of a Labor Government, I would be prepared to meet with him. That meeting took place on 19 December 1989, within a few weeks of the election, at which time I asked him to prepare a submission outlining their claims. Suggestions that this matter has not been dealt with urgently make the solicitor's subsequent actions laughable. There was certainly no urgency in those actions, because that submission did not arrive at my office until 23 February 1990. Since then I have been under constant pressure, in the form of letters and phone calls from the solicitor, to make a decision.

However, after carefully considering the 124-page document, I concluded that vital points had been left out, and on 19 March 1990 I wrote to the solicitor asking that they be provided. The points were these—

- (a) What was the nature and circumstances of Saunders being charged for the original offences?
- (b) What was the nature and circumstances of Saunders being remanded in custody after her arrest on the breach of bail?
- (c) What issue or issues does your client rely on to justify the payment of compensation?

It is interesting to note that, as soon as the solicitor received that letter, he adopted the attitude that he wanted me removed from the decision on the compensation claim.

I want to reiterate, and to assure Lorrelle Saunders and the people of Queensland, that our Government will view compassionately the trauma suffered by Lorrelle Saunders and her family over the past eight years. However, I feel the public also deserves the reassurance that claims for large amounts of compensation will be dealt with responsibly by this Government, that the circumstances surrounding such claims will always be

scrutinised, and that no knee-jerk reactions will be made. At the present time there are a further three claims for compensation by people who believe that they were victimised in some way by the previous Government, and those also have to be carefully considered. No doubt there are thousands of people throughout Queensland who believe that in some way their careers or lives were prejudiced by the previous Government. To pay compensation to all those people would wipe out the entire State Budget. In the meantime, I believe that such a large claim like Sergeant Saunders' claim on the public purse demands careful consideration by people with all, not some, of the facts before them.

#### **MINISTERIAL STATEMENT**

##### **Miami Needle-exchange and Methadone Clinic**

**Hon. K. V. McELLIGOTT** (Thuringowa—Minister for Health) (2.41 p.m.), by leave: I am aware of continuing debate on the Gold Coast about my decision to base a needle-exchange and methadone clinic in a Health Department facility on the Gold Coast Highway at Miami. Indeed, I have been accused by one honourable member of this House of adopting an arrogant and irresponsible attitude towards the location of the clinic. Nothing could be further from the truth. In fact, I could have taken the option of simply commencing the programs at that existing Health Department facility, which meets with the town-planning regulations of the Gold Coast City Council, but I have not done that. I have chosen to consult with the council, and I am disappointed at the way in which some members of that community have reacted.

The decision to base a clinic of that type on the Gold Coast is based on the best advice of experts in the fields of AIDS prevention and drug dependence. It is internationally recognised that the drug-using community represents one of the greatest risks for the spread of AIDS throughout the general community. That is because drug-users, through their sharing of dirty needles and sexual contact—and consequently infected mothers passing the AIDS virus on to their unborn children—are a potential time bomb waiting to explode. Experts in the field of intravenous dependence estimate that there are 8 000 IV drug-users in Queensland, with one-quarter of their number—that is, some 2 000 people—who are addicted to drugs of dependence being located within the general Gold Coast region.

Sadly, community opposition to the Miami clinic is being promoted by persons who have what appears to be little understanding of the public health issues which must be tackled by a responsible Health Minister. I have arranged a briefing on Thursday week to enable honourable members to learn about the progress in the control of AIDS in Queensland and to give them the opportunity to question Health Department experts. Invitations to those briefings will be distributed today.

Quite clearly, the siting of a clinic at Miami did not create the problem; the problem already existed. According to information given to me, used syringes are being found on Gold Coast beaches from Main Beach to Kirra. The establishment of a needle-exchange clinic at Miami will help reduce this problem and not add to it, as is claimed by some of the more ill-informed critics of the clinic. The Miami centre will operate on a one-for-one needle exchange basis. In other words, in order to receive a clean needle, IV-users must produce a dirty needle. The area around the centre will not become a haven for drug addicts and criminals, as some of its opponents are claiming. Clients of a needle-exchange clinic are aware that it is illegal to carry prohibitive drugs and to dispose of a needle unsafely. They are also aware that areas around a clinic may be the target of police activity.

Frankly, many of the centre's critics are sufferers of the "Nimby" syndrome—"Not in my backyard". I have received representations regarding the alternative proposed location that is being suggested by opponents of the Miami clinic. Apart from verbal representations made by the member for Southport, I have received a letter from the

president of the St Hilda's School Women's Auxiliary, who states that the auxiliary objects to the proposed Southport site. The letter states in part—

" . . . because we feel it is a most unsuitable development so close to a girls' boarding school which is entrusted to the girls' care 24 hours a day seven days a week."

I also received a letter from the member for Nerang, in which he states—

"It has been brought to my attention that you are considering a site for a needle exchange, methadone treatment and sexually transmitted diseases clinic opposite the Southport Hospital.

In that this site backs on to a frontage immediately opposite the St. Hilda's Girls Boarding School, I feel it is most unsuitable.

What I ask is an undertaking that none of these activities will occur on this site."

The opponents of the Miami clinic fail to realise that the needle exchange will be only the smallest component of a multipurpose health facility which has been offering alcohol and drug dependent services since 1984.

The centre offers the advantages of a central location, proximity to public transport, the appropriate local authority zoning and identification with the public as a health facility; yet opponents of the centre fail to see that there are urgent health issues on the Gold Coast which this facility can tackle responsibly and effectively. It would be negligent of me to stand by and deny people in need of treatment access to the sorts of programs that may ultimately lead to rehabilitation. It would also be negligent of me to allow the Queensland public to be exposed to a far greater risk of AIDS infection because the State's intravenous drug users are using dirty needles.

Mr Speaker, reasonable, thinking people on the Gold Coast appreciate the need for a needle-exchange and methadone clinic and support its introduction at Miami. As the *Gold Coast Bulletin* observed last week, the issue here is a test of the selflessness, compassion and understanding of the people of Miami. I am sure that, over time, they will support me in this decision, as will the people of Queensland.

#### **MINISTERIAL STATEMENT**

##### **Report of the Office of Director of Prosecutions**

**Hon. D. M. WELLS** (Murrumba—Attorney-General) (2.46 p.m.), by leave: On 1 March this year, I told this House that the former National Party Government of this State had left the offices of the Crown Solicitor, the Director of Prosecutions, and the Public Defender in a state of neglect. Earlier today, I tabled the annual report of the Director of Prosecutions for the year ended 31 December 1989. Mr Sturgess' final report as Director of Prosecutions corroborates my remarks about the dire state of neglect suffered by many of the legal subdepartments under my control, during 32 years of conservative Government.

In his report, Mr Sturgess goes even further than I did. In prefacing his criticism, Mr Sturgess rightly points out that an effective criminal justice system is fundamental to civilised existence. An effective criminal justice system, he says—

- must not prefer the rights of one party to the rights of others;
- its procedures should provide for the timely disposition of all cases coming before it, but not at the sacrifice of thorough hearings; and
- it should be applied systematically, so that its benefits and sanctions fall evenly on all.

The retired Director of Prosecutions reports to us today that under the Nationals, Queensland's criminal justice system fell well short of those standards. Those who have been responsible for the management of the criminal justice system, Mr Sturgess says,

were able to disregard the problems, leaving persons of lesser rank to solve them by their own methods.

I cite point 15 of Mr Sturgess' report—

"The most notorious example of this was the conduct, hopefully now stopped, of many police officers who, finding themselves frustrated in their investigations by the inadequacies of the law, supplemented the evidence with manufactured evidence, or imposed their own penalties on persons they believed were guilty of unlawful behaviour."

Here the director is talking about verballing and the police taking the law into their own hands. The Goss Government has, of course, addressed this problem on several fronts.

The Police Minister, Mr Mackenroth, has been overseeing the introduction of wide-ranging reforms to the Police Department, recommended by Mr Fitzgerald. It is true that the National Party acted in relation to the videotaping of police evidence, but only 12 years after it was originally recommended in the Lucas report.

Mr Sturgess notes—

"This deplorable practice, (verballing) . . . provides another example of the neglect of the criminal justice system by a Government which, advised of it by the Lucas Inquiry in 1977, chose to ignore it until some recent events at the Fitzgerald Inquiry made it electorally necessary to do something about it."

He says that it was because it was "electorally necessary to do something about it".

It was a pity, then, that there was not the electoral pressure to increase the resources for the Office of the Director of Prosecutions as well because, Mr Sturgess notes, inadequate funding resulted in senior legal personnel, including prosecutors and private counsel, making "donations of time and effort" when working for the primary prosecuting office in the State—the Office of the Director of Prosecutions. If that matter is not corrected urgently, warns Mr Sturgess, the situation will lead to the serious running-down of the office.

The Government is presently addressing several of the issues raised by the director with a view to improving the criminal justice system of this State. Indeed, a number of the recommendations in the former Director of Prosecution's report have already been acted on by the new Government. I give three examples. Firstly, in the very near future, I propose to introduce a Criminal Law (Rehabilitation of Offenders) Act Amendment Bill to make a distinction between offences dealt with in the Magistrates Courts and offences dealt with on indictment. Secondly, the amalgamation recommended by Mr Sturgess between the Legal Aid Office and the Public Defender's Office is presently being addressed by my officers, with the full assistance of the Legal Aid Commission. I intend to introduce appropriate legislation into the House later this year to give effect to the amalgamation. Thirdly, while it is not possible to solve the underresourcing problems referred to by Mr Sturgess in a single stroke, I have already made arrangements for additional funding—an extra \$250,000—to be available to the Office of the Director of Prosecutions this financial year, funded out of savings made elsewhere in my department.

We have also addressed the anomaly referred to by Mr Sturgess—that counsel briefed by the Special Prosecutor's Office are paid \$1,500 fee on brief, while the Director of Prosecutions Office pays only \$387 fee on brief. Cabinet determined to increase the Director of Prosecutions and Public Defender's briefing-out fees by 20 per cent, with a further review in the light of the amalgamation between the Public Defender and the Legal Aid Commission.

In conclusion, I will quote from the director's closing remarks. He says—

"I must emphasise the seriousness of the situation I have written about. We look at a third rate criminal justice system unless something is done."

Now something is being done.



During his five years of unselfish public service as Director of Public Prosecutions, the words of Mr Sturgess fell on deaf National Party ears. His wise counsel has, however, been heard by the Labor Government.

**Mr FitzGerald:** Oh, come on!

**Mr Harper** interjected.

**Mr WELLS:** As we slowly, but steadily, clean up the mess left by the people shouting from the other side of the Chamber, he will see that what he said and did was not in vain.

#### **MINISTERIAL STATEMENT**

##### **Messrs B. and W. O'Connor; Northside Hearing Aids**

**Hon. G. R. MILLINER** (Everton—Minister for Justice and Corrective Services) (2.51 p.m.), by leave: I wish to draw to the attention of the House the activities of a Brisbane-based company which has promoted itself as being able to supply hearing aids based on advanced technology for \$545.

The business in question is Northside Hearing Aids, which is run by Brian and Wayne O'Connor. Until February this year, they were trading as a business called Hearing Aid Counsellors, which was the subject of numerous complaints to the Consumer Affairs Bureau. Many elderly consumers paid more than \$1,000 for hearing aids which either failed to appear or were faulty.

Hearing Aid Counsellors was placed into liquidation on 22 February this year, leaving many pensioners in desperate straits. However, the failure of Hearing Aid Counsellors has not stopped the O'Connors. They have now opened another hearing aid clinic in Nundah, which trades as Northside Hearing Aids.

Consumers are warned not to have any dealings with Brian and Wayne O'Connor trading as Northside Hearing Aids at 1277 Sandgate Road, Nundah.

#### **LEADER OF OPPOSITION'S ALLEGATIONS REGARDING CAMPAIGN DONATIONS ACCEPTED BY MEMBER FOR MACKAY**

**Hon. T. M. MACKENROTH** (Chatsworth—Leader of the House) (2.52 p.m.), by leave, without notice: I move—

"That so much of Standing Orders be suspended that would otherwise prevent the Leader of the Opposition from explaining to the House how the campaign donation accepted by the honourable member for Mackay in 1980 was illegal and how any new investigation would reveal anything different from the exhaustive inquiries already made by the former National Party Government, using the police and the Solicitor-General."

Motion agreed to.

**Mr COOPER** (Roma—Leader of the Opposition) (2.53 p.m.): I thank the Government for giving me the opportunity to put the case again. As I have said in this place, in the media and elsewhere, this matter, which goes back to 1981, has a link to 1990.

**Mr De Lacy:** I hope you're more convincing today than you were yesterday.

**Mr COOPER:** The Treasurer has absolutely no credibility at all. If I were him, I would not even open my mouth. He has totally blundered. The Labor Party has two dead ducks, and Donald Duck just interjected. Honourable members realise that he is not worth a cracker as a Treasurer.

We have established that in 1981, \$30,000, by way of three \$10,000 cheques, was paid to Caspalp. We have also established a link between Caspalp and Mr Casey, who

was the Leader of the Opposition at that time. Furthermore, we have established a link between the poker machine lobby and the ALP. In 1981, the players were Mr Casey and a person called Ainsworth, who was the manufacturer of the Aristocrat poker machine. A police investigation was conducted. Because Mr Casey would not cooperate with the investigation, the police said that it was inconclusive. If Mr Goss has any information from the Solicitor-General, we would like to see it.

In 1990, exactly the same players are involved. The reason that the issue has been raised at this stage is that the Labor Government has decided to introduce poker machines into this State. I have stated clearly that that was Labor Party policy and that it has a mandate to do that. However, \$100m worth of poker machines is involved, which is by anyone's standards a large amount of money. Mr Casey, who was involved in that slush fund, is now a member of Cabinet and is in a position to make decisions on the calling of tenders for the purchase of poker machines. Another player is Mr Ainsworth, the manufacturer of the Aristocrat machines. The company is setting up a factory at Zillmere in Brisbane. No doubt, when tenders are called, it will submit one. At that time, the Opposition will be paying attention to which company is awarded the contract.

This issue is tailor-made for the Criminal Justice Commission. The Opposition would like the matter put before the Criminal Justice Commission. If it comes up with a clean bill of health and if the evidence shows that no links between heavily organised crime and the poker machine lobby exist, it may be an entirely different ball game. However, the Moffit royal commission in New South Wales established heavy links between the poker machine lobby and organised crime. As well, the Willcox inquiry in Victoria established similar links. Those links do not apply to the gaming machines which were proposed by the former Government, but they apply to poker machines. If that is so, the people of Queensland should not be exposed to an influx of heavily organised crime.

The Criminal Justice Commission intends to investigate homosexual law reform and the decriminalisation of marijuana, yet it will not investigate something as vital as the poker machine issue. At present, only New South Wales and the Australian Capital Territory have poker machines. Why do not States such as Victoria, South Australia and Western Australia—Labor States—have poker machines? The reasons are obvious and they are twofold. The first is the heavy link with organised crime and the second is the adverse social effect that poker machines have on the community.

It is all very well to talk of the profit that will be made from poker machines, the benefits that clubs will derive, the employment that will be generated within the industry and the benefits that will flow to the manufacturers of machines. However, we cannot forget the adverse effects on society as a whole. Those effects have definitely been felt in New South Wales. The cost of those effects must be taken into account. Even though the costs may be invisible, they are extremely heavy. Although poker machines are popular, people become addicted to them and squander their pay-packets on them. We must not ignore the adverse effects of poker machines.

At a press conference in 1982, Mr Casey denied that he had ever received funds from the poker machine lobby. However, when the cheques were produced and he was confronted with the evidence, Mr Casey had no choice but to admit that he had lied and that he had received \$30,000.

Also, a sum of about \$8,000 in cash has not been accounted for. Where did the money go? The Opposition wants to know, and it believes that the people of Queensland have a right to know, so that this whole messy episode can be cleaned up at a time when the Government is going to introduce poker machines. As I have said, heavy links that go back 10 years have been established, and they are still there.

The other day Mr Casey misled the House. The Premier has an obligation—a very definite obligation—to take action against Mr Casey for misleading the House. In addition, he has an obligation to insist that this matter of the missing \$8,000 in cash is cleared up. Where did the money go? The Government is introducing a completely new concept

into Queensland society. It is almost fundamental that it ensure that this matter is cleared up before any further decisions are made in regard to poker machines.

**Mr Hamill** interjected.

**Mr COOPER:** Quite obviously the member for Mackay is not in the Chamber. I happen to know the reason why he is not here. The honourable member for Ipswich should keep his tongue still. He looks as though he has swallowed a horse. No-one can ever understand him. He is unintelligible. We have always known that.

The Opposition will continue to pursue this matter, and it is most definitely in the public interest that it does so. I challenge the Premier and the Government to refer this matter to the Criminal Justice Commission, which is where it belongs, far more so than decisions that the Premier could make himself regarding the decriminalisation of marijuana. The whole sordid story about Caspalp—the donations and the slush funds—are linked today with the person who was involved in this matter in the past and who is now in the Premier's Cabinet making decisions on these matters.

I believe that there is a definite conflict of interest. The Premier, as the responsible person in the Government, has to take the necessary action so that down the years, after poker machines have been introduced and the effects are felt, he will at least feel comfortable that this matter was handled in the best possible way. I will not leave any stone unturned to ensure that that happens.

#### MINISTERIAL STATEMENT

##### Allegations against Member for Mackay

**Hon. W. K. GOSS** (Logan—Premier, Minister for Economic and Trade Development and Minister for the Arts) (3.03 p.m.): The Leader of the Opposition has had three sitting weeks—this is the third sitting week—to try to deliver on these superficial, pathetic, 10-year-old allegations against the member for Mackay. The Government gave him half an hour and, believe me, it was prepared to extend his time again and again. For how long did he speak? He spoke for 10 minutes. Honourable members heard 10 minutes of pathetic waffle.

**Mr Borbidge:** Answer the question.

**Mr W. K. GOSS:** The honourable member has an hour of question-time coming up.

**Mr Neal:** The proof is on you, not us.

**Mr W. K. GOSS:** I have got all day.

Yesterday the Leader of the Opposition made the serious charge that the member for Mackay had been engaged in an illegal activity. "Illegal" was the word that he used. He said that the member for Mackay broke the law. This morning the Government gave the Leader of the Opposition an unlimited opportunity to say which law was broken and how it was broken. He was given an opportunity to say—in the words of the motion—how the campaign donation accepted by the member for Mackay was illegal, and he could not do it.

**Mr Cooper:** Rubbish!

**Mr W. K. GOSS:** It may be that Standing Orders will have to be suspended again. I invite——

**Mr FitzGerald** interjected.

**Mr SPEAKER:** Order! Interjections are part of the parliamentary process, but four or five at a time are not acceptable. I warn the member for Lockyer under Standing Order 123A.

**Mr W. K. GOSS:** Members of the Government were happy to let the Leader of the Opposition go on without interjecting because they knew that he had nothing to say. That is why members of the Opposition are squealing now. They do not want to see him turned on the spit.

How was the acceptance of the donation illegal? That is the question. The person who holds the responsible position of the leader of Her Majesty's Opposition charges that a member of the Cabinet has broken the law, yet he cannot tell the Parliament or the public what that law is. He cannot tell us. I now invite the Leader of the Opposition to interject and say what law was broken.

**Mr Cooper:** You have got him in your Cabinet. You have got all the evidence you need.

**Mr W. K. GOSS:** The Leader of the Opposition has failed to put up again.

**Mr BORBIDGE:** I rise to a point of order. In order to assist the Premier, may the Opposition extend an invitation to him——

**Mr SPEAKER:** Order! There is no point of order.

**Mr BORBIDGE:** . . . to table the Solicitor-General's report and the police report.

**Mr SPEAKER:** Order! There is no point of order. The honourable member will resume his seat.

**Mr W. K. GOSS:** This grubby party was in power. It is the party that sent Mr Lewis, Mr Murphy and the Special Branch off to investigate Mr Casey. Our information—and the Nationals would know better than us—is that the police investigation cleared Mr Casey. The Government understands that——

**Mr LINGARD:** I rise to a point of order. The Government has used the strategy of having the Premier make a ministerial statement immediately after the Leader of the Opposition spoke to the motion. A ministerial statement must be an explanation of facts pertaining to a Minister's department.

**Mr SPEAKER:** Order! There is no point of order.

**Mr LINGARD:** Is he making a debate or not?

**Mr SPEAKER:** Order! There is no point of order.

**Mr LINGARD:** Is he making a debate or not?

**Mr SPEAKER:** Order! I ask the member for Fassifern to resume his seat when I am on my feet. There is no point of order at all.

**Mr W. K. GOSS:** I can only assume that the member for Fassifern was not listening when his own leader called on me to take certain action against Mr Casey. I have been challenged to respond. I do not blame the member for Fassifern for drifting off while the Leader of the Opposition was speaking. It is something that many people in this House do and it is something that the member for Fassifern does quite spontaneously.

The Government challenged the Leader of the Opposition to say how it was illegal. The Government challenged the Leader of the Opposition to say what law was broken, and he could not do it. He was given the opportunity to——

**Mr Lingard** interjected.

**Mr SPEAKER:** Order! The member for Fassifern is saying that I am not running this House properly. I warn him that I will not tolerate any further disparaging comments about my office. I warn the honourable member firmly under Standing Order 123A. I might even have to take further action.

**Mr W. K. GOSS:** Because the Leader of the Opposition has made a serious allegation that he cannot back up, this issue needs to be addressed in detail. The Leader of the

Opposition does not have the decency, the grace or the intelligence to withdraw his allegation. He complains about organised crime and about a company that manufactures a poker machine called Aristocrat. He implies a link between organised crime and that company, but will not say it straight out.

**Mr Cooper:** It has been proven in previous royal commissions.

**Mr W. K. GOSS:** Is the honourable member saying that there is a link between organised crime and the Ainsworth company?

**Mr Cooper:** And poker machines.

**Mr W. K. GOSS:** The Leader of the Opposition complains that the member for Mackay took a donation from the Ainsworth company. Is the Ainsworth company linked to organised crime? Because the National Party Government authorised the Ainsworth company to operate in this State, Opposition members will not answer that question.

My Government will do the right thing by ensuring that there is no organised crime intrusion in this State. I have a track record in that regard. In 1984 when I raised questions in this House about the link between organised crime in the Rooklyn organisation and in-line machines in Queensland, the National Party Government denied that it existed and endeavoured to cover it up at every step of the way. It took the Fitzgerald inquiry to vindicate the stand that I took in this House.

**Mr HARPER:** I rise to a point of order. The Honourable the Premier is leading this House to believe allegations which he knows are inaccurate, because he was the shadow Justice Minister at the time and I was the Attorney-General. The *Hansard* of March 1984 proves that——

**Mr SPEAKER:** Order! There is no point of order.

**Mr W. K. GOSS:** In 1984, when I raised these matters, they were denied. The Fitzgerald inquiry vindicated my stand.

The Leader of the Opposition talks about the need for this matter to be referred to the Criminal Justice Commission. I repeat that Sir Max Bingham was invited to the very first meeting of the Cabinet subcommittee and that the matter was discussed in full. Sir Max Bingham has subsequently advised me about what steps should be taken, and I have acted on that advice. Sir Max Bingham has been given an undertaking that when the legislation is drafted it will be sent to him before it is introduced into this House.

On Monday, honourable members heard about how the Leader of the Opposition was running up and down the press gallery. On Tuesday, an article in the *Courier-Mail* stated that the Leader of the Opposition said that he was going to mention this issue in this House and rock the Government to its foundations. All I can say is that if this is called rocking the Government, then rock on Russell!

#### LEAVE TO MOVE MOTION WITHOUT NOTICE

**Mr BORBIDGE** (Surfers Paradise—Deputy Leader of the Opposition) (3.11 p.m.): I seek leave to move—

"That so much of Standing Orders be suspended so as to permit the Premier to table the Solicitor-General's report and the police report into Caspalp."

Question—That leave be granted—put; and the House divided—

## DIVISION

Resolved in the negative.

**PERSONAL EXPLANATION**

**Mr COOPER** (Roma—Leader of the Opposition) (3.20 p.m.), by leave: The Premier's performance in this House yesterday and throughout his boyish political game of tiddlywinks over the casual Senate vacancy has been an absolute disgrace.

**Mr MACKENROTH:** I rise to a point of order. A personal explanation is to show how a person has in some way been maligned. The member needs to do that in the very first instance of the personal explanation.

**Mr COOPER:** If I am given half a chance, I will.

**Mr SPEAKER:** Order! I am sure the honourable Leader of the Opposition knows that he must show that he has been personally affected or misrepresented.

**Mr Mackenroth:** In the first instance.

**Mr COOPER:** Thank you, Mr Speaker. With respect to you, I am quite sure that you can handle your own position without getting your riding instructions from there.

**Mr Mackenroth:** I can take a point of order.

**Mr Borbidge:** You can't direct the Chair, though.

**Mr COOPER:** Not directing the Chair? The honourable member must be a ventriloquist. It is brilliant!

The Premier capped it yesterday with his abuse of the opening of another day's business to make a ministerial statement, without having the guts to cop the response.

**Mr SPEAKER:** Order! The Leader of the Opposition must show how he has been personally affected or misrepresented.

**Mr COOPER:** I have been personally affected by the fact that the Premier, in his position as Leader of the Government—Leader of that side of the House—was able to put his case regarding the Senate vacancy. As Leader of the Opposition, I believe that

I have every right to put my case in relation to the Senate vacancy. I regard that as being of the utmost importance.

For the past three weeks, democracy in this House has flown virtually straight out the door. The performance from the Government side has been an utter disgrace.

**Mr SPEAKER:** Order! The Leader of the Opposition will resume his seat. From what he is saying, I rule that there is no matter of personal explanation involved in his statement.

**Mr BORBIDGE** (Surfers Paradise—Deputy Leader of the Opposition) (3.22 p.m.): I move—

"That the Leader of the Opposition be now heard."

Motion agreed to.

**Mr COOPER** (Roma Leader of the Opposition) (3.23 p.m.): Both episodes just make a further mockery of the Premier's claim to self-righteousness and his claim to be the man to enshrine the Westminster system in this place. Nothing could be ever further from the truth. For the benefit of the Premier, I point out that he has been leaping from rock to rock on this Senate business since he first started making noises about it—certainly ill-advised noises. The facts are very simple and very clear.

Section 15 of the Australian Constitution, rewritten in 1977, has one object and one object only, that is, that when there is a casual Senate vacancy, such vacancy will be filled by a person who is not only a member of the party of the outgoing member but also the choice of that party.

The Premier has conceded, quite openly and clearly, his agreement with this principle. In a letter to me dated 5 March, the Premier wrote—

"I wish to emphasise that the Government will honour the traditional convention that a casual vacancy in the Senate be filled by a member of the same political party and that person be of that party's choosing."

What on earth was that charade yesterday and what was the Premier really playing at?

Another aspect of section 15 of the Constitution is reflected in Standing Order 331 of the Queensland Parliament, which says that the Speaker shall call a meeting of members within 14 days after notification from the Governor that a vacancy has occurred in the Senate by giving not less than seven nor more than fourteen days' notice.

The purpose of the meeting would be to elect a senator, and if that could not be achieved, then the meeting may be adjourned. On 8 March I responded to Mr Goss' letter of 5 March. I outlined to him, in some detail, the National Party's position, but the position is as if he never received my response.

The National Party's position is extremely simple: counting of votes for the Senate will continue through most of April; the writs, according to the *Queensland Government Gazette*, are not due for return until the end of May; the central council of the National Party will meet in Gympie on 28 and 29 April and, in accordance with its constitution, will elect a successor to Mr Stone, who will then be the member for Fairfax. That person will be elected by the Parliament on 8 May and will be in Canberra before the Senate can reasonably be expected to sit after the election.

The Premier today raised the furphy that the Senate may sit as soon as early May and that Queensland would be without full Senate representation. That suggestion is about as hypothetical as one can get.

If the Senate did meet in early May, it would be a meeting of long-term senators only. None of the newly elected senators would be able to take his seat. The likelihood is that the Senate will not sit before July. So, what was all last night's rubbish about!

Last night, no compulsion was placed on honourable members to deal with the issue of the election of a replacement for former Senator John Stone—none at all. The

House had to meet. That much alone is certain. However, the build-up, and the bid to convince the media that the issue of a Senate vacancy was something that it was not was a puerile game completely undeserving of a State Premier.

One can look at how the two comrades of the young Premier have managed the same situation interstate. The South Australia senator, Janine Haines, resigned from the Senate to contest a House of Representatives seat; in Western Australia, former Senator Fred Chaney did the same thing. What happened in those States? Neither Labor Premier—John Bannon or Carmen Lawrence—felt it necessary to call their State Houses together to seek a nomination from the Democrats in South Australia or the Liberals in Western Australia.

In South Australia, the Democrats have nominated a replacement. However, John Bannon is in no rush to get into the House. In Western Australia, the Liberals have not even sought nominations for the replacement of Senator Chaney. Carmen Lawrence is not exactly tearing her hair out, nor sniggering in the corridors as this lot do.

I cannot understand why Mr Goss has got himself into such a tizz over this matter. The Premier has been flirting dangerously with the past, and he got very close to it. I suspect that he has done so for the cynical and very shallow reason that voting in the Federal election for the House of Representatives and for half the Senate is four days away.

The Premier wants to get some brownie points from Bob. He wanted to try to help Bob make sure that big John Stone could not return to the Senate by the back door. The trouble is that John Stone made his position clear the very day Mr Goss started playing his game. In any event, the question does not arise, because by Saturday night, Mr Stone will be the member for Fairfax, and there will be a coalition Government in Canberra.

The Premier should get into long pants. He is making a mockery of this Parliament. Not only is it a disgrace, but also it is a shame and a tragedy that this is the manner in which he has chosen to conduct Parliament. The matter of parliamentary misconduct causes Opposition members great concern. The issue of the Senate vacancy was nothing more than a political stunt—a charade of the worst order. It certainly blew up in the Premier's face. Members of the National Party believe they have complied in every respect with the Australian Constitution and the constitution of the National Party, whose right it is to make the correct choice.

#### QUESTION UPON NOTICE

##### **Additional Expenditure, Treasurer's Economic Statement**

MR INNES asked the Honourable Treasurer and Minister for Regional Development—

"With reference to each of the thirteen dot point paragraphs contained in his economic statement summarising 'additional expenditure' in 1989-90—

. What are his estimates of the costs of each paragraph?"

**Mr De LACY:** The honourable member asked me for estimates of the costs of the 13 funding initiatives and commitments which I announced in my statement on the Queensland economy on 7 March.

As the honourable member is aware, those decisions were taken by the Budget Review Committee, which was established by Cabinet in December to review the status of Budget review commitments and arrangements undertaken by the previous Government, as well as considering options for the implementation of the Goss Government's commitments. The committee recommended and Cabinet approved additional expenditure of \$157m.

In addition, it was decided that rather than borrowing to fund hospital and other social infrastructure, such capital work would be funded from general revenue sources



at a cost of \$104m this financial year. Budgetary pressure inherited from the Nationals has been absorbed by the Government.

The additional expenditure approved by the committee includes \$42m in post-Budget commitments of the previous Government. This compares with \$84m which had been proposed by the National Party Government. The additional expenditure absorbed by the Goss Government also includes the \$52.5m purchase of the Queensland Place site.

In answer to the specific question, cost estimates for each of our additional expenditure items are as follows—

- \$2.8m for the employment of an additional 200 teachers from the start of the 1990 school year which is in addition to those announced in the 1989-90 Budget;
- \$3.6m for provision of a further 1 500 tertiary education places in 1990;
- \$6.7m extra funding for TAFE service and TAFE initiatives including—
  - additional teaching and learning resources which will provide for significant increases in apprenticeship numbers;
  - additional funding for literacy programs as part of International Literacy Year; and
  - expanding the range of access programs for 15 to 19-year-olds;
- \$450,000 for additional staff to implement child care services and pilot community-based services for homeless youth;
- \$1m for new environment initiatives including environment protection, waste management and heritage and nature conservation;
- \$18m for the implementation of the commitment for a Queensland family housing package which will assist families;
- \$700,000 for doubling the staffing resources of the Drug Squad; it is anticipated that further funds will be provided for the police expansion program;
- \$2.5m is provided for the recommissioning of the Brisbane Correctional Centre as a remand centre to relieve the pressure on other centres caused by the premature closure of the facility at Boggo Road by the previous Government;
- \$1m for the establishment of the Bureau of Regional Development, which will implement a regional development strategy for the State and operate through a network of regional offices; and
- \$6m supplementation to overcome previous underfunding for hospital services to ensure hospital staff numbers are increased, and enhance the quality of equipment and services.

Funding of \$9.4m has also been provided for the establishment of the Criminal Justice Commission, the Electoral and Administrative Review Commission and the Public Sector Management Commission.

All of these expenditure commitments will be fully funded from additional revenue identified in the Budget review or from a reallocation of existing budgetary priorities. This list of financial expenditure on programs should put to rest the groundless criticism that the Government is not acting on pre-election commitments. This shows that we are acting in a sensible and financially responsible manner. It also shows that the ridiculous criticism about the Government's overall review process is nothing short of a sham and that people who resort to criticising the review process show no understanding of good government. The Government does act on reviews, and this proves it.

#### **QUESTIONS WITHOUT NOTICE**

##### **Observance by Ministers of Income Tax Laws**

**Mr COOPER:** I ask the Premier to advise the House whether he expects his Ministers to abide by the Federal income tax laws and whether he is aware of any instances of members of his current Cabinet not having done so.

**Mr W. K. GOSS:** Yes, they are expected to abide by the law. No, I am not aware of any instances of non-compliance.

#### **Cairns Workers Club Payments to Tradesmen**

**Mr COOPER:** I direct a question to the Treasurer, whose office demands the highest standards in any dealings with money and, in particular, with tax obligations. I remind him of his presidency of the Cairns Workers Club at a time when that club made cash payments of more than \$15,000 to tradesmen without provision for the payment of taxation. In view of the obvious breaches of the prescribed payments system enshrined in Federal taxation law to wipe out tax avoidance in the black economy, I ask the Treasurer to explain why he, as club president, allowed the club to pay tradesmen out of the till for club renovations and why the club felt it expedient to hide its true income position from its own members and the taxation office by skimming off income before it went through the accounting system.

**Mr De LACY:** I am not aware of the matter raised by the Leader of the Opposition. It seems to be a new story that has been dredged up. If anything comes to my attention, I will certainly have it investigated.

#### **Green Paper on Non-custodial Options**

**Mr PREST:** I ask the Minister for Justice: can he clarify the aims of the Green Paper to be released later this week on non-custodial options for offenders such as fine defaulters?

**Mr MILLINER:** I thank the honourable member for the question. The object of the Green Paper is to promote community discussion on the issue of sentencing and penalties. As all honourable members would be aware, in 1988 Mr Jim Kennedy carried out an investigation into corrective services that received bipartisan support. He suggested a review of sentencing and penalty options, which was carried out by Mr Martin and his committee. It was felt, however, that there needed to be wider community discussion, so a Green Paper will be released later this week inviting public submissions on the review of sentencing and penalties.

At the moment, people convicted of minor offences can be fined or sent to prison. If they are caught, at the appropriate time they can apply for a community service order. We are considering a number of things. One is to give the judiciary a range of options when sentencing people who commit minor offences, including community service orders, home detention, the payment of money and imprisonment. The public will be invited to make submissions on the Green Paper, which is being prepared in consultation with my colleague the Attorney-General. We hope to have public input into the Green Paper.

#### **Progress Reports on Economic Affairs**

**Mr PREST:** In directing a question to the Treasurer and Minister for Regional Development, I point out that, on 7 March, in Parliament, he indicated that, in future, the Government will release progress reports on Queensland's economic affairs and the finances of the Government. Can the Treasurer outline when these reports will be published and what information they will contain?

**Mr De LACY:** It is intended that these reports be issued quarterly. The first report, for the March quarter, will be issued in April. We expect that the report will provide vital information for manufacturers, retailers and other businesspeople in Queensland—in fact, all of those people who are interested in the public sector, not the least being members of Parliament. Such a focus has been sadly lacking in the past.

The reports will be based on the Treasury Department's research and analysis in areas such as production, consumption and investment activity, commodity prices, and

financial flows and monetary conditions. In addition, the reports will give clear detail of the Government's financial position on a full, nationally recognised, accounting basis. This is the type of information which was not available in the past or, if it was, the previous Government was not prepared to publish it. It is the type of information that we believe should be made available to the public of Queensland and it will deliver on our promise to provide open, accountable, and responsible government.

#### **Purchase of Poker Machines**

**Mr INNES:** I refer the Premier to an answer to a question which he gave in the House yesterday wherein he explained the Government's decision to spend \$100m of taxpayers' funds on the purchase of poker machines. He stated that he had taken this action because the alternative course provided a fertile ground for corruption, for kickbacks from companies to individuals in certain clubs. As the focus of his choice will now involve potential kickbacks to the governmental or political process, will he undertake to give to this House, by the first sitting day in May of this year, details of all donations made to the Queensland branch of the ALP in the last 12 years by poker machine manufacturers, importers, distributors, or persons linked with the poker machine lobby, and details of all donations made directly or indirectly by poker machine interests to the campaign funds of members of his Cabinet or his back bench?

**Mr Cooper:** Tell them how they laundered the money.

**Mr W. K. GOSS:** The question of political donations will be handled, as it is supposed to be, by the Electoral and Administrative Review Commission. When members opposite start to show some good faith and integrity in respect of political donations, then they can talk about the issue. This Government will allow the Fitzgerald process to proceed in relation to the responsibilities. I turn to that particular responsibility which has been charged to the Electoral and Administrative Review Commission. As far as I am aware, my Ministers have not received donations. We have standards concerning declarations which must be made to me in respect of Ministers' pecuniary interests, which includes substantial donations of \$1,000 or more. No Minister has disclosed—

**Mr Cooper:** How about \$10,000?

**Mr W. K. GOSS:** \$10,000 is above \$1,000. I would have thought that even the Leader of the Opposition would realise that. It is very hard to deal with these people. I said that it related to donations of more than \$1,000. The interjection of the Leader of the Opposition was, "What about donations of \$10,000?" Mr Speaker, I give you an assurance that under our guidelines \$10,000 is more than \$1,000.

There was no such donation, and the issue of the donation made to the honourable member for Mackay back in 1979 or 1980—or whenever it was—has been more than canvassed. The people who are now complaining about this matter eight years after the police investigation cannot even nominate the law that they claim was broken. We have no concern about the propriety of our Government's conduct in this matter—no concern whatsoever. Sir Max Bingham was brought in at the outset. He will look at the legislation. There will be the toughest controls ever in relation to the introduction and supervision of these machines on an ongoing basis. Of course, the Criminal Justice Commission is in place and has a very powerful charter to investigate on an independent basis any suggestion of corruption or improper activity, and I welcome that.

#### **Sergeant L. Saunders; Compensation Claim**

**Mr INNES:** In directing a question to the Minister for Police, I refer to the issue of compensation for Sergeant Lorrelle Saunders, about which the ALP gave an ironclad guarantee before the election, and ask: is it true that a Douglas Mervyn Dodd was gaoled for giving false evidence against Sergeant Saunders? Also, is it true that the Minister's policy adviser, Gary Hannigan has a brother, Bernie

Hannigan? Is the Minister aware that Bernie Hannigan introduced Sergeant Saunders to Mr Dodd, and that Bernie Hannigan also gave evidence against Sergeant Saunders? Is the Minister also aware that, when Gary Hannigan was an executive of the police union, he took the unusual step of voting to refuse Sergeant Saunders legal aid from the union, thereby forcing her to apply for aid through the Public Defender's Office? If the above relationships are correct, I ask: why did the Minister put this matter of compensation into the hands of Mr Hannigan, when it is obvious that he has a massive conflict of interest on the issue of Sergeant Saunders?

**Mr MACKENROTH:** I believe I dealt sufficiently with the matter this morning in my ministerial statement. However, I will answer the matters raised by the honourable member concerning Gary Hannigan's brother. I am aware of the relationship and that at the time, Gary Hannigan, as senior vice-president of the union, took action to withdraw police union legal aid for Sergeant Saunders before the court. That action was not taken by Gary Hannigan as senior vice-president because he did not like her, or for any other reason. Clearly, the action was taken because Sergeant Saunders had breached her bail conditions and, under the rules of the police union at that time—and as they still are—the union could not continue to extend legal aid for representation to Sergeant Saunders after she had breached bail.

Obviously Mr Carew has given the honourable member this information. He would be well aware of these facts. He has not fully briefed the honourable member; he should have also said that, up until the date when he as a member of the police union executive had to take this action against Sergeant Saunders, Gary Hannigan was one of her best friends. In fact, as vice-president of the union, he took action to give her representation in court, which took some \$47,000 of police union funds.

**Mr FitzGerald:** In your ministerial statement you indicated you didn't fully understand the problems. That is why you procrastinated.

**Mr MACKENROTH:** No. If the honourable member had listened to my ministerial statement, he would know that I said that I needed to have the full details as to why they want a half a million dollars. I asked them three questions; when they have answered those three questions, the matter will be considered again. It is up to Lorrelle Saunders and her solicitor to answer those questions.

As my policy adviser, Gary Hannigan is aware of the details of this case, but that is totally irrelevant to the decision that will be made. I wish to correct one matter raised by the honourable member concerning the so-called ironclad guarantee given by the Labor Party in Opposition. No ironclad guarantee was given that any money would be paid to Lorrelle Saunders.

**Mr Innes:** I'll give you the quote.

**Mr MACKENROTH:** Do not give me a copy of a newspaper; give me copies of the letters sent to them by Tom Burns and me. An ironclad guarantee was given that in Government we would review the matter, and that is exactly what we are doing at this time.

#### **Political Messages; Use of School Students**

**Mr PALASZCZUK:** I refer the Minister for Education to an article in today's *Sun* newspaper which states—

"St Margaret's Anglican School for Girls at Ascot has issued its students with stickers entitled: 'Hawke Unfaithful to Aussie Kids'."

I ask: what is the Minister's view of schools using students to promote political messages in this way?

**Mr BRADDY:** The question relates to an article in today's *Sun* under a headline referring to St Margaret's Anglican school and the handing-out of stickers to students by some members of the school's parents and friends committee. Of course, the stickers are of a political nature.

Obviously, any member of the community is entitled to campaign at election-time. However, bad behaviour in this instance is that, instead of dealing with each other, parents who are wishing to participate in the political debate have seen fit to hand out stickers to the school students to distribute. In fact, they are using the students to campaign.

I believe that St Margaret's School has a very good reputation. However, I cannot condone the use of school students to disseminate political material. I believe it is inappropriate for the material, which deals with a sensitive political issue, to be distributed by students at the height of a Federal election campaign and for an attempt to be made to politicise student activities in this way. I understand that many parents have contacted the school to complain.

I have written to the principal and to the president of the association outlining my concerns and asking for a full explanation of the circumstances. I have informed the school that, regardless of the depth of feeling in relation to these matters, no child should be used as a pawn to promote the political views of any group and that, therefore, the school has allowed itself to be used in a way which is inappropriate in this instance.

#### **Distribution of Poker Machine Revenue**

**Mr PALASZCZUK:** In directing a question to the Minister for Family Services and Aboriginal and Islander Affairs, I refer to the announcement made yesterday by the Minister for Tourism, Sport and Racing that the Government will allow the introduction of poker machines into licensed clubs and hotels, and I ask: will she outline to the House what arrangements will be made by the Government for the distribution of funds raised through poker machines to charitable organisations and rehabilitation programs?

**Ms WARNER:** It is timely to talk a little about the very responsible way in which the Government is implementing its policies in respect of poker machines. Honourable members would be aware that funds collected from poker machines will be redistributed back to the community in a variety of ways. One purpose of distribution will be the enhancement of sports and another will be to assist charitable and welfare organisations that will be administered by my department. This is a welcome addition to welfare funds because, as honourable members would be aware, considerable problems caused by addiction to gambling already exist in the community. To date, the problem has not been addressed by the funding that had been made available through the previous Government's policies in the welfare sector. The Goss Government will be rectifying that problem.

The funds will be augmented to provide for financial counselling. The Government's action is a way of enhancing everybody's quality of life and of improving the facilities that are available in clubs. These clubs will provide activities for young people and will act in a socially responsible and beneficial manner. The action is also a way in which this Government can distribute the funds so that they can benefit the whole community, and particularly those who have critical social problems.

I submit that those social problems already exist and that they will not be exacerbated by the introduction of poker machines. As I said earlier, they already exist in the community. They were utterly and disgracefully neglected by the previous Government.

#### **Ainsworth Consolidated Industries; Poker Machine Manufacture**

**Mr BORBIDGE:** In directing a question to the Treasurer, I refer to information broadcast on the *7.30 Report* and reported in the *Sun* on 9 March 1990 claiming that Ainsworth Consolidated Industries is building a factory at Geebung in Brisbane for the purpose of manufacturing poker machines. I also refer to an advertisement placed on 25 November—just prior to the State election—calling for job applications and claiming that Ainsworth/Aristocrat is expanding in Queensland. In fact, the advertisement's opening paragraph states, in part, "Rarely has there been such an opportunity." I ask: can he advise why this company, which has made political donations to the secret fund known as Caspalp, is proceeding with major expansion plans in Queensland when no

tenders or expressions of interest have been called by the Government, when no legislation has been presented to Parliament, and when, allegedly, no final decision has been made by the Government as to which companies will be permitted to enter Queensland's lucrative new poker machine industry?

**Mr De LACY:** After all that, what was the question? The honourable member has referred to all of that information, but what was the question?

**Mr BORBIDGE:** I am happy to read it again.

**Mr De LACY:** No, do not read it all again, because I heard what you said.

**Mr BORBIDGE:** If the Treasurer is incapable, that is his problem.

**Mr De LACY:** Just tell me what the question was—the question, not all the background information.

**Mr BORBIDGE:** I will read it again, Mr Speaker. The Treasurer seems to be having some difficulty.

**Mr De LACY:** Well, look——

**Mr BORBIDGE:** Is the Treasurer going to answer the question or not?

**Mr De LACY:** Well, go on. The honourable member can read it all again, if he wants to.

**Mr BORBIDGE:** If the Treasurer listened, he might hear it. I refer to information broadcast on the *7.30 Report*.

**Mr Ardill:** You are referring, but that is not a question.

**Mr BORBIDGE:** I can understand the sensitivity of members opposite, Mr Speaker.

As I said, I refer to information broadcast on the *7.30 Report* and reported in the *Sun* on 9 March 1990 claiming that Ainsworth Consolidated Industries is building a factory at Geebung in Brisbane for the purpose of manufacturing poker machines. I also referred to an advertisement placed in the *Courier-Mail*. Quite simply, my question is: can the Treasurer advise why this company, which is on record as having made political donations to the secret fund known as Caspalp, is proceeding with major expansion plans in Queensland when no tenders or expressions of interest have been called by the Government, no legislation has yet been presented to Parliament, and when, allegedly, no final decision has been made by the Government as to which companies will be permitted to enter the lucrative new poker machine industry being created in this State by his Government?

**Mr De LACY:** I do not know why that company chose to relocate in Queensland. I cannot put myself inside the heads of its directors. It is called free enterprise. Would the Opposition expect the Government to tell the company that it could not relocate to Queensland?

I imagine that the company thought that it might have obtained business from the National Party Government through the video gaming machines that it proposed to introduce, or that it had the good sense to expect that the Labor Party would win the election and that very important on its platform was the introduction of poker machines into Queensland.

If the honourable member is trying to imply some sort of a link between what he has alleged occurred 10 years ago and the decision of that company——

**Mr Borbidge:** No, I am alleging what has happened since December.

**Mr De LACY:** There is absolutely nothing in it. The company can make its commercial decisions on whatever basis it likes.

**Mr Borbidge:** Mere coincidence?

**Mr De LACY:** I imagine that it was not coincidence. The company probably thought that the Labor Party would win the election.

No arrangements have been made with the company. Tenders will be called in accordance with proper tendering procedures and scrutinised by an open and accountable Government. The honourable member can carry on until the cows come home, but he will not establish the kind of link that is in his little, suspicious mind.

**Comments on Small Business Development Corporation by Mr P. MacDonald**

**Mr SMYTH:** I ask the Minister for Manufacturing and Commerce: is he aware of comments made by Mr Peter MacDonald, former press secretary to Sir Joh Bjelke-Petersen, in the *Courier-Mail* on Saturday, 17 March, about the Small Business Development Corporation? Can he confirm that Mr MacDonald advocated the scrapping of the Small Business Development Corporation? Can he outline the Government's attitude to that matter?

**Mr SMITH:** I noticed in the *Courier-Mail* that Mr Peter MacDonald, former press secretary to Sir Joh Bjelke-Petersen, said that the Government ought to scrap the Small Business Development Corporation immediately and direct the funds to a more productive area. Of course, the Government would not take that advice. It is reviewing the SBDC to ensure that it delivers the best possible service to business in Queensland.

I would like to contrast the Government's approach to that of the Opposition. The Government is about getting efficiency out of the organisation and delivering services. The National Party wants to scrap the SBDC.

The Liberal Party will not pay its bills. It is putting small business out of business. The contribution of the conservative parties in this State has cost \$100,000 and has put 18 people out of employment.

**Mr Borbidge:** You are getting ready for a purge.

**Mr SMITH:** We will do everything that we can to ensure that the review puts in place the mechanisms to assist small business. I assure honourable members that, when the review is completed, a small-business unit will be in place which will be efficient and will provide services that are not being provided at present.

**Wheelchair Access to Brisbane Suburban Railway Stations**

**Mr SMYTH:** I ask the Minister for Transport: has his attention been drawn to recent complaints that some Brisbane suburban railway stations do not have proper access for wheelchairs? Can he advise whether the Government is taking any action to provide better access for disabled people to suburban trains?

**Mr HAMILL:** I thank the honourable member for the question. No doubt he is referring to an article that appeared in the *Courier-Mail* this morning in which a young gentleman who is confined to a wheelchair was complaining about access to a suburban railway station at Sherwood, in the electorate of the Leader of the Liberal Party.

Disability access to public transport is one of the items that is high upon the agenda of this Government, particularly in the context of the south-east Queensland passenger transport study. I would like to report to the House that approximately 63 of the 120 suburban railway stations in Brisbane have at least some access for disabled persons. However, that is not satisfactory, and the Government is committed to improving that ratio. Approximately 26 stations have full access and a number of stations such as Central, Brunswick Street, Ipswich and others have lifts available for disabled people. I point out that the cost of providing access is great. On average, it costs \$500,000 to provide access for disabled persons at a railway station. It is estimated that it would cost \$35m to provide full accessibility all suburban railway stations.

I am pleased to report that Mr Rod Walters, an officer from the Department of Family Services who was involved in providing access for the disabled at Expo, is chairing the community consultative group for the passenger transport study. Mr Walters is confined to a wheelchair. I assure the disabled—not only those confined to a chair—that their plight will be a top priority for that study. I look forward to the report that will come from the study so that we can provide a better quality of service and access for the disabled to passenger transport in Queensland.

#### **Willows Harness Racing Club**

**Mr STONEMAN:** I refer the Premier to an advertisement on page 12 of today's *Courier-Mail* placed by the former trustees and committeemen of the Willows Harness Racing Club and to an article headed "Club hits Gibbs on funding" on page 7 of today's *Sun*. Given the frustration and hurt that is obviously felt by the eight prominent north Queensland identities—all of whom are well known and respected, and among whom is the Mayor of Thuringowa City, Alderman Dan Gleeson, OBE—following the manner of their dismissal and the absence of any response to their letters to both the Premier and the Minister for Racing and who are now joined by another group of hard-working supporters of racing in my electorate, as instanced by the article in the *Sun*, I ask: does he support the process of ignoring the concerns of these people and the reflections made under privilege on their integrity and standing in the community? Is he aware of the enormous damage being done by his Minister for Racing, through his sheer arrogance, to all types of racing and the thousands of people for whom racing is an important personal and community benefit? Is he aware that an administrator travels to Townsville at someone's expense to do the job previously undertaken by volunteers and that, as a result, club sponsorship has virtually ceased to exist?

If the Premier is so genuinely committed to fairness and honesty and support for the battlers of society, why does he continue to allow this man to create such havoc and stress among the decent people involved in the racing industry? Given that the Minister has not only created this mess but also maligned people under privilege and misled this House on a number of occasions, will the Premier stand him aside while he oversees a full investigation into the true facts of the matter?

**Mr SPEAKER:** Order! Before I call on the Premier, I remind honourable members that questions without notice ought to be much briefer than the one just posed. I think it is asking too much to expect answers to five-part questions asked after a long preamble. I ask that questions be much more concise and to the point.

**Mr W. K. GOSS:** This issue is clearly being blown out of all proportion by the honourable member, who has engaged in some fairly disgraceful conduct in this House. I refer to allegations that he has made against the Minister which relate, as he well knows, to a joke that the Minister often made in after-dinner speeches. I will say that I have given the Minister certain advice in that regard. I have advised the Minister that, given the sensitivity of members of the National Party, in future he should restrict his after-dinner jokes to subjects such as flower-arranging. I think there will then be no complaint from the sensitive souls opposite.

To answer the question—the position is simply that the racing industry has significant problems, which have been identified by the Minister. He is working on those with a view to improving the situation in the racing industry. I believe that the Minister has unequalled knowledge in this House in relation to the industry and in relation to the sorts of things that need to be done. The interests of the local people to whom the honourable member referred and the local community have not been ignored; they have been the subject of detailed and considerable consultation by the Minister.

**Mr Stoneman:** Look at today's ad. He will not talk to them.



**Mr W. K. GOSS:** The Minister has my full confidence and support, and it is not necessary——

**Mr Stoneman:** He won't communicate. He has never seen them. He won't talk to them, and neither will you.

**Mr W. K. GOSS:** It is not necessary for me to deal with the matter because the Minister has my full confidence and I expect him to deal with it.

It is not true to say that the pleas of the locals or their positions have been ignored by the Minister. They have been taken into account. However, ultimately, it is the task of the Minister and the Government to make the right decision. That decision has been made quickly, efficiently and responsibly, and the racing industry will be the better for it.

### **Caspalp; Tabling of Confidential Advice and Reports**

**Mr ARDILL:** In directing a question to the Premier, I refer to the demand by the Opposition for him to table official advice or reports into the investigation of the Caspalp donation, and I ask: what is the policy of the Government with respect to the tabling of confidential advice from the Government's legal advisers?

**Mr W. K. GOSS:** I thank the honourable member for Salisbury for the question. It raises an important question of policy, and that is: what should be the Government's response when it comes to the disclosure or otherwise in this House or elsewhere of confidential legal advice, whether it be from the Solicitor-General, the Crown Solicitor or privately engaged outside counsel?

This is an important question. For six years I sat in this place while the former Government repeatedly—and I stress "repeatedly"—refused to table legal advice that it said backed up its position. The former Government repeatedly did that. In some cases I think that that was reasonable; in other cases I think it was unreasonable. However, let me say that the attitude of this Government will be that, by and large, legal advice of a strictly confidential or sensitive nature should not be tabled.

That brings me to the specific question that generated all the bleatings and the huffing and puffing of the Deputy Leader—the would-be leader—of the Opposition today that related to the advice from the Solicitor-General. The honourable member jumped up and down and challenged the Government to table it. He made the very smart tactical move of calling on the Government to table it without knowing whether or not the document was here. I simply did not have the document here, so I could not table it. However, I now have it, and the Opposition will see it tabled.

I stress that this is not a precedent because the Government will make a judgment on the merits of the case. The Government is not going to be tabling confidential advice. Usually I would not have tabled this advice, because it was given to the former Government and is headed "Strictly Confidential". I had not seen this report until a couple of minutes ago. I asked whether it was available and it was brought here. I have it, and I will lay it on the table. However, I want the House to note that the Opposition has established a precedent. The Opposition clearly has no objection whatsoever to this Government tabling confidential advice or reports given to it when it was in Government. That is what the Opposition asked for. The National Party established a precedent and we will bear it in mind day in, day out.

I turn now to a letter dated 12 August 1982, sent from Comalco House on the letterhead of the Solicitor-General and addressed to our predecessors in Government. It is headed "Strictly Confidential" and is addressed to the Commissioner of Police. The document is three pages long. I will not read the entire document, but I intend to table it.

Outrageous, snide and pathetic allegations were made without any back-up. The National Party Government could not even indicate which law had been, or might have

been, breached. That is how paper thin its case was. I intend to read only some relevant sections of the letter, which commences—

"I refer to your request"—

this is to the Commissioner of Police—

"of the 3rd August, 1982"—

and before Opposition members jump up and down, I should point out that I do not have the police material. I have never seen it. I will start again—

"I refer to your request of the 3rd August, 1982 for urgent advice in respect of the information which you forwarded with your memorandum.

The file relates to an investigation into 'Caspalp Promotion Fund'. The Fund was administered by Mr. Casey, Leader of the Opposition, and a co-signatory of cheques was Mr. Yewdale, also a member of the Opposition.

...

As it seems to me, on the material supplied, it is pure speculation whether any improper use was made of money constituting the alleged deficiency. As I understand from the papers submitted, there were no strings attached to the 'donations' made by Vibert and Ainsworth in that there was no specific direction as to how those funds should be applied. The moneys were to be paid into A.L.P. funds. There was, of course, a general background that payments were intended to assist the A.L.P. in the then forthcoming electoral campaign.

...

One can no doubt engage in considerable speculation. However, such a pastime is profitless, as far as criminal responsibility is concerned. It is nothing to the point that there might be criminal charges against Vibert and Ainsworth in relation to alleged misdealings in New South Wales in certain respects; there is absolutely nothing to indicate any concert by Mr. Casey in any such dealings, nor of any knowledge on his part of any illegality in respect of any such matter."

This was written by the Solicitor-General to the former National Party Government.

**Mr Cooper** interjected.

**Mr W. K. GOSS:** The Leader of the Opposition is waving around a letter from the police. Let him table the letter.

**Mr Cooper:** When we are good and ready.

**Mr W. K. GOSS:** I must table this letter today within minutes of receiving it, but "Mr Coy" over there will not table that document until he is good and ready. What double standards!

The letter continues—

"In view of the very inconclusive nature of the presently available material, let alone"—

**Mr Cooper:** Inconclusive because they wouldn't cooperate.

**Mr W. K. GOSS:** I ask the Leader of the Opposition to listen. The letter states—

". . . let alone what could be regarded as evidence, it is pointless to indulge in any speculation on what criminal charges might be open. Clearly there is no evidence at all in relation to any claim of bribery—Section 60 of the Criminal Code. There certainly is a complete dearth of evidence to indicate any misappropriation by Mr. Casey of any of the funds which came from the Caspalp bank account.

...

Summing up the position, all that is available is a dealing which was disguised to suit the purposes, both of the donors and of Mr. Casey. There is nothing to indicate any criminal dealings in respect of any of the moneys in the Caspalp bank

account, irrespective of the source of those moneys. Whether any further investigation would lead to any different view is, once again, a matter of speculation."

I repeat that the National Party Government set the police onto Mr Casey. It sent out Lewis, Murphy and the Special Branch and used all the considerable resources at its disposal. Behind that was the considerable venom of which all honourable members are aware. That venom was borne by the then Premier to the then Leader of the Opposition. It went to the Solicitor-General, yet the National Party Government came up with nothing—no illegality, no criminality, no misappropriation and no impropriety. But was this document ever tabled in this House? No, because the National Party Government was engaging in a dishonest and snide campaign that was unworthy even of the people who were rejected by the public of Queensland.

The failure by the National Party Government to do the honest thing leads me to conclude that it is a very poor show indeed. In fact, the performances of the Leader of the Opposition and the would-be Leader of the Opposition make Laurel and Hardy look like Woodward and Bernstein.

### **Brisbane-Sydney Rail Services**

**Mr ARDILL:** I ask the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development a question that is a little less dramatic but equally as important. What steps has the Queensland Government taken or considered to restore sleeping, dining and motorail cars to rail services between Brisbane and Sydney?

**Mr HAMILL:** Firstly, I recognise the honourable member's commitment to the provision of quality rail services. In this Parliament he has been a frequent advocate for the rail system.

In Queensland and northern New South Wales there has been some considerable public disquiet about the attitude of the State Rail Authority and the New South Wales Government which have removed sleeping cars and dining cars from the Brisbane Limited. The XPT services between Brisbane and Sydney lack both of those facilities.

When this matter first arose I petitioned the former Minister for Transport, Mrs Chapman, but received no response from the former Queensland Government. Upon coming to office I took this matter seriously and wrote to the Transport Minister in New South Wales about the reduction of those services to the people of south-east Queensland and northern New South Wales. I particularly stressed the increased fatality rate on the Pacific Highway and the obvious consequence that the reduction in those services might have for increasing the volume of heavy traffic, particularly long-distance coaches, on the Pacific Highway.

Since that time I have personally taken the matter up with the New South Wales Minister to argue the case for the reintroduction of sleeping car facilities and proper dining car facilities on rail services between Sydney and Brisbane. I point out to the House that the Queensland Government has no authority and no right to be consulted by the New South Wales Government with respect to passenger services between those two centres. That is a tragedy, but that is the fact. We will continue to press the case for quality rail services for the benefit of the people of Queensland and those who live across the border in northern New South Wales.

### **Removal of Abortion Laws from Criminal Code**

**Mr SLACK:** I direct my question to the Minister for Family Services and Aboriginal and Islander Affairs. On 11 December last year, one of her first statements as a new Minister was to express support for the removal of the laws of abortion from the State's Criminal Code. I ask: does the Minister still support the removal of these laws? Is it her intention to remove such laws? If so, when? In other words, does she support abortion on demand? If so, from her position, what is she going to do about it?

**Ms WARNER:** I thank the honourable member for the question. It gives me the opportunity to enlighten him somewhat about the area of my responsibility, which does not in fact include abortion laws.

#### **Removal of Abortion Laws from Criminal Code**

**Mr SLACK:** Although the Minister for Family Services and Aboriginal and Islander Affairs says that the matter to which I referred is not her responsibility, I will direct my second question to her and repeat the question: does she support abortion on demand? If so——

**Government members** interjected.

**Mr SLACK:** I am entitled to ask that question, am I not, Mr Speaker?

**Mr SPEAKER:** Order! Because it is not a matter within her responsibility, it is up to the Minister whether she answers. Standing Orders say that if the question does not fall within a Minister's responsibility, it does not require an answer.

**Mr SLACK:** I have to accept the Speaker's ruling as such.

**Opposition members** interjected.

**Mr SLACK:** If the Speaker has not ruled, I will ask the question again.

What is the Minister's position relative to abortion? Does she support abortion on demand? If so, what is she proposing to do about it within this Parliament?

**Ms WARNER:** I think there is some considerable confusion about a number of issues that the honourable member has raised. First of all, one is his use of the semantic term "abortion on demand", which is in fact a meaningless concept in itself. At this stage, that should be made very clear to the House.

I reiterate, and implore the member to understand, that I have absolutely no ministerial power to do anything in respect to those provisions within the Criminal Code that provide for the termination of pregnancies.

**Mr SPEAKER:** I call the honourable member for Manly.

**Mr SLACK:** I rise to a point of order. It relates to my first question, which the Minister declined to answer. I then asked her the same question again. Mr Speaker, you ruled that it was in order for me to ask that question. I should now be entitled to ask a second question.

**Mr SPEAKER:** Order! My ruling is that the member for Burnett has asked two questions. I now call the member for Manly.

#### **Mini Movers; Voluntary Employment Agreements**

**Mr ELDER:** I refer the Minister for Employment, Training and Industrial Relations to the VEAs introduced by the former Government and in particular to the well-publicised case involving the company called Mini Movers. I ask: is it true that this matter is still before the Australian Industrial Relations Commission? If so, does the Queensland Government have any direct involvement?

**Mr WARBURTON:** I thank the honourable member for the question. As a matter of fact, the Full Bench of the Australian Industrial Relations Commission recently brought down a decision which in effect meant that a Federal award would not apply. I understand that, in doing so, the Full Bench left open the steps for appeal. Bearing in mind the imminent demise of VEAs, which will result from legislation that I intend to introduce into this place, I would not think it appropriate for the Transport Workers Union to proceed to appeal.

In relation to the second point about Government involvement—I have issued an instruction that no further funding be made available in respect of that matter. Upon becoming Minister, I was quite surprised and concerned to find that public funds had been used disgracefully to fund certain costs incurred in respect of that matter. I am not blaming the employer in this particular issue, but I am saying that it was highly irresponsible and highly improper for the previous Government to expend public funds in that way. My clear understanding of the position is that, in the legitimate pursuit of a Federal award by a trade union, the previous Government intervened and that 10 per cent of its total expenditure on this matter was used to pursue that. In the light of that Government's very strong support for voluntary employment agreements one might consider whether that should have been condoned.

However, it was interesting to note that 90 per cent of the total expenditure was funnelled through the State Chamber of Commerce and Industry to Morris Fletcher and Cross, which in turn represented the employer. The massive total sum of expenditure was \$118,000. So at least 90 per cent of that, which amounts to in excess of \$100,000 of public funds, was expended by my department, upon Government and ministerial instruction, to support an employer against what I say here was the legitimate operation of a trade union in this State.

I repeat, for the edification of the House, that I regard such expenditure as improper and a complete misuse of public funds. I assure the honourable member and the House that, under his Government, it will not happen again.

### **Poker Machines and Sports Funding**

**Mr ELDER:** In directing my second question to the Minister for Tourism, Sport and Racing, I refer him to his commitment to the introduction of poker machines and to the review by his committee of sports funding. I ask: will the Minister outline to the House the benefits that that will accrue to sporting clubs as a result of those measures?

**Mr GIBBS:** Some weeks ago in this House I outlined the need to conduct a complete overhaul of the methods of distribution of moneys to sporting organisations in this State.

Over the years, I have personally built up an abhorrence to the practices of the former Government, particularly in relation to sporting subsidies which, regrettably, were specifically aimed at helping those clubs in the community that were in a position in many instances to help themselves. If one represented an electorate in which people's capacity to raise funds or to make donations to sporting organisations was not as great as in other electorates, then one was greatly disadvantaged. That practice is going to cease under this Goss Labor Government. The distribution of those funds will be fair and equitable throughout this State.

I am delighted that a person of Mr Elder's capability and experience is a member of the committee that will be reviewing those funding arrangements.

In relation to the distribution of poker machine moneys, Treasury has estimated that in the first year of their operation approximately \$18m will be distributed to sporting organisations throughout this State, and thereafter \$36m per year should be available for distribution throughout the community. That is in marked contrast to the former Government's last budgetary allocation, which was a lousy \$6.2m for sport throughout Queensland.

**Mr Stoneman:** Wait till we see the effects of poker machines!

**Mr GIBBS:** The honourable member spoke about the effects of poker machines; yet last night his leader, who performed so abysmally in a debate with me on the *7.30 Report*, publicly stated that he supported the introduction of poker machines. The honourable member cannot have it both ways.

Additional funds will be distributed throughout the community. The clubs that install poker machines will be required by law to direct profits into improving both club and public facilities.

It is an exciting time for Queensland. It is an exciting program that will create additional employment throughout this State. It is a new industry. I am proud to be a part of the Government that is taking this step.

### **Tennyson Power House**

**Mr FOLEY:** In asking a question of the Minister for Resource Industries, I refer to the powerhouse, no longer used for the generation of electricity, situated on prime river-front land at Tennyson. I ask: for what purposes is the Tennyson Power House currently being used? What plans, if any, are there for the future use of the site? Will there be effective opportunity for public input into decision-making on the future of the site?

**Mr VAUGHAN:** The Tennyson Power Station was shut down in 1988, as was the Bulimba B Power Station. It was pensioned off by the previous administration.

Tenders have been called for the demolition of the power station. A tender was let, but the successful tenderer has since withdrawn. The Queensland Electricity Commission has advised that it will take approximately three years to remove all plant from the site and to leave the site in a cleared state.

Complications exist in relation to the clearing of the site. A 33 000 volt switch gear, which belongs to SEQEB and is part of its distribution system, is located on the site. To relocate that equipment will cost approximately \$4m.

Microwave equipment owned by the QEC is also located on that site.

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

## **PARLIAMENTARY SELECT COMMITTEE OF INQUIRY INTO AMBULANCE SERVICES**

### **Appointment**

**Mr ELDER** (Manly) (4.27 p.m.): I move—

- "(1) That this House do appoint a Parliamentary Select Committee of Inquiry into Ambulance Services.
- (2) That the Committee consist of Dr Flynn, Messrs Pitt, Sullivan, Gilmore, FitzGerald, Coomber and the mover.
- (3) The Committee shall have power to send for persons, papers and records.
- (4) The Committee may examine witnesses on oath or affirmation.
- (5) The Committee may sit during the sitting of the House.
- (6) That the Committee have leave to sit during any adjournment of the House notwithstanding that such adjournment exceeds seven days.
- (7) The Committee may meet and adjourn from time to time and place to place.
- (8)
  - (a) Upon the appointment of the Committee, the members shall appoint a member to be chairman of the Committee and another member to be deputy chairman of the Committee;
  - (b) the chairman shall preside at all meetings of the Committee at which he is present;
  - (c) in the absence of the chairman, the deputy chairman shall preside at meetings of the Committee at which he is present;
  - (d) in the absence of the chairman and the deputy-chairman at any meetings at which a quorum is present, the members in attendance may appoint one of their number then present to be temporary chairman during that absence.

- (9) That the Committee inquire into, report and make recommendations in relation to all aspects of the provision of ambulance services in Queensland and the extent to which such services meet the needs of the foregoing with particular reference to the following matters—
- (a) the efficiency and adequacy of the present system of providing ambulance services;
  - (b) the role of ambulance services within the overall health care system in Queensland;
  - (c) the overall management and reporting structure within ambulance services and the role of the community in this process;
  - (d) the role of ambulance services in relation to other emergency services;
  - (e) the role of the Queensland Ambulance Services Board;
  - (f) the role of Q.A.T.B. committees in the provision of ambulance services including the area of operation;
  - (g) the need for new or additional patient care protocols and the administrative and technical machinery for implementing them;
  - (h) the role of aerial ambulance services and aero health retrievals and how such services can be provided in an efficient and cost-effective manner;
  - (i) the desirability or otherwise of maintaining the existing hospital based ambulance services;
  - (j) the recruitment, training, development and promotion of staff and the adequacy of staffing levels;
  - (k) the method of funding ambulance services including day-to-day operating costs, provision of capital works and overall asset management.
- (10) That the Committee reports to the House its findings by 31 December 1990.

Given the predicament of ambulance services in Queensland, a state of emergency, so to speak, has been declared. A community service organisation, whose role traditionally is to alleviate or avert disaster situations, the ambulance service of Queensland is itself a disaster area and a consequence of years of Government apathy and neglect.

It is time to drag Queensland's ambulance services into the twentieth century. It is time to assess the total situation and come up with an answer.

Conservatives cannot argue with such reasoning. In the words of one of their very own Liberal predecessors, Sir Robert Menzies, it is time to ask themselves—

"What is the nature of the disease, and, secondly, what is the desirable remedy. If both questions can be answered, the remedy can be put into immediate action."

In accordance with that formula, we can identify an intolerable lack of coordination as the root cause of all the problems in ambulance services. The desirable remedy for this problem can only be found after a thorough examination of ambulance services has been undertaken by this parliamentary select committee. Only then can we put the desirable remedy into action.

What cannot be disputed is the fact that the funding situation, as it stands, is grave. Hotel chook raffles, street stalls, bingo games and door-knocking by ambulance officers are the only reason ambulance services have been able to limp along at their present capacity or, should I say, incapacity.

It is totally unacceptable that this Government—I mean the Goss Government—has been handed this state of affairs. At a time when ambulance services in most smaller centres would be stretched by just one road accident or one cardiac arrest, Queensland ambulance officers are tied up knocking on doors for subscriptions.

Whatever the motive, or lack of motive, the previous Government had for allowing funding for ambulance services to degenerate to such a level, the fact remains that this Government has inherited a legacy of mismanagement, misinformation and mistakes.

Stemming from this lack of funding is a multitude of related ailments from inadequate staffing levels and inadequate staff training to a patchy aerial ambulance service network and an even patchier committee structure.

Accordingly, the terms of reference of this review are comprehensive. The purpose of the terms of reference is to inquire into, report and make recommendations in relation to all aspects of the provision of ambulance services in Queensland and the extent to which such services meet the needs of the community with particular reference to part (9) of my motion.

The Parliamentary Select Committee of Inquiry into Ambulance Services in Queensland will endeavour to address these problems and, I hope, present viable solutions. The committee will endeavour to bring ambulance services in Queensland back up to the standards required by ambulance officers and demanded by the community.

It is up to us to turn this sorry state of affairs around, to face the problems and to present practical solutions. I know it is possible. It is possible because we are approaching this situation with a long-term solution in mind. We would be ill advised to start handing out large sums of money merely to satisfy our own egos and our parties' reputations without fully investigating the matter first. What this issue requires is sound assessment, and that is what I believe this committee will deliver.

We are a Government willing to try to win the battle against waste and efficiency, as opposed to one which would seek merely to satisfy often ill-informed and ill-founded voter demands. We must be and are prepared to investigate long term rather than short term. This will require courage, leadership and a commitment to long-term roles—qualities not always consistent with immediate political needs.

The appointment of an all-party committee is consistent with Fitzgerald inquiry recommendations covering the introduction of a comprehensive system of parliamentary committees. In Mr Fitzgerald's words, parliamentary select committees have become a vital and energetic part of facilitating the democratic process, particularly in respect of complex issues and scrutiny of Government legislative activity, and public administration is more effective as a consequence.

The parliamentary select committee's review of Queensland ambulance services is part of this Government's contribution to that democratic process. The aim of the select committee is to draw the presently fragmented structure of ambulance services into a more cohesive organisation—an organisation that is efficient, well run and cost effective.

Certain changes approved in the twilight days of the previous Government's rule will naturally be examined carefully for their merit. These approved changes include—

The establishment of a central tasking agency for interhospital transfers to be located in Rockhampton and operated by the QATB.

The expansion of the central Queensland aerial ambulance area of operation.

The appointment of an interdepartmental aero-medical advisory committee to advise the chief executives of the Department of Health and the Department of Emergency Services in relation to matters relating to aero-medical services.

The allocation of an additional \$432,300 in 1989-90 to enable the implementation of the above services.

We are not about using this committee to further our respective political careers. We are not about implementing a pay-back system whereby any recommendations of the previous Government are rejected on purely spiteful grounds. We are genuinely concerned with putting the Queensland Ambulance Transport Brigade back on the road and back into action.

**Mr FITZGERALD** (Lockyer) (4.34 p.m.): I support the motion. I do not wish to disagree with the honourable member for Manly, but I say that there are a number of issues that have to be discussed by this committee. In his motion, the honourable



member for Manly outlined the terms of reference; however, we all have them in front of us. I take on my responsibility as a member of this committee with an open mind.

For a couple of months I was the Minister in charge of ambulance services and I am aware of the major problems with funding. I know also that changes have come about over the years with regard to the type of services that local communities expect. I am also aware that the history of ambulance services is that local communities band together and raise funds to support what they believe is an adequate local service which can transport injured people to hospital and provide other ambulance services in their district. However, the cost of providing these services is overtaking the capacity of local communities.

I have had a long involvement with the ambulance service. Although I have never served on a committee, my father served on his local committee for 24 years, so I understand the pride that local people have in the service that they provide. Every committee member in Queensland would have given to the best of his ability to serve the local community. We should pay a tribute to those people who have provided this service in the past under very difficult circumstances.

There are, however, problems arising from modern technology, the changes that are occurring in transport and the cost-sharing arrangements between ambulance committees where a service can be provided in a city at a relatively low charge compared with a high charge in a country area. Therefore, the committee will need to take an overall look at the whole State.

A comprehensive review was carried out by Mr Austin when he was Minister for Health. The report contains a great deal of fact and the committee will need to look at it to see how much of it is still relevant. Another matter to be considered is funding, which is one of the major problems. The introduction of poker machines will affect the ability of ambulance committees to raise funds. In my local town, one hotel had installed 20c amusement machines. Recently, the machines were removed by the owners of the machines who had put them into the hotels on a profit-sharing basis with local charities. One of the machines benefited the local ambulance committee. The owners said that their machines were history and that they could not survive after the introduction of poker machines, so they were pulling them out. The introduction of poker machines will have an enormous impact on charities. We do not know where the gambling dollar and the charitable dollar will go because many people will gamble on the poker machines. Even though the Minister for Sport has advocated how much of the Government's profits from the poker machine industry will go into sport, we should be careful, because other sections of the community have an equal claim. They will be deprived of revenue as a result of the introduction of that gambling facility.

With the establishment of 96 ambulance committees throughout the State, it is important that some sort of rationale is laid down as to where these committees operate and the types of services they can provide. At times, community expectation is quite high, but there will be a funding problem in trying to fulfil that expectation. There is no doubt that small centres cannot provide two ambulance officers on duty 24 hours a day, seven days a week for 365 days of the year. It would be great if such a service could be provided, but that expectation cannot be met in all areas of Queensland.

The previous speaker mentioned the aero-medical retrieval central tasking agency that I approved for Rockhampton. Similar facilities should be established throughout the State. I had plans to upgrade the aero-medical evacuation network in south-east Queensland because it could easily be based in that region. I am looking forward to hearing the evidence that will be put forward to the committee. Although I hold certain views, I am going onto the committee with an open mind. The members of the committee should hear all the available evidence and report back to this House. It is important that the committee not be buried in a political mud-slinging exercise between the former and present Governments. I pledge my support for the committee and look forward to making a contribution to it. I hope that it will report back with its findings before the end of this year.

**Dr FLYNN** (Toowoomba North) (4.40 p.m.): It gives me great pleasure to second this motion seeking to establish a parliamentary select committee to comprehensively review ambulance services in Queensland. Parliamentary committees have a fine record of service to this Parliament and to the people of Queensland. The Public Accounts Committee's report and recommendations on drought assistance is one recent example. I look forward to the expansion of the role of parliamentary committees as an important component in information-gathering accountability processes.

The time has come for a comprehensive review of Queensland's ambulance services. The most recent review is 10 years old, and nothing much was done about it, anyway. In 1910 Alexander Graham Bell, that famous inventor of the telephone, visited Brisbane and north Queensland to advise on the installation of telephone services. While he was here, he was very impressed by our ambulance service. I do not know whether he had a personal need of ambulance transport at that time. However, in July 1910 he had this to say in the *Courier-Mail*—

"Your ambulance brigades are ahead of anything I know of and worthy of being emulated in America. I know of nothing else like them."

High praise indeed from someone well-qualified to judge the technical efficiency of an operation.

We led the world in 1910, but not today. Ambulance officers are still dedicated and still perform a difficult job well. I have had the privilege of working closely with ambulance officers during my 13-year medical career and they have never let me or one of my patients down. However, medical technology is becoming increasingly complex and the current fragmented organisation of Queensland's ambulance services is not well placed to keep pace with the rate of change.

As has been mentioned, the ambulance service in Queensland is administered by between 96 and 99 QATB committees under the auspices of the Queensland Ambulance Services Board. The board currently supervises officer training but, with increasing medical technology and with increasing community expectations, further training is needed. There is a need to provide further training in a range of advanced life-support pre-hospital skills. There is an increased demand for ongoing patient care, skills maintenance and assessment at local level. There is an increasing desire among uniformed officers to have access to training through TAFE courses which will have Australiawide recognition. It is time to review current ambulance officer-training procedures throughout Queensland to keep pace with the explosion in medical knowledge and technology and to prepare for the challenges of the 1990s and the twenty-first century.

It is also time to review the provision of aerial ambulance services in Queensland. By and large, these have developed on an ad hoc basis, despite some recent attempts at coordination and rationalisation. There is a mix of Government-funded and volunteer services. Helicopter rescue services save lives, but they are also very expensive and can lead to a large waste of taxpayers' money if they are not used efficiently. A number of years ago I can vividly remember being sent from Royal Brisbane Hospital to Moreton Island to retrieve a patient thought to be seriously ill. I arrived dramatically, after my first and only helicopter flight. I can remember inwardly humming the theme from *MASH* as I was led up the beach to the sick patient. It did not take me long to diagnose a gastric upset from an overindulgent lunch. There had really been an overreaction and unnecessary panic about the patient's condition. I had come prepared to revive a near corpse and was a little disappointed. Fortunately, on that occasion, it was not taxpayers' money that was wasted but Channel O's money. They asked me politely to ham it up a bit and look a little more grave, and they seemed happy with the dramatic rescue footage for the evening news. After two or three more false alarms like the one I have just mentioned, additional screening procedures were introduced before sending medical evacuation teams to Moreton Island, and I believe the system is now working satisfactorily. I do not wish to be negative about aerial ambulance services, but this example shows the care that has to be taken before expanding such services, which I think will

inevitably occur during the 1990s. The parliamentary select committee will provide a timely review.

There are 11 particular terms of reference in this proposed all-embracing inquiry. I have spoken briefly on two of them. The challenge ahead is to meet the growing technological advances but still provide efficient, cost-effective ambulance services to all Queenslanders. Only a full and proper review can provide the necessary information to make sound recommendations for the future so that we can again lead the world, as we did in 1910.

I commend the proposed committee to the House.

Motion agreed to.

## **PARLIAMENTARY COMMITTEE FOR ELECTORAL AND ADMINISTRATIVE REVIEW**

### **Appointment**

**Mr FOLEY** (Yeronga) (4.46 p.m.): I move—

- "(1) That the membership of the Parliamentary Committee for Electoral and Administrative Review comprise Dr Clark, Mrs Robson, Messrs Welford, Stoneman, FitzGerald and Beanland and the mover.
- (2) That in accordance with Section 5.8 (2)(b) of the Electoral and Administrative Review Act 1989 that:-
  - (i) The Committee shall have power to send for persons, papers and records.
  - (ii) The Committee may examine witnesses on oath or affirmation.
  - (iii) The Committee may sit during the sitting of the House.
  - (iv) The Committee may meet and adjourn from place to place.
  - (v)
    - (a) Upon the appointment of the Committee, the members shall appoint a member to be chairman of the Committee and another member to be deputy chairman of the Committee;
    - (b) the chairman shall preside at all meetings of the Committee at which he is present;
    - (c) in the absence of the chairman, the deputy chairman shall preside at meetings of the Committee at which he is present;
    - (d) in the absence of the chairman and the deputy chairman at any meetings at which a quorum is present, the members in attendance may appoint one of their number then present to be temporary chairman during that absence."

The establishment of this committee fulfils recommendation No. 1 made eight and a half months ago by Mr Tony Fitzgerald, QC. In that historic report, Mr Fitzgerald set out as recommendation No. 1 that there be a "properly authorized and satisfactorily resourced Electoral and Administrative Review Commission . . . which reports directly to a Parliamentary Select Committee on Electoral and Administrative Review" and that that be established by legislation "to provide independent and comprehensive review of administrative and electoral laws and processes." The action urged in this motion is to complete the apparatus whereby that recommendation will be put into effect.

There exists already the statutory commission—the Electoral and Administrative Review Commission—but central to the functioning of democracy in Queensland will be the accountability of that commission to this House; that is to say that this committee, as a select committee of the Parliament, will be charged with a profound responsibility—a responsibility which is to reform and review the electoral laws and administrative laws of the State. Nothing could be more important to that review than that there be public confidence in it. It is of the utmost importance that the people of this State have an

opportunity to participate and be seen to have an opportunity to participate. It is for that reason that members of different political parties—representing, as they do, different political philosophies— come together in this parliamentary select committee to carry out this historic work.

This initiative has come about at a time when the Fitzgerald report revealed that organised crime and corruption had reached into the very sinews of the Government of this State. It was germane to the Fitzgerald report that there be reform—not merely of the administration of the police force, but at a deeper level—looking at the basis upon which the people of this State exercise power by conferring on Governments at election-time the right to govern, and looking at the way in which Government exercises power over people in its Executive action; that is to say that people power lies at the basis of this reform, the way in which the people confer power upon the State in the form of electoral laws, and the way in which the State exercises power in its dealings with the people in the way of administrative laws.

The members of this committee face a heavy burden. They come together at a time of major historic change in the State. They come from different political, personal backgrounds. They come together in order to carry out a task which is unparalleled in the history of this State. I commend the National Party and the Liberal Party on their nominees to this committee. They bring with them a wealth of parliamentary and governmental experience which will be very helpful to the work of the committee.

The honourable member for Burdekin, Mr Mark Stoneman, has served as the Minister for Primary Industries and as a member of the Parliamentary Privileges Committee. He currently holds the office of shadow Treasurer and spokesperson on pastoral and sugar industries. The honourable member for Lockyer, Mr Tony FitzGerald, has served as chairman of the Select Committee of Privileges and as a member of the Standing Orders Committee and the Parliamentary Buildings Committee. He has served also as Government Whip, Minister for Justice, Minister for Community Services and Minister for Emergency Services and Administrative Services. He is currently shadow Minister for Resource Industries.

The honourable member for Toowong, Mr Denver Beanland, is the nominee of the Liberal Party. He has a distinguished record as deputy Lord Mayor of Brisbane and has served as a member of the Parliamentary Committee for Public Works. He is currently Liberal spokesperson for Environment, Heritage, Land Management, Housing and Local Government.

**Mr Comben:** Is he? I didn't know that.

**Mr FOLEY:** The process will inform all citizens of Queensland, including the Honourable the Minister for Environment. This is, perhaps, the first triumph of public education in the new era into which the committee will enter.

I am very honoured to have been joined in the committee by such distinguished nominees of the Australian Labor Party. The honourable member for Springwood, Ms Molly Robson, brings to the committee a wealth of experience in the consumer movement and a bachelor's degree in administration, which will be of considerable assistance to the administrative review work to be undertaken by the committee.

The honourable member for Barron River, Dr Lesley Clark, has a distinguished academic and professional background. She holds the degree of Doctor of Philosophy in the area of psychology and has practised extensively in educational psychology.

The honourable member for Stafford, Mr Rod Welford, comes to the committee with an honours degree in law and significant professional experience in the practise of law in the Commonwealth Attorney-General's Department.

This knowledge and experience of members from both sides of the House will be most helpful in addressing the tasks of electoral and administrative review.

The function of select committees of the Parliament as practised in the House of Commons is described in the twenty-first edition of Erskine May at page 611 in the following terms—

"The idea that it should be in particular through Select Committees that the House should play an active part in informed criticism and scrutiny of the aims and actions of the Executive is one which is central to the Select Committee system. The related problem to adapt that system to meet this need is one which the House has always to solve afresh as the nature and scope of the Executive's activity alters."

The phrase "to solve afresh" is most apt to the circumstance in which Queensland now finds itself, for this committee will not merely scrutinise the ordinary organs of Executive Government but will monitor and review a powerful commission, the Electoral and Administrative Review Commission, which has its own review function: a review of Executive Acts and, indeed, a review, if authorised by this House, of the operation of the Parliament itself. In approaching the work of the committee, the need to solve afresh this problem is reflected in the terms of the legislation and in the terms of the recommendations made by Mr Fitzgerald, QC.

Erskine May traces the development of select committees specialising over a period in areas of Governmental activity rather than in specific actions or events from as long ago as 1918. I make bold to suggest that the work of those committees, that is, this committee and the Criminal Justice Committee, will set a most important new form in the development of the select committee system. It poses a fresh challenge to the Parliament to render those powerful bodies accountable to the Parliament and, ultimately, to the people.

In his report at page 125, Mr Fitzgerald, QC, observed of parliamentary committees that to discharge those onerous duties they should have certain powers. He stated—

"Parliamentary Committees should have the power to conduct public hearings, as well as the power to investigate and obtain information and documents and, where appropriate, accept and report on petitions and complaints. The legislative process should allow sufficient time for the involvement of Parliamentary Committees, having regard particularly to members' general Parliamentary duties, including attending to their constituencies."

The terms of the motion contemplate the powers recommended in that passage at page 125 of the Fitzgerald report, that is, the power set out in clause 2 of the motion to send for persons, papers and records, to examine witnesses on oath or affirmation, to sit during the sitting of the House, and to meet and adjourn from place to place. It may, for example, be desirable for the committee to move about the State. Those powers reflect a desire on the part of the Parliament to come to terms with its historic challenge.

Those powers set out in the motion complement the functions and powers of the committee set out in the Electoral and Administrative Review Act 1989-1990. Those powers and functions are set out in section 5.8 of the Act. The committee has a duty to monitor and review the discharge of EARC's functions. It has a duty to report to this Assembly, with such comments as it thinks fit, on any matters pertinent to the commission, the discharge of the commission's functions or the exercise of the powers of the commission, a commissioner, or of officers of the commission, to which the attention of the Assembly should, in the committee's opinion, be directed. The committee has a function to examine the annual report and other reports of the commission and report to this Assembly on those reports. That is to say that the function of the committee, in simple terms, is to monitor and review EARC as it goes about its work, to report to this place on the reports provided by EARC and, finally, to report to this House towards the end of the expiry of three years upon the future of the commission and upon the future of any action in relation to the Act itself or to the functions, powers and operations of the commission.

It may be appropriate to observe at this juncture that it is therein at section 5.8 (1) (f) that one finds the solution to this curious and, one might say, shallow debate which has emerged in relation to the permanence or otherwise of EARC.

There has been speculation in the media and, indeed, in the course of discussion in this very House as to whether or not this commission will be permanent. Well might the debate rage, but the answer to all of those questions is found very simply in section 5.8(1)(f). It is sometimes said in the law that a section of the Act is an unhappy thing for it puts an end to many novel arguments. This is such a case.

The simple question as to what will be the future of EARC is this: that, in accordance with the parliamentary committee's function, it will, towards the end of the three-year period, make a report to this place. That is not a sunset clause in that the legislation does not make the commission cease to operate; rather, it is a clause which confers power exactly where the power should be, namely in this Parliament and in the parliamentary committee which is selected by this Parliament. That is an example of one of the things, if I may respectfully say so, which we will need to ensure in the course of this important historic task which we undertake, namely that there be some clear understanding of the legislation and the ground rules that will take place.

In relation to that, it is, in my respectful submission to the House, of the utmost importance that there be openness at all stages of the review process. The importance of justice being done and being seen to be done is important not only in the practice of law in the courts; it is also of the utmost importance in the practice of law reform. I am pleased to inform the House that in a paper given on 28 February this year by Mr Tom Sherman, Chairman of the Electoral and Administrative Review Commission, to the Royal Australian Institute of Public Administration, Mr Sherman contemplated an open approach of ensuring that members of the public would have access to the proceedings of the commission, and it will be an important role of this committee to ensure that that spirit of openness is translated into a practice of openness at all stages.

The tasks facing the committee may be summarised under two broad headings, that is the task of addressing the electoral system and the tasks of addressing various of the administrative laws. Our legal system is based upon an electoral system which gives rise to the proposition that we live under representative government. It is said that that is the basis of our claim to live in a free and democratic society. We in modern times are used to the proposition that the voters have a right to vote which is properly described as a human right, whereas in medieval and, indeed, even colonial times the right to vote was considered an incident of property rather than an incident of the human right.

Article 21(3), the Universal Declaration of Human Rights provides—

"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

The International Covenant on Civil and Political Rights provides similarly in Article 25(b) for the right of "universal and equal suffrage". This principle is not enshrined in Queensland law.

The Electoral Districts Act provides for different quotas of electors in each of four electoral zones throughout the State. Mr Fitzgerald, QC, identified the need for review of the electoral laws in his 1989 report. At page 127 he observed—

"A fundamental tenet of the established system of parliamentary democracy is that public opinion is given effect by regular, free, fair elections, following open debate."

That opportunity for a review is now provided for in the Act. Similarly, by a motion to be debated in this House and moved by the Deputy Premier, there is power under the Act for the Electoral and Administrative Review Commission to examine local authority systems of voting and systems of administration.

Turning to the tasks of administrative law reform, it is with some considerable pleasure that I note that the process of review will include freedom of information laws for Queensland. This has been an item long campaigned for by the Queensland Council

for Civil Liberties, of which I have had the honour, and continue to have the honour, to be a member. The need for open and accountable government is manifest. That need has been serviced in other jurisdictions by freedom of information laws, which have played an important part in opening up the closed doors of Government administration to the fresh winds of popular opinion. At the Commonwealth level, this reform has been in place for many years, as have reforms providing for administrative appeals tribunals and judicial review of administrative decisions.

I note with considerable interest and welcome the interest expressed by honourable members through the amendment to the motion for the adoption of the Address in Reply moved by the honourable Leader of the Opposition. I welcome the enthusiasm for these reforms that is now demonstrated by the Opposition. I trust that we may all work together in ensuring that the process of administrative review is undertaken fairly and with expedition.

The list of matters which the EARC has to address is formidable. That list is set out in the schedule to the Act, which commences with item No. 1 "Preservation and enhancement of individuals' rights and freedoms." In setting that out the legislature made it plain that the EARC was to have a broad role—monitored and reviewed as it is to be by this committee—to ensure that individuals' rights and freedoms as they relate to electoral and administrative matters are respected. Similarly, section 2.10 of the Act provides that there be available for review matters such as the local authority boundaries and administration and matters such as the operation of the Parliament itself.

Those grave matters require a powerful commission, but equally they require a committee which can render that commission accountable. The task which faces the committee will not be a light burden. I look forward to the adoption by the House of this motion. I look forward also to working with my colleagues on both sides of the House to address the great challenges which the Legislature and Mr Fitzgerald of Queen's Counsel have held out for this Parliament to address.

**Dr CLARK** (Barron River) (5.11 p.m.): I second the motion which was so ably moved by the honourable member for Yeronga, Mr Matt Foley. I have no doubt that history will record the establishment of the Electoral and Administrative Review Commission and its parliamentary committee as milestones on the road back to democracy in Queensland. The establishment of those bodies ushers in a new era in Queensland—an era in which the community will have a genuine voice in the framing of legislation.

I wish to focus particularly on the issue of community involvement in the shaping of our electoral system. Some years ago, American sociologist Sherry Arnstein was prompted to observe—

"The idea of citizen participation is a little like eating spinach: no-one is against it in principle because it is good for you."

In common with most children, Governments are generally not very good at eating their spinach. Some might even say that the National Party displayed a distinct aversion to that particular vegetable. Yet there are two key rationales for such participation. Firstly, it is ethical. In a democratic society people should be consulted and involved in the decisions that affect their lives. Our electoral system certainly falls within that category. Secondly, it is pragmatic. Research on community participation in planning has revealed that, if planners will not involve the citizens, citizens will involve themselves. If we substitute "politicians" for "planners", the National Party knows only too well the veracity of that finding.

Unfortunately, for too long people have been denied meaningful participation in the political process in Queensland. The inevitable consequent alienation and apathy has too often provided the excuse for failure to consult. In the past, when electoral boundaries were to be drawn up, Cabinet appointed the electoral commissioner who worked in secret and then reported back to the Premier. The job was complete only when the electoral boundaries guaranteed a favourable outcome for the National Party at the polls. One of the best examples of that process must surely be the treatment of

the Wujal Wujal community, which comprises an island outpost of Cook embedded within my electorate of Barron River.

I ask honourable members to compare this process with the process that will be undertaken by the Electoral and Administrative Review Commission. Tony Fitzgerald knew that consultation would have to be guaranteed by legislation. Therefore, section 2.11 (3) of the Electoral and Administrative Review Act 1989 states in part—

" . . . the Commission shall initially cause to be advertised State-wide notices calling for submissions . . . ".

The people of Queensland are actually going to be asked what they think of our current four-zone electoral system and how, in the words of Tony Fitzgerald, we can best achieve "free, fair elections", which he recognised to be a fundamental tenet of parliamentary democracy.

Furthermore, section 2.23 (2) of the Electoral and Administrative Review Act requires that the commission—

" . . . shall make available to the public all submissions, objections and suggestions made to it in the course of discharging its functions and otherwise act openly if to do so would be in the public interest and fair."

Last month, during an address to the Royal Australian Institute of Public Administration—which was referred to by the honourable member for Yeronga—Tom Sherman, the Chairman of the EARC, indicated that he intended to establish as soon as practicable a public register of documents which would give the public access to materials relied on by the commission in the course of its investigations. Mr Sherman also indicated that the commission would be providing part of its floor space for a public reading room and accommodation for a public information officer to facilitate public access.

The commission is also examining imaging technology to determine whether it is cost effective to give the public direct computer terminal access to the public register holdings. I certainly hope that that will be introduced, because it will increase accessibility to this information for people living outside the south-east corner of the State. That degree of public involvement is a far cry indeed from the treatment meted out to the public in the past, when anyone who attempted to prise information out of the Government was likely to become the subject of a Special Branch investigation.

The process of public participation will not stop at the completion of EARC's report on the electoral system. Again, Fitzgerald recognised the need to ensure by legislation that the commission's report, by its tabling in this Parliament, would become a public document. I believe that wide public debate of this report should be encouraged, because it will be a vitally important document.

It is at this stage that I would envisage that the Parliamentary Committee for Electoral and Administrative Review will itself engage in a consultation process and be open to receive public submissions to guide it in the preparation of its report to Parliament on the commission's work. In that way the public will have a genuine opportunity to participate in the process of reform. This process will be an important forerunner to the debate in this House on the contents of both the commission's report and that of the committee. At the conclusion of this process, subsequent legislation to give effect to the new electoral system should be a genuine reflection of the wishes of Queenslanders.

While this will no doubt be a novel means of enacting legislation in Queensland, so, too, is the tripartisan involvement in the process of reform in the shape of the committee whose establishment we are debating here today. I believe that the Parliamentary Committee for Electoral and Administrative Review and its companion Parliamentary Committee for Criminal Justice hold the key to regaining respect for politicians and respect for the political process in the eyes of the Queensland public.

Let there be no mistake, politicians are not held in high esteem by the community at large. Regardless of party affiliations, we—and I say "we" advisedly—are generally



regarded as self-seeking, opportunistic, untrustworthy and overpaid. Much of what occurs in this Chamber is, regrettably, seen as unproductive point-scoring and empty rhetoric. Opposition for opposition's sake is the order of the day, since to recognise that one's opponents have good ideas is a political heresy and likely to incur the wrath of one's party.

But it does not have to be that way. As an educator and psychologist, I know the importance of role models that can demonstrate alternative behaviours. Such observational learning, as it is termed, can lead to very significant and positive changes. I want the Parliamentary Committee for Electoral and Administrative Review, of which I will be a member, to be such a role model. I want us to see ourselves primarily as individuals solving a problem together, contributing our talents and energies to the task before us—the creation of a fair electoral system that will enable Queenslanders to vote out any particular party if it does not measure up. Regardless of our political persuasions, we should be prepared to be put to the ultimate test and accept the judgment of the people. Anything less and we will have failed Queenslanders and made a mockery of Tony Fitzgerald's report.

No doubt, though, the cynics amongst my colleagues here have long since stopped listening to what they might regard as such idealistic nonsense. I make no apology for being idealistic if that means believing that the standard of conduct and debate in this House can be raised and that the talents in this House can be put to use in the interests of good government. But I believe in practising what I preach and so I would like to congratulate the Opposition on its determination to see the Fitzgerald inquiry through to the bitter end, despite the cost to it politically.

The Electoral and Administrative Review Act, which the previous Government, now the Opposition, introduced into Parliament last year, is testament to its resolve and forms the basis for the reform process that is now in train. In particular, I would like to recognise the contributions of the former Leader of the National Party, Mr Mike Ahern, to that legislation and to the reform process. I also welcome the commitment given by the Leader of the Liberal Party, Angus Innes, in the House yesterday, to the process of review of our electoral system under EARC.

In the light of that, I sincerely urge the Opposition to continue this process with us now and not continue to adopt that destructive "opposition for opposition's sake" mentality that has unfortunately emerged already. I urge the members of the National and Liberal Parties on the parliamentary committee to give effect to the spirit of reform so that we can work constructively together in the interests of the Queenslanders who elected us. Today I am prepared to make that offer of cooperation to my parliamentary colleagues, and I trust that it will be reciprocated.

I support the motion before the House.

**Mr FITZGERALD** (Lockyer) (5.21 p.m.): It is with rather mixed feelings that I support the motion that is before the House, because I have a number of points that I wish to raise.

First of all, I thank the two Government members who have spoken in the debate. I thank particularly the member who has just resumed her seat for her recognition of the fact that the National Party did pursue Fitzgerald's reform right to the bitter end—and, so far, the bitter end for our party. I have no doubt that in the future the electorate will judge us in a more favourable light. However, I accept the findings of the electorate on the occasion of the last election.

I also pledge my support for the work that will be carried out by the committee. I am looking forward with a lot of enthusiasm to the work that has to be done. The committee will comprise a group of people who will come together for the first time. I think that all of the Government members on the committee are newly elected members of Parliament. That is rather unique. Although they may have a great sense of history and a great sense of the parliamentary system, some of us who have been in this place for a little while will, I think, be able to contribute something to the debate and to the

discussion that will take place. I recognise that Parliaments should not live purely on tradition. Parliament is a living organism. New members come into this place with ideas that reflect the views of the community.

I support Mr Foley's vision of the role of parliamentary committees. Much of what he said was quoted directly from either Mr Fitzgerald's report or the legislation establishing this committee. Because it has been recorded in *Hansard*, I will not cover that ground again. However, I do support those comments.

I have misgivings about statements such as the accountability of the commission to the House being reported through the parliamentary committee. Mr Foley expressed the view that members of the committee will have a profound responsibility, that the committee requires the confidence of the public, and that it should monitor the Government's exercise of power. He also pointed out that this Parliament has a similar responsibility.

The previous speaker, the honourable member for Barron River, stated that previously Cabinet had appointed the commissioners who undertook electoral reviews. My point is that members of this House should stand up and clearly tell the members of the Executive Government of Queensland that they have betrayed the confidence of the people of Queensland by the spirit—not the letter—of this Act under which the committee will operate.

I cast no aspersions on the character of any of the part-time commissioners. This House had a responsibility to appoint a committee that should have had a role in the appointment of those part-time commissioners. On 1 March, a notice was given of a motion for the establishment of that committee. Today, honourable members are debating that motion.

I understand that during the evening of 7 March Cabinet met and approved the nominations for the positions of part-time commissioner. The next day those nominations went to the Governor in Council and the appointment of those part-time commissioners was confirmed.

The Act clearly states that if no committee is in place the Government has such power. However, it is completely against the spirit of everything embodied in this Act for the Executive Government to usurp the role of that committee when a notice of motion is before this House to appoint a committee with the responsibility of appointing those part-time commissioners.

All Queenslanders should be disgusted by this Executive grab for power. The honourable member for Barron River stated that previously the electoral boundaries were drawn up by commissioners appointed by Cabinet. With all due respect to those who were appointed as part-time commissioners, what is different now? Who appointed these part-time commissioners?

**Mr Welford:** There has been consultation.

**Mr FITZGERALD:** Honourable members know what is meant by "consultation". When speaking in this place, some honourable members express their knowledge; others open their mouths to express their ignorance. One knows what "consultation" means: say, if we want four names, ask for five and then—I will not use the crude expression to say that you please with yourself what you do. No obligation is laid down for the reporting of the views of the committee.

This Government has made a mockery of this House. It has virtually said that it has no confidence in the chairman elect of the EARC committee. The Government has no confidence in any of the other members to be appointed to that committee. The Government has usurped the power of the committee. Do honourable members know why the Government has no confidence in those members? Because those commissioners could only be appointed if a majority of the committee members—

**A Government member:** Read the facts.

**Mr FITZGERALD:** Read the facts yourself.

The fact is that those part-time commissioners can only be appointed if the Government has a majority on the committee, but the membership of the committee must be across party lines. The committee cannot consist of members of the one party. I am saying that the letter of the law has been observed, but honourable members should not forget that this House had before it notice of a motion that was given on 1 March. During the evening of 7 March, Cabinet met.

**Mr Elder:** Notice was given on the sixth.

**Mr FITZGERALD:** Notice of the motion was given on 1 March. The nominations went to the Governor in Council on 8 March. The Government has absolutely no confidence in this committee. Although to the best of my knowledge I have not met one of them, I respect the commissioners.

I spoke about consultation. I know what the honourable the Leader of the House has said about consultation, honourable members should consider his views. Members of the Government should ask the Leader of the House for his interpretation of the word "consultation".

I support totally the appointment of the chairman of the commission, which was fit and proper. The commission needed to commence the task of drawing the electoral boundaries. Under the terms of the Act, it was necessary to establish the commission. The commissioner was appointed by the Government that came to power after the election on 2 December. I agree totally with that concept. I believe it was an excellent idea to put the chairman in place as soon as possible, but to usurp the rights of the committee when this House was sitting was nothing but a disgusting mockery of this House and of the people of Queensland.

I now want to quote from T.S. Eliot's *The Hollow Men*.

**Dr Flynn:** The honourable member for Cunningham?

**Mr FITZGERALD:** No, T. S. Eliot. A member of this House made the following statement—

"There is a yawning gap between what this Government says and what it does; between the flowing promises and the actuality; between the expensive public relations brochures and the truth. As T. S. Eliot said of 'The Hollow Men', so I say—

'Between the idea  
And the reality  
Between the motion  
And the act  
Falls the shadow.'"

**A Government member:** And he went on to become Premier.

**Mr FITZGERALD:** That fellow was Wayne Goss, and they are his words. T. S. Eliot was right. Goss was right.

**A Government member:** What about your leader?

**Mr FITZGERALD:** He was right.

This place has been disgusted. The general public believed that this committee was in place because it was public knowledge who were named in the notice of motion. The press reported that Matt Foley was chairman, and I can understand the press taking a good deal of interest in the EARC. An article on the EARC appeared in the *Sunday Sun* on 11 March, which was after the notice of motion had been given. Therefore the general public believed that this committee was in place. Why was it not put in place earlier? Why was the moving of this motion postponed day after day? Why was there a filibuster the other night to prevent the moving of this motion? The Government did

not want to move it. The leader of the House has sold out the committee and has tainted it. The Government has usurped the functions of the committee.

I will again quote the words of Mr Tom Sherman in his report to the Royal Australian Institute of Public Administration in Brisbane on 28 February 1990. He said—

"Accountability will be the prime operational principle for EARC. I regard accountability as an essential characteristic of a high quality public administration. A public administration which is not accountable, lacks democratic character."

I have made my point about the appointment of the commissioners. Earlier, I said that I was looking forward to working on the committee and cooperating with honourable members opposite because I know that they were not involved in the appointment of the commissioners. They are all brand-new members. They do not know how the Executive arm of Government works.

The Business Paper contains the following notice of motion to be moved by Mr Burns—

"That this Legislative Assembly, pursuant to the provisions . . . of the Electoral and Administrative Review Act . . . authorises . . . investigations . . . into—

- (a) the whole of the Local Authority electoral system of Queensland and, in particular, whether such Local Authority electoral system provides for fair and equitable representation for all electors of Queensland and, if not, what Local Authority electoral system should be introduced to achieve such representation"—

and he requests that that information be supplied by 17 August. I can understand that, as Minister for Local Government, such a review is necessary, and I fully support that review. I believe that this matter has to be reviewed. However, I do not want to speak about the local authority and State boundaries. I welcome the review. I think that it is very necessary. But it is wrong for a Minister to try to influence a committee or advise the commission that these things should be done by the dates that have been set. Surely it will be up to the committee that will be formed after this motion is carried to advise the commission and discuss whether extra staff will be provided to review the State boundaries as well as report back on these other matters. Queensland has a host of local authorities and the question is very complex. It is disgusting that a Minister should use the Parliament to make those recommendations. Surely he could have written to the commission on those matters.

The other matter is the implied threat by the Treasurer that these committees could be starved for funds because the cost of implementing the Fitzgerald recommendations will place a heavy burden on the Treasury. There is an implication that they could be disbanded in three years' time. Statements have been attributed to the Premier that they should wind up in three years' time. Maybe he has not said it directly, but he has intimated it.

**Mr Beattie:** The position is very simple. There is a firm commitment to this Fitzgerald program.

**Mr FITZGERALD:** And the Cooke inquiry?

**Mr Beattie:** We are talking about the Fitzgerald program.

**Mr FITZGERALD:** The honourable member should go through the lot because they are all linked together in the statement by Mr De Lacy. He mentioned the Cooke inquiry and the Criminal Justice Commission—he put them all together—and I will do so, too.

It is with pleasure that I support the motion.

**Ms ROBSON** (Springwood) (5.36 p.m.): It is with great pleasure that I speak in support of the functions and operations of the Electoral and Administrative Review

Commission and the parliamentary committee from a variety of perspectives. Looking at the members of the parliamentary committee, and irrespective of the negativity of the honourable member for Lockyer, I feel confident that we will achieve constructive progress towards achieving the objectives that Mr Tony Fitzgerald, QC, outlined in his report and that we will move forward and put behind us all of the issues to which the honourable member for Lockyer referred. The processes may be ponderous but at least they will be thorough and the methods employed will be similarly thorough.

Reforms in public administration in the past have largely focused on economic and developmental considerations without real principal concerns for social impact. Too often there have been social backlashes from implemented reforms which were deemed too hard to handle by those sectors involved. Trade practices laws and fair-trading legislation have been introduced during the last 15 years in Australia in order to address some of the problems encountered in a world dominated by increasingly complex markets and large business interests. It has been necessary, through regulation, to ensure that the rights of citizens are protected and that all of us, and not just the powerful minority, have access to information and services provided by Governments.

Fairness in trading laws and in the marketplace equals fair access to public information for all, be it information about ourselves that is held on public record or information which affects us in the passage of our daily lives. Freedom of information is one of the major areas that EARC will address and, in my opinion, one of the most important issues affecting the marketplace and consumers. Invasion of privacy and ethical standards of conduct are principal concerns to most citizens, along with access to information. It is inequitable that traders can collect personal information relating to our private financial dealings and yet not be accountable to ensure that this information is current and accurate.

Consumers have complained to me that their names have been placed on lists which were sold to business concerns, such as mail-order firms, time-share operators and resort-peddlers without the consent of the consumers involved. All honourable members will remember the debacle when Australia Post sold lists of the names of people who had bought season tickets for Expo 88. I would like to know who gave Australia Post the right to do that. Nobody seems to accept responsibility and certainly nobody informed the purchasers of the tickets that their names would go on a list to be sold to whoever bid for them. Privacy protection is a basic right for all citizens. Freedom of information ensures that checks and balances are in place to identify areas in which abuses may occur. I see this as a very important part of EARC's role.

Effective administration encompasses a range of skills, from ensuring that appropriate management procedures are in place at one end of the spectrum, to ensuring that relevant and useful information is available and utilised in decision-making processes at the other. Good administrators are accountable for these procedures and require that suitable structures exist to accommodate the achievement of their objectives. The role that EARC will play in the reform of the access to and freedom of information is essential in ensuring that all consumers are protected from misuse or abuse of statistical data which has been collected concerning them.

The review of electoral boundaries to ensure fair and representative election results is fundamental to efficient administration. The notion of the minority ruling the majority has historically enforced an elitist philosophy which largely ignores the need for community participation in decision-making at Government and Executive levels. I have absolutely no desire to return to the "Don't you worry about that" style of Government by divine interpretation to which this State was subjected for so long.

Former Governments in this State ignored people in the community, who had the relevant expertise, for inclusion on their boards and committees. Time after time community organisations requested former Governments to appoint from the community people with expertise; people from the professional and academic community and the community at large who could have had some input into the decision-making procedures of this Parliament. Time and time again those requests were denied and only token

placements were made on those boards and committees; placements which recognised contributions from a political perspective and from a particular party. Earlier I referred to people who had relevant expertise. I stress the word "relevant", because some of the appointments of consumer representatives made by former Governments over the years were nothing short of scandalous. They were certainly not representatives and consumers in the true essence and nature of that intent.

EARC will serve well to equalise community input by enabling the community to elect its legislative leaders more fairly, thus ensuring balanced, reasonable and responsible Government through popular vote. Hopefully, the review of electoral boundaries at State and local government levels will see equity introduced in terms of voters' rights being handed to Queenslanders for the first time in decades. I welcome the reality of the EARC structures. They are many, many years overdue. These reforms are essential to the process of the introduction of true social justice in this State. I hope that all the players in this review process bear in mind that we should be aiming for a true democracy in Queensland and a progressive State. Public administration in a democracy should be democratic. For the information of honourable members, I point out that "democracy" is defined in one way as follows—

"Government by the whole people of a country especially through the representatives they elect."

The process that this House is about to consider, and hopefully implement through the EARC committee and commission, will fulfil that definition of democracy by providing this House and State with members who truly represent the people by whom they are elected in the right proportions and in the right places.

**Mr STONEMAN** (Burdekin) (5.43 p.m.): I join in this debate with a little trepidation because I feel like the man who came to the table with a great hunger only to discover that all the meal had been eaten. This evening a great deal of eloquence has been used and knowledge displayed during this debate. It is a somewhat unusual debate in that normally committees of this kind have a rather more formal process of commencement. I acknowledge that this process is reasonable and hope that some of the statements that are made will not preclude the openness that I believe will prevail and which all members who have spoken so far have supported.

I am proud to have been a part of the National Party Government that brought into being not only the Fitzgerald inquiry, but also the major Acts that resulted from the inquiry. I commend the honourable member for Barron River for acknowledging that fact. That is the first time I have heard such an acknowledgment, and I am delighted.

**Mr Beattie:** She's a very intelligent woman.

**Mr STONEMAN:** The honourable member is spot-on there.

The fact that the National Party Government took that action has not been given sufficient prominence or recognised in the press. On 2 December the people of this State chose to change the Government that set up the Fitzgerald inquiry and introduced these Acts. I do not believe that these Acts have been found wanting, although there is no such thing as a perfect document. I am proud to have been a member of the Government and of the Cabinet that were responsible for passing that legislation through this House.

I wish to support the concerns expressed by my colleague the honourable member for Lockyer in respect of the attitude of the Government. I refer to section 5.8 (1) (e) of the Act, which sets out the functions and powers of the committee. That part of the Act states—

"(e) participate in the constitution of the Commission and the removal from office of a Commissioner as prescribed."

As I noted previously, that matter has been eloquently covered by my colleague. I do not wish to labour the point, but I believe that that section has compromised not only the working of the committee as a whole but also the chairman-elect, who is a member of the Government. I believe that the Government has undermined the sincerity and

openness with which he, as chairman-elect, has approached his role and with which he will perform his duties as chairman.

**Mr Foley:** I disagree.

**Mr STONEMAN:** That is fine. However, I take the view that although the honourable member for Yeronga's loyalty to the Government is vital and necessary, I believe that he has been compromised. He may take a different view, but I will not change my mind. Nevertheless, I sincerely make the point that I believe this committee will function well.

As previous speakers have indicated, the committees will function in a spirit of cohesiveness as part of a very vital learning process for us all. As the member for Lockyer pointed out, he and I have been members of this Parliament for a number of years and the member for Toowong has served in the Parliament for a term. We will probably benefit from the freshness of approach adopted by the new committee members who are Government nominees. I look forward to that, and also to engaging in the learning process, which will involve every member.

I believe that members of the committee will find that each has in his or her mind a fixation which, with the passage of time, will change a little. I hope that all members are able to accommodate that change. If that proves to be the case, the committee will have been seen to have worked properly and in the way in which Commissioner Fitzgerald, in his wisdom, wanted it to operate. I am sure also that the people of this State want the committee to function properly.

I will not enter into an argument on the rights and wrongs of the electoral processes of this State.

**Mr Booth:** They will be looked at in the review.

**Mr STONEMAN:** Mr Fitzgerald made the point that he did not denigrate the boundaries. He stated that there were concerns about the electoral review processes and that he believed the system needed to be looked at.

**Mrs Edmond:** A diplomatic chap, wasn't he?

**Mr STONEMAN:** I am not too sure. The honourable member may wish to suggest that. Let me say that he chose his words very carefully. If he had felt the need to say more, he would have done so.

It is interesting that the section of his report that has come in for so much critical study occupied only three-quarters of a page. The remaining 500 pages have not received nearly as much attention or study as that particular page. It is also interesting to note that the people of this State were able to use the so-called rotten, corrupt and gerrymandered boundaries to impose their will and change the Government. If the system was very bad, that change would have been impossible.

Mr Deputy Speaker, I believe that, as temporary custodians of electorates, members of the committee should draw a curtain across the past. The electoral boundaries are subject to review. I emphasise that the commission may well find that the boundaries that presently exist are reasonable and that the system as it exists is also reasonable. However, I would be the first to admit that, irrespective of when a redistribution is carried out, the boundaries will change. I do not believe that anything that the commission will find should be pre-empted. I also do not believe that the committee's attitude to the commission's findings or report should be pre-empted. If the members of this committee are to be completely honest, they should draw a curtain across the past and look forward positively to their efforts not only on the committee that reports to the House on the commission's findings, but also as elected representatives of the people of this State. If the members of the committee adopt and continue that attitude, I believe that the work of the members of this committee and of the other parliamentary committees will be seen to be a positive and productive process.

**Mr Beattie:** You are getting better.

**Mr STONEMAN:** There is good in this little man's heart. I predict that the honourable member will become increasingly complimentary.

I also state briefly my views on travelling with the committee throughout the State. I am proud to say that of all members of this Parliament, I probably have the widest hands-on knowledge of this State. I have lived at a number of locations including the far west, the central west and the northern coast. In common with many other people, I originally came from interstate. It is probably because I am a convert to Queensland that I am more parochial than those who were born here. I say that with a sense of humility and loyalty to this State and to the people of this State.

In Cairns, which is situated near the member for Barron River's electorate, I was responsible for initiating and chairing several committees. That fact may surprise the honourable member. I know the Cairns area, the peninsula, the gulf and the western areas with a great deal of hands-on familiarity. I am sure that all other members will be able to share in the knowledge that I can bring to a consideration of the process of electoral and administrative review. I am equally sure that the knowledge of other members will be shared.

As members of Parliament and as members of various committees, we should look critically at the role played by the press, and the media generally, in the administration and operation of Governments in this State. Too often, Governments tend to react to public concerns that have been generated by the press. The end result is sometimes less than that which is really in the best interests of the people of this State and the nation. That position applies not only to Queensland but also to countries all around the world.

That is one of the most critical areas on which the various review committees must focus. After all, the voice that we have in this Parliament is reflected only in the broad sense by the members of the press. If they provide a commentary rather than a reporting of what we say, we have a watered-down version of the operation and the administration of Government. That is a major factor that must be considered in this operation.

Some of our friends, the visionaries in Government—I do not point the finger at any particular person, because we all have visions and like to think that we are visionaries—need to look at the realities of politics. From time to time, that means the imposition of the will of the Government, which has the numbers, on the people. However, the people would be far better served if the processes of Government, of politics and of the operation of Government were more accurately reflected in the reporting by the media.

I conclude by saying that I wholeheartedly support the motion. I support the concept of and the membership of the committee. I look forward to working productively and in a spirit of cohesion with that group over the next three years.

**Mr WELFORD** (Stafford) (5.44 p.m.): As it was for the other members of the committee who have already spoken, it is a great honour for me to be participating in what I also see as one of the most vital and important reviews that this Parliament and its committees have ever undertaken.

As the Chairman of the Electoral and Administrative Review Commission has already indicated in the address to the Royal Australian Institute of Public Administration to which other members have referred, the role and the responsibilities of EARC are unique. They are unique to Queensland; there is nothing similar in the processes of other Parliaments throughout Australia. We must remember that that process of review has not come about in a vacuum. It has not been dreamed up as something that was seen to be a good idea at the time, but has been brought about by a very extensive and, in a sense, earth-shattering inquiry—so far as Queensland politics is concerned—into the irregularities in the processes that existed previously. That is why it is important that this commission and the committee which, on behalf of the Parliament, oversees the commission conduct themselves with the utmost propriety and proceed with their



work with a combination of cooperation and genuine concern on the part of members on both sides of the Parliament.

The objects of the commission are referred to in section 2.9 of the Electoral and Administrative Review Act. In particular, it states that the commission will report to this House and to the Minister—the responsible Minister in this case being the Premier—not only on the efficiency of the operation of Parliament but also on the honesty, impartiality and efficiency of elections, the public administration of the State and local authority administration. All those areas are clearly within the direct responsibility of the commission. It follows that those areas are clearly the subject of scrutiny by the parliamentary committee.

Having regard to those objects, the Chairman of EARC has already indicated that he has a commitment to the fundamental principles of openness and honesty in the process of this review. He said that in fulfilling its responsibility EARC must achieve "the highest standards of accountability, independence, public access, and consultation."

I will dwell on those aspects of the review process for a few moments and then refer to some of the difficulties that have been raised previously. As to the question of accountability—the commissioner saw that as the primary operational principle of EARC. He indicated that, so long as this Parliament, the public and, more particularly from our point of view, the members of the parliamentary committee accept, acknowledge and respect the independence of EARC's deliberative role, there is no reason why EARC should not be able to give the fullest possible account of its activities to our committee and, in turn, to the Parliament.

We should look also at the provisions of section 2.13 of the Act, which specifically provide for the commission to report to the chairman of the parliamentary committee. Obviously, that process enables the committee to analyse the reports of the commission and to make recommendations to the Parliament in relation to its reports. Reports are also provided to the Speaker of the Legislative Assembly and to the Premier, being the responsible Minister. Clearly, the process is one that is flush with accountability. It is essential that every process under which the commission operates is fully accountable. That is done in terms of the Act and in terms of the spirit of Fitzgerald by continually referring the work of the commission to the Parliament and its committee.

Section 2.23 of the Act requires that the commission, in its own processes, act independently, impartially, fairly, and in the public interest. Again, those same principles—principles which this Parliament must oversee and which the parliamentary committee must scrutinise—must be maintained, not only by the commission itself but by the committee. The parliamentary committee must also conduct itself in the same manner as the Act contemplates of the commission itself.

Sitting suspended from 6 to 7.30 p.m.

**Mr WELFORD:** Mr Deputy Speaker—

**Mr Mackenroth:** There is not one member on the Opposition front bench.

**Mr WELFORD:** As the Leader of the House has pointed out, we are in the middle of a debate about a matter of fundamental importance to this Parliament and to this State, a debate about the constitution of a parliamentary committee which will oversee one of the most fundamental reforms over which this Parliament will ever preside, yet when I rose to speak there was not one member on the National Party front bench.

Before the dinner recess I was addressing the four important aspects that are essential to the operation of the commission and the parliamentary committee. They were referred to by the chairman, Mr Sherman. Those aspects were accountability, independence, public access and consultation. I have referred already to the essential features of accountability, in that the commission will report to this Parliament and to its parliamentary committee. I was in the process of making the point that it is vital that the parliamentary committee, in its own conduct and in its own processes, reflects the same important principles that Mr Sherman has set for the commission itself.

I will examine briefly some of the priority issues which the Electoral and Administrative Review Commission will be addressing in accordance with the Act and in accordance with the prescription of Commissioner Fitzgerald. Over time, some 24 issues will be subject to the scrutiny of the commission and its process of extensive public consultation. Of course, that process of public access and public consultation was the other aspect of the procedures of the commission which the chairman, Mr Sherman, regarded as vitally important. That list of priority issues is contained at page 370 of the recommendations of the Fitzgerald commission relating to the electoral and administrative review process. They are also contained to some extent in the substantive provisions of the Act, as well as in the schedule. Of course, the primary function of the commission is to review the electoral system.

Section 2.10 of the Act refers specifically to the functions of the commission. Section 2.10 states—

"Commission's functions. (1) The functions of the Commission are—

. . .

to investigate and report from time to time in relation to—

- (i) the whole or part of the Legislative Assembly electoral system;
- (ii) the operation of the Parliament;
- (iii) the whole or part of the public administration of the State . . . "

Section 2.10(1)(b) also refers to the role of the commission in investigating and reporting on the whole or part of the local authority electoral system. Perhaps I might say something about that in a moment, having regard to the reservations that other honourable members have expressed about the Government's proposal in that regard.

The essential feature of the Act that the committee must keep in mind is that it is the process that is important. It is curious that, in his amendment to the motion for the adoption of the Address in Reply, the Leader of the Opposition supported the introduction of various administrative reforms which are indeed part of the policies of the Labor Government. These reforms could have been introduced under the previous Government, and would have been introduced with the support of the Labor Party. However, the Labor Party is committed—as it was prior to the election—to the process of Fitzgerald review.

It is not just a case of implementing all of those reforms relating to administrative review and electoral law which are part of the policy of the Labor Party. Naturally, the Government would very much like to do that. However, prior to the election, the Labor Party gave a commitment that it would proceed with those reforms by way of the process which Fitzgerald laid down. That explains why it is that those items of legislation referred by the Leader of the Opposition in his amendment are not specifically referred to in the list of items of legislation that the Government will present immediately. Those items of legislation—things like freedom of information, an administrative appeals system and a comprehensive code of judicial review of administrative action—are all items which Commissioner Fitzgerald specifically contemplated would be the subject of analysis and reporting by an independent process of review—the independent process which was contemplated by the establishment of the independent commission.

I make the point that it is the process that is important. It is the process that we as a Government are committed to, and the parliamentary must recognise that the integrity of the process must be preserved. For that reason, I am a little concerned about comments that have been made by the member for Lockyer which, in a sense, impugn that process. I will dwell briefly on some of the problems that have been raised in the debate so far.

Naturally, this Parliament and the many new members that have come to it are not bound by past habits and past practices. Although many of us may be regarded as brand-new members—as the member for Lockyer mentioned—the fact is that we bring to this Parliament a perception of new standards by which this Parliament ought to

operate. Those habits which might hamstring the thinking of some of the longer-serving members of this Parliament are shackles that have to be broken as part of this process in which we review not only the electoral system but also, in due course, the operation of the Parliament itself.

Appointments to the commission were a matter of some controversy. It was suggested that, because of the process that was adopted by the Government in making the additional appointments to the commission, somehow the spirit of the Act was betrayed. I remind honourable members that the Act encapsulates very much what Commissioner Fitzgerald had in mind. The process of consultation about the appointment of members of the independent commission, which is contained in section 2.4 of the Act, was drafted specifically with the assistance of Commissioner Fitzgerald. As I understand it, regardless of whether the membership of the committee was already on the notice paper of the House, if the committee was not formed—for whatever reason—and the process of selection and appointment of members of the commission was to be dealt with, a process of consultation was contemplated by paragraph (a) of subsection (2). That process of consultation was adopted and applied.

There was nothing unusual about the appointment of the additional or part-time commissioners. The only thing that perhaps was unusual was that it took as long as it did. The recent appointment was unusual only to the extent that it did not occur some months ago. Consideration of the applicants took quite some time. Mr Sherman, the chairman of the commission, said that he was very satisfied with the standard of the applications that he had received not only for those positions but also other functions within the commission.

The committee's role extends far beyond simply contemplating the membership of the commission. Under section 2.4 of the Act the committee would have a role if the members of the commission had not already been appointed. Section 5.8 of the Act states that one of the specific functions of the parliamentary committee is to—

" . . . participate in the constitution of the Commission and the removal from office of a Commissioner as prescribed".

That process only overlays a process that the Act contemplates and which Commissioner Fitzgerald contemplated, namely, the process of consultation. Provided that those essential features of consultation were complied with—as indeed they were—there really is nothing that anyone can raise as a matter of concern about the appointment. As I understand it, no objection was raised either by the Leader of the Opposition or the Leader of the Liberal Party about the appointments that were ultimately made to the part-time membership of the independent commissions. In those circumstances, it seems a bit futile for prospective members of the parliamentary committee to be raising matters which, in a sense, reflect on the membership of the committee and add nothing to the cohesion of the committee and the cooperative nature of the committee's work.

The other factor that seems to have raised some concern is the proposal that the Government refer to the commission a review of local authority electoral systems. Although Commissioner Fitzgerald did not specifically refer in his report to local authorities, he clearly contemplated that the whole process of independent review of electoral systems and units of administration in government would clearly give the independent commission a role in reviewing local government as part of the public administration of the State. That can be inferred simply because Commissioner Fitzgerald himself was involved in drafting the terms of the Act that specifically contemplate the commission's role in reviewing the electoral systems of local authorities and, indeed, the administration of local authorities generally.

It is clearly contemplated within the Act that circumstances exist in which the Government and, indeed, the Minister responsible can refer to the commission a proposal that the commission review parts of public administration, administrative procedures and electoral systems. That is clearly contemplated within the Act and the powers of the commission.

Section 5.8 of the Act states that a responsibility of the committee is to monitor and review the discharge of the commission's functions. It would be inappropriate for the committee to intervene in any way with the commission's considerations or timetables.

**Mr Fitzgerald:** How about the Minister's view?

**Mr WELFORD:** Ministers are entitled to propose to this Parliament that it refer matters to the commission. That is the role of the Parliament.

**Mr Fitzgerald:** Put time limits on.

**Mr WELFORD:** There is no directive that time limits be imposed. It is simply a suggestion to the commission that it might report on fundamental matters relating to the electoral system in sufficient time to allow the Government to ensure that electoral justice for local authorities be put into effect before the next election.

Some members may have some concern about the Government wanting to move quickly to make fair the electoral systems of local authorities. If they were adversely affected by the pending outcome of elections under a system in which there is ample evidence to suggest that local authority boundaries are distorted, they would be the first to accuse this Government of being tardy in doing something about that electoral system if that issue were to be left until after the election.

These matters can be debated at a later stage when the motion given notice of is considered. The clear contemplation of the Parliament's referral of these matters to the commission is that only the initial question of zonal disproportions or disproportionate numbers of voters between divisions within local authorities will be proposed to the commission for its consideration prior to next year and certainly prior to the local authority elections.

Given the fact that these local authority issues, and specifically the whole question of electoral systems, not only at State level but also wherever electoral systems operate within the State as part of the processes of government, are clearly contemplated within the process of Fitzgerald reforms; they are clearly regarded by Commissioner Fitzgerald as a central feature of honest and open administration within all levels of government in the State. To the extent that this Parliament has control over not only State issues and the State electoral system but also local government, it behoves this Government and this Parliament to ensure that the commission at least has a reference with which it can work at both State and local authority level.

The independence of the commission will be respected by the Government, as indeed it will be respected by the committee, in doing that work and doing it according to its own set of priorities. The commission will obviously consult with the parliamentary committee. That process of consultation will enable the parliamentary committee to discuss on a consensual basis, as the chairman of EARC contemplates, just what the priorities will be. Clearly, section 2.11 of the Act contemplates that the primary priority, the primary issue, is obviously the review of electoral systems, in particular the State electoral system. To the extent that other issues will have to be dealt with, it will be a matter for the commission to determine how its administration is structured and how its staff and functions are structured to deal with the other important issues on its agenda.

I conclude by saying that, together with other members of the proposed committee, I call on this Parliament and all the members of the committee to work in a constructive and cooperative way to bring about what we are trying to achieve with the establishment of this commission, that is, a fair, open and honest process of consultation which will yield an accountable electoral system, which will yield processes within the administration of government both at State and local level, which will provide for the community at large an opportunity to have access to Government decision-making, to have access to Government information and to continually scrutinise those decisions of Government which vitally affect our entire community.

I was pleased to hear from members of the Opposition who will be on the committee and from the Liberal Party member proposed that they will act in a spirit of cooperation. I look forward to working with them in that process.

**Mr BEANLAND** (Toowong—Deputy Leader of the Liberal Party) (7.48 p.m.): After having listened to a large number of speakers to the motion this evening, it is quite clear that this evening members have had an opportunity to regurgitate much of what has been said about the Electoral and Administrative Review Act itself and, of course, the Fitzgerald report. New members to this place have had the opportunity to highlight a number of very important aspects that relate to those two issues.

However, I want to refer to a few points, one or two of which have already been touched on, in relation to the formation of this committee. In common with a previous speaker, I cannot help noting that the original motion for the setting-up of this committee was put on the notice paper on 6 March. It is now more than two weeks later that we are debating that motion. In normal circumstances, a motion such as this proceeds fairly automatically. Therefore, one cannot help querying the reason for the delay.

As one member has already pointed out, the facts are—and they speak for themselves—that it does not matter how hard ALP members try to tie ribbons around the motion to set up the committee, had the committee been set up on 6 March, the Cabinet, and the Premier in particular, would not have had any say over who would be appointed as part-time commissioners to the Electoral and Administrative Review Commission. That may or may not have pleased the ALP. From a speech made by the Leader of the Liberal Party in this place yesterday, we know that little advice was given—only about 48 hours at the most—to the party leaders in relation to who were to be appointed as part-time commissioners to the commission. One has to ask the reason for the rush and the reason for the delay in the first instance. In fact, there was ample time for these commissioners to be appointed. There was ample time for this motion to be passed when it was first put on notice. I am sure that members were in a position to speak to it on 6 March, instead of having this delay, which has allowed the ALP to politicise the issue and to have its say over who will be appointed as part-time commissioners.

I think it is worth while reading into *Hansard* section 2.4 (3) of the Electoral and Administrative Review Act which states—

"Where consultation is had under subsection (2) with the Parliamentary Committee, a person shall not be recommended for appointment as a member of the Commission unless his appointment is supported by the members of the committee, unanimously or by a majority thereof, other than a majority consisting wholly of members of the political party or parties in Government in the Assembly."

It could very well have been that the committee decided to appoint the same part-time commissioners as have been appointed, or it could have been that some may not have been appointed and others may have been appointed in their place. That is something which we will not know, because the ALP Government manipulated—there is no other word for it—the Parliament and manipulated this committee, a select committee of this Parliament, in order to achieve its ends and its desires. It wanted to ensure that it got its way, and it certainly did.

In spite of those wonderful words that have come from various ALP members, I do not believe that what has happened augurs well for this committee, because it will have a great deal of effect on the electoral and administrative reform within this State with which it is charged. As members have pointed out, the committee is charged with overseeing the commission that is to look into some 24 areas of priority as set out by Mr Fitzgerald, and other matters, one of which is referred to on the notice paper already by the ALP, but which, I might add, was not mentioned by Mr Fitzgerald. I refer to the notice of motion relating to local authority electoral boundaries.

When one considers that there are 134 local authorities, which have 590 electoral boundaries, and the four or five months that the commission has allowed for its review, with all the other work that it has to do, one cannot help but ask: what is the rush all

about? Is it another attempt to politicise the commission? The Liberal Party will have more to say on that at another time because that issue is not being debated this evening.

This House is considering the composition of the committee itself, not just the role of the part-time commissioners. For some time the ALP nominee for chairman of this committee has been running around the State making statements. Although when he puts out the statements he might mention the words "nominee chairman", the fact is that statements have been distributed by him in a manner which from the outset politicises the committee.

I compare the position of that person with the position of Mr Speaker. I congratulate Mr Speaker not only on his election but on the decorum which he displayed leading up to his election as Speaker of this House. He did not rush around issuing statements as nominee Speaker. He could well have done so from the time that he was nominated by the Government party, the ALP, as Speaker. However, he was content to exercise decorum and abide by the practice that has been common in this place. He waited until he was elected as Speaker by members of the Chamber.

Mr Hayward displayed similar decorum. Mr Ken Hayward, the member for Caboolture, was the Government's nominee for, and was elected as, chairman of the Public Accounts Committee. While awaiting election to that position, he showed restraint in his new role. One would have hoped that the chairman elect of the EARC committee would have emulated such behaviour.

Statements have been distributed by the ALP as to who will be elected as deputy chairman. It is appropriate that those matters be decided by the committee itself. Parliamentary parties will be having a say on that subject, but the stage has now been reached, when the honourable member nominated to be chairman has been making public statements, of the politicisation of this particular select committee.

Members of the community have said to me, "Of course, the Electoral and Administrative Review Committee is up and running. The chairman has been selected. How are the meetings going?" Members of the public find it incredible that there has been no debate on the matter; that Parliament has not yet made a decision on that committee.

**Mr Gibbs** interjected.

**Mr BEANLAND:** I suggest to the member for Wolston that he returns to his poker machines and looks after his union officials.

**An honourable member:** And his dogs.

**Mr BEANLAND:** And his dogs, of course. The honourable member for Wolston has a number of problems in that regard. I suggest that he goes and attends to those matters.

The EARC committee is an all-party parliamentary committee. Past parliamentary practice has guided honourable members who have had an expectation of election as chairmen of parliamentary committees to exercise restraint until elected. Once elected as chairman or deputy chairman, it is easy to release press statements and to do some grandstanding. However, those actions do not achieve the desired results such as a good working relationship amongst the committee members themselves and a good relationship with the commission itself.

The Australian Labor Party's nominees to the committee, including the chairman, are all new members. It is good to have some new members on a committee, but one would have thought that there would have been members of this Chamber with sufficient parliamentary experience to be elected by the ALP to this committee. But that has not been the case. One must ask why that is not the case. What are the ulterior motives behind such a move?

It is reasonable for both the community and the Parliament to expect that an important committee such as this would consist of one or two members with past

parliamentary experience—perhaps even the chairman. I have nothing against the person who might end up being the chairman, but one could have expected at least one or two nominees from the ALP to have had some parliamentary experience before being elected to this particular committee.

This is a matter of grave importance. Honourable members heard the previous speaker, who believes that he is going to be the chairman of this committee, indicate that the functions of the committee are of grave importance to the overall running and functioning of Parliament and to electoral and administrative review.

One only has to look at the way in which the ALP has handled the operation of these committees from the beginning. Only one word can describe those actions—politicisation. Unfortunately, that word describes the way that this committee is shaping up.

The chairman-elect quoted parts of Mr Sherman's speech. Mr Sherman is the chairman of the Electoral and Administrative Review Commission. On 28 February, Mr Sherman spoke at the Royal Australian Institute of Public Administration about the priorities of the commission. No doubt some of them will be priorities of the committee. When discussing the priorities of the commission, Mr Sherman said—

"The Fitzgerald Report recommended that EARC review 24 separate matters. I regard these matters as EARC's basic agenda. That agenda may need to be reconsidered in the light of experience. The Commission will need to be sensible and pragmatic in its determination of priorities."

The enormous amount of work necessary to implement those priorities was acknowledged by Mr Sherman. He highlighted the number of staff to be employed. The commission is in the process of employing 25 staff. Even with that staff and the set-up that Mr Sherman has with the commission, nevertheless he acknowledges the need for some prioritisation of the matters that will be investigated. The ALP Government has one other priority concerning local government. It will give the commission a very short time span in which to carry out a review of local authority electoral boundaries.

A great deal has been said recently by the Treasurer about the cost of these matters. Last year's Budget provided \$2.4m for the operations of the commission. Because of the ballooning of staff numbers, I am not sure that that will go very far. I do not know how many staff were considered necessary in the first instance, but 25 staff members are now required. So I believe that \$2.4m will fall far short of the amount required during the remainder of this financial year. In addition, because of the additional responsibilities being thrust upon the commission by the Government for its own political motives, the cost will no doubt increase further. The Treasurer will have to find additional funds to cope with that increased cost.

I will not go into the list of priorities. Although they have not been covered fully tonight, they are covered in the Fitzgerald report, by Mr Sherman in his speech on 28 February and a number of them are covered in the schedule to the legislation.

It is unfortunate that a committee of such importance has not been able to start off in the right manner. There has already been an enormous amount of politicisation. with the Government determined to get its own way right from the outset. That can be seen with the appointment of part-time commissioners, the way in which this motion has been handled, the way the members have been appointed and, unfortunately, the confusion concerning which member will be chairman of the committee. Even though those problems exist right at the outset, I look forward to working on this committee. The committee is starting off behind the eight ball, which does not augur well for a non-political discussion on overseeing the work of the commission.

I am nominated to represent the Liberal Party and the people of this State. I emphasise that, although I will be a member of the committee as a political appointee, I will be representing the people of this State.

The committee has an enormous task and I wish both the committee and the commission well. If they fail, much of the work and expertise of Mr Fitzgerald during

the past two or three years and the \$24m that the review cost will have been all for nought. We all look forward to improving the working arrangements of this State, including the public service and electoral boundaries. I wish the committee well but, unfortunately, I believe that the road ahead will be rocky. In the end result, it is the members of this Parliament who will have the final decision, and it is hoped that it will be the right decision.

**Mr FOLEY** (Yeronga) (8.05 p.m.), in reply: I wish to commend all honourable members who have spoken in this debate. For the most part, they adopted a positive and constructive approach to the formidable task that this committee will approach. I welcome the expression by all of those honourable members of their intention to cooperate in the work of this committee.

The encouraging words from the honourable member for Lockyer, Mr Fitzgerald, are welcome. Regrettably, he fell into error concerning the date of the motion. It was a small error, one which can be corrected by simple reference to the Business Paper.

The argument put forward by the honourable member for Lockyer that the process for the appointment of part-time commissioners was somehow defective was echoed by the honourable member for Toowong.

**An honourable member:** Manipulated.

**Mr FOLEY:** Manipulated. I accept the description that has fallen from the honourable member's lips.

One vital piece of evidence which was not advanced by either the honourable member for Lockyer or the honourable member for Toowong to support this complaint that fell from their lips was never put forward. At no stage did they say to this House that their leaders, who were consulted, requested that the matter go before the parliamentary committee at such time as it might be appointed. It was open to them to make that evident.

**Mr Beanland:** You weren't here yesterday?

**Mr FOLEY:** At no stage was it said that there was a request made by Mr Innes or Mr Cooper that the matter of appointments go to the parliamentary committee. That vital omission is really a complete answer to the concerns expressed, as it were, by way of debating point, in the course of this debate.

One other matter which should be corrected is the question of the proposed referral by this House of the review of local authority electoral systems. I shall not descend to the particulars of that debate, other than to respond to the suggestion that that course of action is somehow improper, that it was somehow at odds with the spirit of the Act or the spirit of Fitzgerald. A moment's reflection would enable honourable members to realise that nothing could be fairer in the reference of a matter to the Electoral and Administrative Review Commission than referral by the Assembly itself.

The Act provides that a matter may be referred for investigation by the Minister responsible—in this case the Premier—without any debate. The Act provides that a matter may be referred by the parliamentary committee, with the opportunity for debate restricted to that limited number of a parliamentary committee. Far from those courses of action being adopted, the course of action adopted is in accordance with section 2.10(1)(a)(iii), which enables all members of the House to participate in the debate. That is a misconception that has entered into this discussion. Far from that being the occasion for reproach, one should commend that as an entirely proper approach, remote from the approach of expedience, which would have been simply that the responsible Minister referred the matter without opportunity for debate.

The suggestion of some implied threat by the Treasurer is really an overstatement and misstatement of the worst order. I am told that Treasurers are wont to explain repeatedly to the community how much everything costs and remind the community of the necessity to be frugal and prudent. I took nothing in the reported words of the



Treasurer—his reference to the costs of the reform process—to be suggesting anything other than that. Indeed, the commitment to a properly resourced approach to the Electoral and Administrative Review Commission—and for that matter the Criminal Justice Commission—is a commitment which follows the Fitzgerald report and one which is central to the processes of action which have been set in train.

I welcome the speech made by the honourable member for Burdekin. I share with the honourable member the hope that this will indeed be a learning experience for all members of the committee. I respectfully share with the honourable member the view that there is much that could be improved in the press reporting of Parliament, for it is apparent, as a new member of the Parliament, that really there are two worlds of the Parliament: one which occurs within this Chamber in the arena of debate, and the other which occurs at diverse places within the complex, which is the world the media reports. It is a most important aspect that the honourable member touched upon, that this Chamber's central role in the debate and dialogue over the important issues of the day should be returned to it.

The honourable member for Toowong adopted a method of argument of purporting to repeat a fact which, in the first instance, had not been proved. Laced throughout the honourable member's speech was a reference to yet another attempt to politicise the commission. That is a method of argument by assertion rather than fact. There is no attempt to politicise the commission, and, indeed, it is the function of this committee to ensure that the commission is not politicised.

It is of the utmost importance that honourable members of the committee, including the member for Toowong—who appears to have left the Chamber—take it as their solemn duty to ensure that the commission is not politicised. It is disturbing to hear that assertion fall from the lips of the honourable member, utterly unsupported by fact and utterly unsupported by evidence. I sincerely hope that the honourable member will regard it as his important duty on this committee to ensure that the commission is not politicised, and will not attack public confidence by such superficial assertions devoid of substance.

We commenced this debate with the realisation that there needs to be public confidence. Public confidence requires that the leaders of the diverse political parties stick to the facts. If they see an improper attempt to politicise, let them take such action as they see fit, and they will be joined in that action by all members of this House. It is not good enough in this place to assert a politicisation of the Electoral and Administrative Review Commission, which stands at the centre of the Fitzgerald reform process to the power structures of this State, and to slide away from it without producing one material fact. We expect higher standards. We expect that the members of this committee will adopt an approach to the task which is responsible and which reflects the realisation that, at the end of the day, it is not a mere matter of convenience or expediency for either this political party or that political party, but a matter of ensuring—by patient hard work—that this committee will gain public confidence and that it will not be diluted by the type of shallow attack that was mounted by the honourable member for Toowong in his assertion of yet another attempt to politicise the commission.

As to the honourable member's criticism of the would-be chairman of the committee, I can only say that the only member of this House who has referred to me as the chairman is the honourable member for Somerset and shadow Minister for Local Government, Mr Gunn, who named me as chairman in a press release circulated the other day. In that respect, it may be that the honourable member for Toowong has been misled. I am sure that the shadow Local Government Minister did not intend to make such an error.

If it be said that it is a sin to identify oneself as the nominee of the Australian Labor Party who will chair this committee, it is a sin to which I proudly plead guilty. It is in this House that debate will take place. It is in our role as parliamentarians that there will be some control of the reform process. At no stage have I claimed to be the chairman of the committee and, in fairness to the honourable member for Toowong, no

suggestion was made of that. However, it is of the utmost importance that those who have an interest in this process should communicate with the people and not sit mute. They should ensure that the process of reform set in train is pursued actively and vigorously.

The suggestion was made that the members of the committee on the Government side of the House are all new members of Parliament. Again, that is a sin to which I plead guilty. In curing any deficiencies that our novelty in this role has brought about, I look forward to drawing upon the benefit of the wisdom and experience of my learned colleagues on the Opposition side of the Chamber.

I commend the motion to the House.

Motion agreed to.

## **PARLIAMENTARY COMMITTEE FOR CRIMINAL JUSTICE**

### **Appointment**

**Mr BEATTIE** (Brisbane Central) (8.19 p.m.): I move—

- "(1) That the membership of the Parliamentary Committee for Criminal Justice comprise Mrs Edmond, Mrs Woodgate, Messrs Schwarten, Ahern, Gunn, Santoro and the mover.
- (2) That in accordance with Section 4.8 (2)(b) of the Criminal Justice Act 1989
  - (i) the Committee shall have power to send for persons, papers and records;
  - (ii) the Committee may examine witnesses on oath or affirmation;
  - (iii) the Committee may sit during the sitting of the House;
  - (iv) the Committee may meet and adjourn from place to place;
  - (v)
    - (a) upon the appointment of the Committee, the members shall appoint a member to be chairman of the Committee and another member to be deputy chairman of the Committee;
    - (b) the chairman shall preside at all meetings of the Committee at which he is present;
    - (c) in the absence of the chairman, the deputy chairman shall preside at meetings of the Committee at which he is present;
    - (d) in the absence of the chairman and the deputy-chairman at any meetings at which a quorum is present, the members in attendance may appoint one of their number then present to be temporary chairman during that absence."

The establishment by this motion of the Parliamentary Criminal Justice Committee sets in train one of the fundamental recommendations of the Fitzgerald report. The committee members—Mrs Wendy Edmond, the member for Mount Coot-tha; Mrs Margaret Woodgate, the member for Pine Rivers; Mr Robert Schwarten, the member for Rockhampton North; the Honourable Mike Ahern, the member for Landsborough; the Honourable Bill Gunn, the member for Somerset; Mr Santo Santoro, the member for Merthyr; and I—reflect not only the political balance in this House in accordance with the Criminal Justice Act 1989 but also they are people of integrity who may not all share the same political views, but who certainly share a determination to clean up corruption in this State.

I believe that at the outset it is worth examining the skills which each committee member will bring to the committee. Prior to entering Parliament after last year's State election, Wendy Edmond was a nuclear medicine technologist at the Holy Spirit Hospital. She has more than 20 years' experience in cancer-related health fields and she is a past Queensland secretary of the Australian Society of Nuclear Medicine. She is also the mother of three young children. She is more than well qualified to be a member of this

committee. Margaret Woodgate has served as a local government councillor in Pine Rivers Shire and is immediate past president of the Pine Rivers Welfare Association. She and her husband, Leo, are active members of the Fraser Island Defenders Organisation, FIDO. Margaret has three adult children and has been actively involved in many community organisations, progress associations and p. and f. associations. Both women will bring sensitivity and understanding to the committee, especially in the important area of criminal law reform.

Robert Schwarten brings provincial city experience to the committee, as well as five years' local government experience. He graduated from the Capricornia Institute of Advanced Education with a Diploma of Teaching and a Bachelor of Education degree. Robert was a teacher and Queensland Teachers Union official before being elected to this Parliament.

As members would know, the Honourable Mike Ahern was the Premier and Treasurer and Minister for State Development and the Arts. Prior to that, he was the Minister for Health, the Minister for Industry, Small Business and Technology, the Minister for Primary Industries, Government Whip, a member of the Select Committee on Punishment of Crimes of Violence, chairman of both the Parliamentary Select Committee of Privileges and Parliamentary Select Committee on Education, and a member of the Library Committee. I believe the community accepts that he has clearly demonstrated a sound commitment to implementing the recommendations of the Fitzgerald report.

The Honourable Bill Gunn has served as Deputy Premier, Minister for Public Works, Main Roads and Expo, Minister for Police, Minister Assisting the Treasurer, Minister for Commerce and Industry and Minister for Education. As Acting Premier, he initiated the Fitzgerald inquiry.

Mr Santo Santoro is a graduate in arts and economics and was a former Young Liberals State President. He is currently the Liberal Party's spokesman on Police, Corrective Services and Emergency Services, Employment and Industrial Relations, ethnic affairs, and youth affairs and is Liberal Party parliamentary Whip. He is zone chairman of the Salvation Army Red Shield Appeal, was a member of the ministerial advisory committee for youth affairs between 1983 and 1988, treasurer of the Breakfast Creek Wharf Bicentennial Community Committee, member of the Queensland Ethnic Communities Council, and a member of the Co-as. Italian-Australian Welfare Association.

I believe that the committee's representation is incredibly well balanced and certainly reflects the views of this House.

At the outset, we should say very clearly that both the Fitzgerald report and the Criminal Justice Act give the parliamentary Criminal Justice Committee one of the toughest jobs given to any parliamentary committee in Queensland's history. The House needs to be acutely aware of that.

The powers and functions of the committee are set out in section 4.8 of the Act and give the committee the heavy and onerous responsibility of monitoring and reviewing the Criminal Justice Commission in the discharge of all its functions. The committee is required to report to the Legislative Assembly with such comments as it sees fit on any matters pertinent to the commission, the discharge of the commission's functions or the exercise of the powers of the commission, a commissioner, or of officers of the commission to which the attention of the Parliament, in the committee's opinion, should be drawn. The discretion there is very clear.

The Act gives the committee the responsibility to examine the annual report and other reports of the commission and report to Parliament. The committee also has the power to participate, if necessary, in the removal from office of the commissioner in the terms set out in the Act. The committee is required to report on the activities of the commission and any action that should be taken in relation to the Criminal Justice Act or the functions, powers and operations of the commission.

The Criminal Justice Act gives the parliamentary committee wide powers. Those are set out in section 4.8 (2) in these terms—

"The Parliamentary Committee has such powers as—

- (a) are necessary to enable or assist the committee in the proper discharge of its functions"—

as prescribed in the Act. They are very wide powers which require sensitivity and responsibility in their implementation.

Section 4.8 (1) (a) gives the committee the responsibility to particularly monitor and review the discharge of the functions of the official misconduct division of the commission. It is one of the five fundamental divisions of the commission.

The motion before the House clarifies the committee's power in relation to the holding of public hearings. The motion enables the committee to send for persons, papers and records and to examine witnesses on oath or affirmation. Section 4.8 (2) (b) of the Act specifically gives the Parliament the function of conferring on the committee additional powers, and this procedure is being followed in the motion before the House. Public hearings, I stress, will be a crucial part of the committee's work.

On page 6 of his report, Commissioner Fitzgerald said that there is "need for a free flow of accurate information within a society. Such a flow of information is needed if public opinion is to be informed. Public opinion is the only means by which the powerful can be controlled." I am sure that all members of this House agree with Mr Fitzgerald. On page 10, he went on to say that his "Inquiry could not have proceeded without public confidence, co-operation and support." That point was made very strongly by my colleague, Mr Foley, with whom I totally agree.

On page 11, Mr Fitzgerald pointed out that the Criminal Justice Commission "will be primarily accountable to Parliament. It will still need public support and confidence, and there will be at least some occasions when open hearings will be appropriate." That applies to both the commission and the parliamentary committee. Care will need to be taken to avoid duplication. That can easily be resolved by consultation between the commission and the committee. On the few occasions that I have had informal contact with Sir Max Bingham, I am happy to say that I formed the view that a very strong relationship will develop between the committee and the commission, which will be in the best interests of this State.

As soon as the committee meets, I intend to consult members about the appropriate date for a public hearing at which the commission will begin reporting on its procedures and guidelines. Following informal discussions with members of the committee from the National and Liberal Parties and the Labor Party, I can say that a meeting is tentatively planned for 11 a.m. on Friday, 30 March 1990. I have also consulted Sir Max Bingham about that date.

The committee also has the power to meet and adjourn from place to place. Although it is clearly envisaged that it will sit on the overwhelming majority of occasions in the precincts of this Parliament, the committee may from time to time find it necessary to sit in other places such as provincial or rural Queensland, a point which I am sure is supported by members on the other side of the House.

The motion also provides for the appointment of a deputy chairman. I hope that, when the committee meets tomorrow morning at 9.30 a.m., in accordance with the learned text of Erskine May which states that it cannot meet on the same day as it is in fact chosen, I will be elected as chairman of the committee and the Honourable Mike Ahern will be elected deputy chairman. I place on public record that I look forward to working closely with him in that capacity.

The House needs to be acutely aware that the tasks given to this committee will require it to operate as much as possible in a non-partisan, non-political way. I stress those words. On page 309 of his report, Commissioner Fitzgerald used words that need to be given great attention by the House, because they are very significant and will have

a significant influence and bearing on the operation of not only the commission but also the committee. Commissioner Fitzgerald stated—

"The Criminal Justice Committee should have the power to formulate policies and guidelines to be obeyed by the CJC, and to direct the CJC to initiate and pursue investigations or to report to the Parliament."

The report further stated—

"The CJC should report to the Criminal Justice Committee.

In contrast to the position of the Electoral and Administrative Review Commission, many of the matters to be the subject of report by the CJC, including some of its operational priorities and methods and the subject matters of its concern, may need to be confidential. In consequence, the reporting of the CJC should not be to the Parliament in the first instance, and, in some cases, not at all.

The Criminal Justice Committee's members should all be subject to specific obligations of confidentiality. The Criminal Justice Committee must have the power to conduct hearings in camera. It should decide what material matters reported to it can be reported to and tabled in the Parliament and when that is to be done. Some matters may never be tabled.

However, that should not prevent the necessary, effective and sufficient oversight of the operations, methods and priorities of the CJC being had by the Criminal Justice Committee, against the background of the constitution of the CJC and reinforced by the checks and balances within it."

In light of those comments of Commissioner Fitzgerald, it is easy to see that the seven members of this parliamentary committee have had a very heavy onus of responsibility placed on them and that, indeed, they are bound by a "specific obligation of confidentiality". It is possible that, if any member of the committee deliberately or inadvertently related confidential information, the lives of witnesses and investigators could be put at risk. All honourable members would be aware of the gunning down of Pasquale Barbaro on Saturday. Although that had nothing to do with the CJC, there are suggestions in today's press that he had some association with the National Crime Authority.

I think the point needs to be made that we cannot afford to have a breach of confidentiality. Indeed, section 6.7 of the Criminal Justice Act makes it an offence for any member of the parliamentary committee to wilfully disclose information. Section 6.12 of the Act provides for a penalty of imprisonment for 12 months or a fine or both for a person convicted of an offence against the Act. As I said earlier, there is little room for playing politics in relation to the Criminal Justice Commission.

As honourable members would know, there are five divisions within the Criminal Justice Commission; first is the official misconduct division, second is the misconduct tribunal, third is the witness protection division, fourth is the research and coordination division and fifth is the intelligence division, all of which have specific roles which are set out in the report.

I turn now to criminal law reform. Section 2.15 of the Criminal Justice Act sets out the responsibilities of the commission. Subsection (e) provides for—

". . . researching, generating and reporting on proposals for reform of the criminal law and the law and practice relating to enforcement of, or administration of, criminal justice, including assessment of relevant initiatives and systems outside the State;".

This subsection establishes a process for the reform of the criminal law in this State. One of the most important roles that the committee will have, in conjunction with the commission, is getting this process operating properly and effectively, and with the respect of the community and of all the parties in this House.

Commissioner Fitzgerald envisaged that the commission would prepare reports on proposed criminal law reform and that these would then be provided to the committee

for consideration and recommendation to this House. This process would enable the necessary political debates to take place on proposed criminal law reform in an informed and constructive way, which is the way they ought to be conducted. If members of the committee wish, they have the opportunity to deliver minority reports to this House on any area of criminal law reform, and their views will be respected by other members of the committee and me. As chairman, I will be endeavouring to work towards consensus. However, I appreciate that in some areas of criminal law reform involving social issues this may not be possible. I hope that it will be possible, but it may not be.

The House will have to deal with some tough reports from the committee, covering such areas as the law relating to prostitution, SP bookies and homosexual law reform, as well as drugs—and I emphasise "drugs". I believe that we can clearly say to the people of Queensland that the Criminal Justice Commission will be pursuing the Mr Bigs of the drug world. None of them will be exempt. Instead of having a police force whose officers were running around trying to catch people with small quantities of drugs in their possession, and a police force which, because of a lack of resources, was unable to deal with the Mr Bigs of the drug world, we will now have the CJC, which will enable the Mr Bigs to be pursued in an effective, efficient way, using the latest computer techniques and the latest devices available to a modern police force.

I will be doing everything in my power to avoid hysterical debate on the social issues to which I have referred, and I hope that any ensuing debate will be informed. I want to deal with some of those social issues, which have attracted some media attention recently. That takes me back to Commissioner Fitzgerald's report. On page 362 he says—

"The criminal law should be reviewed. Considerable resources are used to detect and prosecute minor offences. The burden is then passed from the Police Department to the court system and prisons."

I know from my own experience the enormous delays in the court system. The commissioner goes on—

"There seems little social purpose to much of this process and alternatives to criminal sanctions should be considered."

The vast majority of breaches of the law are simple offences. A considerable number of those are breaches of regulatory law, where the conduct itself is not illegal. In these cases there is no clear need for criminal sanctions. Non-criminal offences could be the subject of civil pecuniary penalties. More appropriate legal procedures could then be adopted, with consequent savings in the court system.

Prostitution, other voluntary sexual behaviour"—

and I stress "other voluntary sexual behaviour"—

"s.p. bookmaking, illegal gambling and the illicit sale of alcohol and drugs are presently criminal offences, but the laws concerning them are not effectively enforced. From a resources point of view, there are arguments for decriminalization and regulation of some of these types of conduct. However, not enough is known about the involvement of organized crime in these areas, and the likely affect of decriminalization on such involvement. Without this knowledge, and in spite of considerable research, this Commission cannot make recommendations on these matters, in spite of the expectation that it will do so."

Methods of making areas of law enforcement self-funding should be examined. For example, the proceeds of crime could be confiscated and used by law enforcement agencies. Stamp duty on motor vehicle insurance policies could be increased and a levy paid towards law enforcement in relation to motor vehicle theft."

Mr Fitzgerald goes on to say—

"This report does not make a final recommendation on decriminalization of any offences, or on the other suggestions mentioned above, but sees them as priorities for review by an independent but accountable body later recommended called the Criminal Justice Commission (CJC)."

I repeat that Commissioner Fitzgerald said—

" . . . but sees them as priorities for review by an independent but accountable body later recommended called the Criminal Justice Commission (CJC)."

I turn now to page 377 of the Fitzgerald report and to the section headed "Criminal Justice Commission Review Programme". Much debate has occurred in the public arena about whether the commission should consider homosexual law reform. The basis for the consideration of that issue—which was promised by the Premier prior to the election— is contained in those recommendations. Recommendation 2 states that the commission should undertake—

" . . . general review of the criminal law, including laws relating to voluntary sexual or sex-related behaviour, s.p. bookmaking, illegal gambling, and illicit drugs".

Anybody who concludes that that does not include homosexuality has not read the Fitzgerald report.

The Fitzgerald report, the Act and this motion provide for specific procedures to act on commission reports. That is how the commission will act in relation to the committee. I want to put this clearly on the record so that any member who has any argument with it can debate it tonight. Firstly, the commission will prepare a report for the parliamentary committee after consultation with the entire committee. Secondly, the report will be considered by the committee and public hearings will be held if the committee decides that they are necessary. Because of that consultation process, there will be no unnecessary duplication with CJC public hearings. Thirdly, the committee's reports will be brought to this House and the appropriate resolution then passed after debate during which all parties have the opportunity to express their views. Fourthly, the Attorney-General or other appropriate Minister will then bring to the House the necessary legislation consequent upon the wishes of the House. Honourable members will appreciate that the recommendations to the committee will cover several Ministries, but I stress that the committee is responsible to the Parliament, not the Executive.

The Fitzgerald report repeatedly gives the committee the heavy responsibility of informing the public of its activities and the commission's activities as well as protecting the public interest. The parliamentary committee is the public watchdog. Public hearings are one major way in which that watchdog role can be achieved. If the Criminal Justice Commission and the committee are to succeed in cleaning up corruption and completing their other responsibilities, they will need public support and confidence. That will be achieved and maintained only if the public is informed and has access to the committee not only in Brisbane but also around the State.

It will be important for the committee to establish with the commission at an early date priorities and accountability on matters covering internal structures, procedures, operations and methods of the commission. It will be necessary also for the committee to establish: guidelines for the applications and use of listening devices; guidelines for the investigation of official misconduct; guidelines for overseeing criminal intelligence matters and managing criminal intelligence; guidelines for the monitoring of the performance of the police force; training methods; prosecutions; research and coordination of the process of criminal law reform; investigation of official corruption; investigation of organised crime; firearms procedures; the relationship between the Criminal Justice Commission, the National Crime Authority and other interstate crime-fighting organisations; a program for the examination of the effectiveness of the criminal justice system, including the matters to which I have referred; the reform of the procedures relating to committal proceedings, drug penalties and the operation of the Drug Squad; and the operation of the Director of Prosecutions and the Public Defender. I am sure that all honourable members were interested in the comments that Des Sturges made today.

In his report Commissioner Fitzgerald set out a number of other review priorities for the CJC, including reviews to the laws of evidence; a review of police conduct in areas such as verballing, powers of questioning, search, seizure and arrest; and special

consideration and review of convictions of anyone who is still in prison, has no current appeals and who has raised with the Fitzgerald commission or the Government any allegations of verballing. The CJC should consider the method by which that could be done—perhaps by a retired judge. I notice that today the Attorney-General made an appropriate announcement in that regard.

The review priorities include consideration of recording confessions. Commissioner Fitzgerald said that, as a high priority, the CJC should review and propose a form of guidelines for, and controls on, practices in respect of interviews.

Other priorities include a review of allowing interrogation upon statements reported in *Hansard*. Parliamentary privilege in respect of *Hansard* can unnecessarily fetter proper and necessary examination of issues in the courts. As well, Commissioner Fitzgerald referred to lies that were told under parliamentary privilege. At the appropriate time the committee should consult the Privileges Committee about changes in that capacity.

Commissioner Fitzgerald also spoke about a consideration by the CJC of the necessity for law to facilitate the detection and punishment of officials who act when private interest conflicts with their official duty. He spoke also about the consideration of laws to prevent illicit benefit being gained through the disposal of property that is confiscated—whether by buying or selling. Commissioner Fitzgerald recommended a review of the Commissions of Inquiry Act and its powers.

For the information of honourable members, I table the review program that was recommended by Commissioner Fitzgerald, which comprises pages 377, 378 and 379 of the report. That covers 15 areas of review, including the issues to which I have already referred. I do that not in a facetious way but from the point of view that it be made available to those members who have not read it.

The Criminal Justice Act specifically deals with the use of listening devices, about which some community concern has been expressed. That will have to be monitored very carefully. Section 2.15 (i) of the Act specifically gives the CJC the responsibility of overseeing reform of the police force. Section 2.15 (g) provides for the monitoring of the performance of the police force. That enormous task has inherent in it the need to assist in the restoration of public confidence in the police force, together with the restoration of police faith in police institutions and the administration of the force.

The Criminal Justice Act sets a high standard of behaviour for the commission and each commissioner. Section 7.3 requires the commission to maintain a register of pecuniary interests of each commissioner as well as a record of personal or political associations that might influence the commissioner in the conduct of any investigation. The disclosure of pecuniary interests and political interests will be an important safeguard in the commission's operations, and the public need to be acutely aware of the existence of that provision. Sections 6.3 and 6.4 of the Act provide for seven years' imprisonment and a possible fine for abuse of office by a commissioner and bribery.

Let me turn now to the very important matter of cost. There needs to be a clear understanding in this House and in the community that the Fitzgerald program of reform will cost a significant amount of money. The Criminal Justice Commission must be given sufficient funds to adequately and properly carry out its tasks. Without sufficient funds and resources, the CJC will fail. There should be no doubt in anyone's mind about that. The community must be prepared to pay to rid Queensland of corruption and to establish proper standards of behaviour.

The committee will be regularly reporting to this House on the adequacy or otherwise of the commission's resources. Inadequate CJC funding will only help the dishonest and the corrupt. Those who have an interest in maintaining the festering of corruption in this State will no doubt in the future seek to attack the cost of the Fitzgerald reform structures as a means of discrediting the CJC's operation. This must be resisted at all costs by this House. On page 360 of his report, Commissioner Fitzgerald says two very pertinent things. He states—

"Organized crime is an especial threat, since it leads to the perversion and corruption of the basic institutions of our society. Its sophistication, adaptability and wealth make it extraordinarily difficult to combat.



Organized crime cannot exist on the scale which it does without the knowledge and help of otherwise honest citizens, both individual and corporate. Organized crime can afford the best in equipment, technology and advice, sometimes provided by unethical professionals."

If the CJC is to combat that wealth and the resources of those who are involved in organised crime in this State, it must have the resources to do so.

Today's press contained reports about the fees that the Government has paid to members of the legal profession. Even though I am a lawyer, I do not intend to spring to their defence on this occasion.

**Mr Foley:** Shame!

**Mr BEATTIE:** However, I am wearing my Law Society tie, I hasten to add.

At this juncture I think it appropriate to say that perhaps it would be worth while for the Government to look at the list of lawyers who in fact are briefed by the Government and to make sure that the briefs given to the legal profession is spread across a more diverse number of firms. I think it would also be appropriate if the Government reached the stage at which it asked some of those firms for itemised accounts and actually asked them to go through the taxation process in the Supreme Court to make sure that it is getting value for money. I would not like to see valuable money wasted on lawyers when the Criminal Justice Commission needs it to perform its task.

I look forward to working with the members on the committee. As I said initially, I have faith in their integrity. I have respect for all seven members of the committee. We have a tough task ahead of us. I believe we can accomplish it. We will take our responsibilities seriously. We will be reporting regularly to this House. If we fail, it will be the responsibility of this House for not pursuing us.

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

**Mrs WOODGATE** (Pine Rivers) (8.49 p.m.): I am pleased to second the motion to establish a Parliamentary Criminal Justice Committee. This committee which, if I can use layman's terms, is Parliament's agency to keep an eye on the Criminal Justice Commission, is a body which is to be set up as a direct consequence of the Fitzgerald report recommendations. The establishment of the committee represents another milestone in this Government's determination to implement all recommendations of Commissioner Fitzgerald and so hasten the process of cleaning up corruption in this State and initiating reform of the administration of criminal justice.

I think it would be fair to say that in 1990 Queenslanders have had enough of public scandals. As Mr Fitzgerald pointed out—

"Suspicion of impropriety in matters of public administration causes public scandal. If there is a pattern of such controversies, as happened in Queensland, it compromises trust in democratic institutions and practices.

A response by Government to allegations of impropriety that action will be taken when evidence is produced is no more than a cynical exercise in public deception. Ordinary citizens commonly lack the powers and resources to produce such evidence.

Periodic reforms to the administration of criminal justice tend to provide for the introduction of substantially autonomous bodies, by which Parliament effectively places some matters beyond its control and the control of the Executive."

Mr Fitzgerald continues—

"One mechanism which is sometimes adopted to retain a measure of control over such a body is the constitution of a parliamentary committee to monitor its operations.

Such a committee can provide an effective democratic mechanism to determine which controversies should be fully investigated to allay public concern.

This course has the advantage that it makes the members of the parliamentary committee (and their political parties) responsible for the body's activities. Any other approach puts at risk the reputation for independence and impartiality of the body, which will always be vulnerable to criticism for its inability to investigate every complaint or public controversy, particularly if it has limited staff and resources."

The more cynical among us would possibly agree with the oft-quoted phrase, "You will never stamp out corruption completely." To this I would reply that we can certainly try. We can all play our part. I am pleased to say that my contribution to a more wholesome Queensland will be as a serving member of this committee.

In his report, Mr Fitzgerald tells us that his inquiry "has not exposed all or even most of the misconduct which has occurred in this State." It most certainly has not. He goes on to say that material held by the commission makes it clear that only a small number of the guilty have been exposed.

If media reports are to be believed, criminal activities in Queensland continue to flourish in this the post-Fitzgerald era. The *Sunday Mail* of 11 March reported that SP book-making is alive and well, particularly on Queensland's Gold Coast. Headlines in that paper screamed "Hi-tech war by SP gangs" and "S.P. flourishing in the shadows". Much investigative work is still to be done by the Criminal Justice Commission.

Committee members should take on board the comments of the member for Brisbane Central that they are bound by a specific obligation of confidentiality, and further that, as far as possible, the committee should endeavour to operate in a non-partisan way. Perhaps that expectation is somewhat unrealistic, but it is important that all members of the committee approach their task with an open mind and a determination to pursue vigorously the agenda for reform of the criminal law and the law and practice relating to enforcement of, or the administration of, criminal justice in this State.

I must admit I was somewhat dismayed to read recently in the daily media—the *Courier-Mail* of 13 February—the reported comments of the member for Somerset that prostitution SP book-making and illicit drug use should not be decriminalised. The report went on to quote the member as saying that marijuana should not be decriminalised. That is not what I would call a fine example of open-mindedness. I cannot understand why, as a member of the proposed committee, any member would bother to read and consider reports by the Criminal Justice Commission if that member's mind is already made up.

This afternoon honourable members listened to the debate on the appointment of the Electoral and Administrative Review Committee. In the debate on that motion the honourable member for Burdekin spoke of the importance of not pre-empting decisions. Might I suggest that the honourable member for Burdekin take the honourable member for Somerset aside and give him a pep talk? The honourable member for Somerset reportedly also said—

"No Government would risk the electoral backlash by decriminalising prostitution".

That statement shows up the difference in the calibre of members on this side of the House and those opposite. This Government will not shy away from the tough decisions. Is it too much for honourable members on this side to expect honourable members opposite to do likewise?

In view of the reported comments of the honourable member for Somerset, I direct all honourable members to page 188 of the Fitzgerald report, section 6.4.2—

"Legalization and criminalization are not the same. Legalization means that the activities are made legal and are no longer regulated in any way. Decriminalization means the activities are no longer crimes, and the participants are no longer liable to criminal penalties, but their activities are regulated by law and transgressors can still be penalised."

If ever there was a necessity for leaving one's personal beliefs, bias and prejudice behind, and coming to committee service with an open mind on such contentious issues as prostitution, homosexuality, SP bookmaking, drugs, illegal gambling, etc., now is the time. The committee and the Parliament would be better served by no more of the emotive, hysterical outbursts credited to the honourable member for Somerset.

Mr Fitzgerald says on page 193 of his report—

"It may be better to control and regulate prostitution, not just prohibit it, for the overall benefit of the community."

This is just one area where the committee will have to come to grips with the tough decisions. What I am saying here is, "Let us look at all the evidence and leave all our preconceived notions behind us—at Esk, Landsborough, Merthyr, Pine Rivers", or wherever the case may be.

Mr Fitzgerald gives honourable members yet another example of food for thought on page 195 when he states—

"Illegal gambling poses a particular problem, in that it is a major method of laundering money obtained from crime. Opportunities already exist for such laundering and it may be that the introduction of small, legal operations would not significantly affect this."

As members of the Fitzgerald readers' book club would know, many times Mr Fitzgerald poses the questions and throws up suggestions, but like the clever author that he is, he does not always spell out the answers. As a matter of fact, if honourable members did not know Mr Fitzgerald to be a man of the highest integrity, he could well have been accused of writing the lyrics of a well-known political jingle—

"There are questions that just have to be answered."

However, unlike the obvious result of that played-to-death jingle, the reality is—with apologies to Andrew Peacock—that the questions posed by Mr Fitzgerald can and will be answered by the right people and at the right time. The answer is for the Criminal Justice Commission to report its findings on these and other questions to the parliamentary committee, which will in turn report to Parliament.

The tough decisions are ones not only for members of the committee, but also ultimately for all members of this House to make. The commission will be expected to report to the parliamentary committee on such matters as laws relating to homosexuality, laws relating to prostitution, laws relating to SP bookies, further committal hearings, drug penalties and the operation of the Drug Squad, and the operations of the Director of Prosecutions and the Public Defender.

As a watchdog committee it will be our task to consider reports on proposed criminal law reform prepared by the Criminal Justice Commission. Further, it will be the task of the committee to bring the recommendations to this House. The final task of the committee will be to report to the Legislative Assembly on any matters that are considered pertinent to the commission.

Through these recommendations and reports, the people of Queensland will be kept fully informed and, hopefully, public confidence will be restored in the Queensland criminal justice system. I support the motion before the House.

**Mr COOPER** (Roma—Leader of the Opposition) (8.59 p.m.): I commend the member for Brisbane Central on his remarks. I also commend the seconder of the motion. At this point those honourable members are taking their responsibilities seriously. All honourable members of this Parliament want to see all members of that committee do likewise. The establishment of the parliamentary Electoral and Administrative Review Committee and the parliamentary Criminal Justice Committee is historic. I am pleased that so many members are taking an interest.

As with the establishment of Electoral and Administrative Review Committee, the Criminal Justice Committee is crucially important to the direction and nature of the

reform and accountability process. All honourable members have recognised that the matters to be referred to the Criminal Justice Commission and its parliamentary committee will touch all sides of this House and society as a whole. We have all given a commitment to ensure that the necessary accountability processes and watchdogs are put into place with a great deal of sensitivity and respect. We have all given a commitment to ensure that the necessary accountability processes and watchdogs are put into place with a great deal of sensitivity and respect.

This parliamentary committee will be the people's link with the commission. When I introduced the CJC legislation last year, I regarded it, like the EARC committee, as one of the major means of ensuring that Parliament remained supreme in the reform process. This process is assured because the CJC reports to the Criminal Justice Committee.

Mr Fitzgerald pointed out that many of the matters to be the subject of report by the CJC, including some of the operational priorities and methods, may need to be confidential. In consequence, Mr Fitzgerald says, the reporting of the CJC should not be to the Parliament in the first instance and, in some cases, not at all. Parliamentarians, however, are involved and are our safeguard. Mr Fitzgerald says that all the members of the committee should be subject to specific obligations of confidentiality. Many of these points were raised by Mr Beattie in his opening remarks. There may be some differences of opinion in some areas, but they will not be major. I believe that he will try to maintain confidentiality to the best of his ability. The CJC committee should, therefore, have integrity as its integral prerequisite, and I believe that the membership proposed in this House reflects that basic need.

As some matters may never be tabled, the committee members are the keepers of the people's interest. They must embark on the work of this committee with a sense of honour and obligation to this process. In passing, I say that the record of some parliamentary committees regarding confidentiality has not been good. The Public Accounts Committee immediately springs to mind. While those things have happened, they do not have to continue to happen. I am sure that it will not happen with the CJC committee.

We must hope that the record of this committee is better than that of some committees. I must say that recently I was deeply disturbed to hear of an instance in which a proposed Government member of the CJC committee purportedly threatened a member of the police force with the influence he will enjoy by being a member of the committee. That matter has been reported to Mr Beattie and I have every faith and confidence in his reacting appropriately. If the committee and the process of which it will be such a key part are to retain the public trust, that sort of behaviour has to be nipped in the bud. I have no doubt that Mr Beattie will be an effective and honest chairman of the committee.

It is regrettable that there have already been examples in which the Government may appear to be willing to abuse the position of the committees. We have seen some extraordinarily cynical positions adopted. When the issue of homosexual law reform became an issue during the election campaign late last year, Labor saw fit to refer it to the commission. When Labor reached Government, the chairman of the commission, Sir Max Bingham, made it perfectly clear in a public arena that he thought the issue was basically a social issue and one which should be decided by politicians. He had to say that on a couple of occasions.

Similarly, Labor wants to push onto the CJC the issue of the personal use of marijuana, which, according to its policy, should be decriminalised, and the issue of prostitution. Those matters have been raised. I took particular note of the remarks of the honourable member for Pine Rivers about the honourable member for Somerset. I guess that, like everybody else, the honourable member for Somerset is entitled to his views. Nobody wants the committee to be used for other than its proper purpose. Political matters should be resolved by the political party in power. If the party in power constantly uses the committee in that way, it could be derailed and prevented from

carrying out its task. To his great credit, Mr Beattie indicated that he will not be used or abused. He will let caucus make up its mind first.

I said that some matters should not be referred to the CJC parliamentary committee. It has a mirror image because it is my firm belief that some matters that should be referred to the committee have not been referred to it. The subject of poker machines leaps to mind. That issue should have been referred to the CJC parliamentary committee as a matter of course. It is most unfortunate that it was not, because the Wilcox inquiry in Victoria and the Moffitt royal commission in New South Wales have found that poker machines have been linked directly to organised crime. The involvement of the mafia in the poker machine industry in the United States because it is a milch cow—and it is so easily milked—is well recorded. We must consider the dangers to society when considering a matter as fundamental as this one. Both major reports which have touched on the issue have also concluded that poker machines and organised crime are synonymous. The only reasonable action for the Government to take was to refer the whole subject to the CJC, because that body is perfectly placed to make such a judgment. I am sure that this would have been in the interests of the people.

I welcome the establishment of the committee. Up to this point I have been extremely pleased with the moving and seconding of this motion. It has been done in an extremely responsible manner. Although I do not intend to speak at length, I wish to place on record my support for the Criminal Justice Commission parliamentary committee and the Electoral and Administrative Review Commission parliamentary committee. The Opposition will play its part and lend these committees its full support. Without doubt, this is a milestone in the development of the reform process in this State. I am pleased that it was part of the legislation introduced by my Government only late last year.

I commend the formation of the committee to the House.

**Mrs EDMOND** (Mount Coot-tha) (9.09 p.m.): As a nominated representative on the Criminal Justice Committee, I rise to speak in support of this motion. I am especially pleased that two women were nominated as members of this important committee, because so many of the issues raised will affect women. It is natural that I will bring my health interests to this committee as well.

The Criminal Justice Commission has been given the role, firstly, of monitoring, reviewing and initiating reform of the administration of criminal justice in Queensland on an ongoing and permanent basis. This will be an enormous task, which was clearly outlined by the member for Brisbane Central. I do not intend to pursue it further. The Criminal Justice Commission's second task is to discharge those criminal justice functions not appropriate to be carried out by the Police Department or other agencies. This brings me to respond to the previous speaker who has now left the Chamber. At page 377 of his report, Mr Fitzgerald stated—

" . . . general review of the criminal law, including laws relating to voluntary sexual or sex-related behaviour . . . "

How much more detail does the honourable member want? The role of the committee is enormous enough because of all of the reviews that it is required to carry out, without the added responsibility of looking into the poker machine industry.

The role of the parliamentary committee is to oversee the operations of the Criminal Justice Commission and to report to Parliament. As the previous speaker said, it is the people's voice on the commission. Among the various areas of review are several contentious social issues that will no doubt dominate the media headlines. Hopefully, we can bring rational debate to these issues. It is extremely important that women be appointed to this committee, because it is here where they will play a role. The social issues that we will be raising are not new. Prostitution, homosexuality, gambling, corruption and drug abuse have been around since some of the earliest records of humanity. Each generation has attempted to deal with those issues to the best of their ability within the guidelines and mores of their society. Similarly, we must attempt to

consider these issues to the best of our ability and bring to this committee our collective understanding and wisdom. However, we must put our personal prejudices and biases to one side and at all times retain an open and investigative mind.

Madam Deputy Speaker, this House is not interested in whether you or I would use or be a prostitute, for example, but whether prostitution has a place in our society and, if so, how best it is to be handled within the fabric of society. That means that the periphery must also be looked at; the place of the pimp, police-protector and drug-pusher. The methods of the past have simply not worked. It is patently obvious that the time is right for a total review and, as I indicated earlier, this review must look at all the evidence with an open mind.

If the Criminal Justice Commission is to be successful, the members of the committee must earn and keep the public's confidence as well. Therefore, it is disappointing to read newspaper reports of comments made by some committee nominees. I hope that, once this committee is formally constituted, this will not occur and that confidentiality, discretion and common sense will prevail.

As I have said, there is a need to examine widely the consequences of criminal law in these areas in the light of our present society, but a new joker has been thrown into this debate—AIDS. We must come to terms with the implications of this modern disease. I will always remember my first AIDS patient. He may have been the first victim in Queensland. He arrived at the Royal Brisbane Hospital from the Gold Coast to see if a major, treatable source of the infection could be isolated. The ambulance attendants wore full contagious suits, yellow waterproofs with boots, hoods, gloves and masks. We received him likewise in barrier-treatment suits with masks, caps, gowns and double gloves. He was a frightened boy in his early twenties. He could have been your son, Madam Deputy Speaker, or mine, or the son of any honourable member opposite. He was alone and terrified of his fate and we could not even offer him any comfort. He died the next day.

We have learnt a lot about AIDS since that time, but the main thing we have learnt is that it is necessary to consider its implications when the handling of prostitution, other voluntary sexual behaviour and drugs in our society are under consideration. I wish to urge all honourable members, especially the honourable member for South Coast, to take advantage of the briefing on AIDS that is planned for next Thursday, in the hope that they learn that to treasure used needles and presumably reuse them is not considered the appropriate way of handling the health risks presently concerning society, that is, AIDS and hepatitis B. To date, the criminal law has failed to deal effectively with any of these issues but, rather, has made it nearly impossible to deal with the related problems.

Instead of openly and honestly addressing health problems, with treatment and education, offenders are being driven underground by the existing Criminal Code. The past policy has been to pretend that these age-old issues do not exist and, in the light of the actual criminal law pertaining to them, that encouraged the involvement of organised crime, police corruption and drug-pusher control.

Madam Deputy Speaker, while I do not presume to anticipate the findings and recommendations of the Parliamentary Committee for Criminal Justice, I do give a commitment to consider, in a non-prejudicial manner, all the arguments presented, and I urge other members to do likewise.

I take pleasure in supporting the motion before the House.

**Hon. M. J. AHERN** (Landsborough) (9.16 p.m.): The Criminal Justice Commission and the parliamentary committee to which it reports are vital to the ongoing Fitzgerald process described by Mr Fitzgerald, QC, at the conclusion of his mammoth undertaking. Tonight it is good to see an obvious commitment by all parties in the Parliament and by all members to give this part of the Fitzgerald remedy a really good try, as Tony Fitzgerald envisioned it. I thank all members for their cooperation in this matter and say that it is certainly beginning as Tony Fitzgerald had thought it might.

The process requires acceptance of a broad philosophy that the success of an ongoing fight against crime within the community requires a degree of cooperation and consensus among all political parties, in the light of an ongoing, increasingly sophisticated and growing problem involving the use of the very latest technology. It is asserted that if the CJC and the parliamentary committee are to be successful in the future in controlling the nasties that broad sections of the community agree exist, there must be a degree of cooperation among the parties involved in the reform process. I accept that, and I think that what has been revealed by former Commissioner Tony Fitzgerald is that it is certainly worth a good try.

It is suggested that there ought to be a report from the commission to a parliamentary committee. This is a relatively new concept in terms of Westminster structures. Although it ought to be fairly unwieldy and unworkable, the truth is that, to my knowledge, it was first tried when the National Crime Authority was set up. I think it is fair to say that I have been reasonably close to that particular commission and I can say that, if that is the model, as I think it is, then this concept deserves a chance. Clearly the NCA model has worked. With one exception which has latterly arisen, I cannot imagine why someone would refer a matter relating to the president of an Opposition party during an election campaign to an investigative body. That is totally contrary to what is envisaged by this motion. However, up until that event, it did appear that the NCA process was working well.

The problem of crime in this country is enormous. Anyone who has undertaken a thorough reading of the Fitzgerald report would have to agree that Australia's law enforcement agencies are not at present properly equipped to do the job. They are not getting there. It must be understood that much more financial and physical resources and much more talent and skill will have to be applied in the future if those agencies are to get there.

If it is going to work, the whole process will have to be staffed by senior people. I think that it will require cool heads and a great deal of experience and, particularly in the parliamentary context, it should be comprised of people who have been around a while and who are not easily kicked around. Pressures will be applied and, if at all possible, the most senior people available should be appointed so that the committee will be able to get on top of the problems. As the process unfolds, that will be difficult. This is the early stage, the rhetoric stage. Although I think that members of the committee are getting that stage right, when it gets down to the nitty-gritty of the day-to-day decision-making process, that will not be very easy.

Right from the start, I think that members should ensure that sufficient resources will be applied to achieve the right outcome. I was a little bit chilled when I read some of the statements that have been made about the cost of fighting crime. To date, it has been an expensive process, but members of this Parliament cannot skimp now. The process must be seen through to its conclusion. I have been around this Parliament for 22 years and I know what statements in the newspaper are all about. They are a softening-up process before the presentation of a tight Budget, and nothing else. I know that because I have done it myself. Without doubt, the Criminal Justice Commission must be provided with sufficient resources to ensure that the correct outcome is reached.

I received the Fitzgerald report first and I read it first. No response was acceptable to the people of Queensland from the National Party Government, which I led at the time, other than a commitment to do what had to be done, according to the Fitzgerald Commission.

At the time, I had critics who asked why I was giving open season to a commissioner who was not a politician and who did not have the experience in the political context that others had. However, for the National Party in Government after all those years to be receiving that report with those statements and all that evidence, there was only one thing that could be said that was ever going to be saleable to the electorate in Queensland. It was, "We will do it all." I have no regrets at all about saying "lock, stock and barrel". History will prove me right.

Fitzgerald deserves a great deal of credit for what he has achieved. We need look only at the exercise that is being carried out in the southern States at present in respect of Winchester. That inquiry has revealed a massive innuendo of worrying concerns, but nothing concrete. In the past, Sir Harry Gibbs, a man of great eminence in Australian law, conducted an inquiry into the National Hotel scandal that was given royal commission status. At that time, he was unable to prove what was obviously going on. Fitzgerald achieved history in this country and he deserves due credit. With the benefit of hindsight, I see that he did it in two ways. He did it through the clever use of indemnities, which I know worried him immensely and which he discussed with me extensively. But that was the key issue which brought the sore out into the public arena and commenced the cleansing process. They were always going to be controversial, but the use of indemnities was vital in overcoming the problem and achieving what was virtually a full disclosure.

The other issue was finding Jack Reginald Herbert, the key player, and bringing him back to Australia. I remember being involved in that process. I had discussions with the Prime Minister on a person-to-person basis. I must say that massive risk was involved in that manoeuvre. Outside Herbert's flat in London, there were ostensibly hitmen parading from all over Europe who were trying to do the job for the advertising value, which would have been extensive. Repatriating someone of that repute to Australia without risk to the general public who might be travelling on other commercial aircraft was a remarkable undertaking. The details of Herbert's return to Australia remain a secret. To date, despite the very best of endeavours by the nation's journalists, it is still not known how he re-entered Australia. It was vital to know that that sort of thing could be done, because his evidence unveiled a joke that had gone on for generations. It was a remarkable undertaking.

It must be understood that a royal commission is very much a blunt instrument to solve a problem. It is a weapon of last resort. In its process, it damages personalities who probably have no other redress, but it was decided in the interest of the greater public good that that process was all we had to attack the problem; so it was done. Some reputations were damaged and, at the end of it all, it required very considerable political courage by those who sat on the Treasury benches to see it all through and to say at the end, "It will be done regardless of the cost." I say with pride that my colleagues and I did that, knowing that there was substantial cost associated with it to ourselves. However, we did it for the children. We did it for the future--to ensure that in this State there could be public confidence in institutions, in personalities, in structures and in systems. Because of the courageous decisions that were made at that time, I am confident that that will happen now.

I am delighted that the new Government stayed with Sir Max Bingham's appointment. I personally interviewed and selected Sir Max Bingham for this task. He is eminently credentialled for the undertaking. He was associated with the establishment of the National Crime Authority. He is a retired politician and he has much experience. His hair is grey, which is a prerequisite for this task. He has already shown that he has the skills for the job and is able to roll with the blows and to keep the whole process focused on the right priorities. The community owes a debt of gratitude to his persistence, and we wish him well.

The question of priorities will be raised. It is very difficult to determine, in a list of priorities which in this instance will be a mile long, where to begin. There is the question of the political sensitivities and some issues which will divide us as politicians, and necessarily so.

For my part, I want to say that the institutional changes and the processes which Tony Fitzgerald dwelt upon as being necessary changes should receive priority in implementation. Those things should be put in place in terms of the interfaces between the justice system, the police force and the community generally.

I think those process changes that Fitzgerald diagnosed and in relation to which he sought the overview of the CJC ought to be at the top of the priority list. There will then be the general body of criminality in regard to which there is broad agreement



within the community and which does the most harm. Those are the things to which we must give primary attention. Consideration then has to be given to the vexed question of where the policies of the parties divide us and where the community is divided.

I think it must be accepted that there will be divisions of opinion on some of these things, and the process that honourable members are describing tonight must allow for it. If it does not, it will not work; it is as simple as that. I think that that is something that honourable members must reflect upon. Now that members of the Labor Party are sitting on the Government side and members of the National Party are sitting on the Opposition side, the Labor Party is very strongly of the view that consensus is the way to go. Let us not play any politics. That obviously cannot work, and neither can the checks and balances in our style of Parliament work. There must be debate. There must be divisions, and the community must be able to debate issues from time to time and to differ; the majority view must prevail; and the elected Government of the day must make the final decision.

Issues relating to homosexual law, prostitution and SP book-making will fall into that category. I would say that the community is thirsting for a say on some of these issues and that community input will be vital in this arena, whereas in a whole range of other areas community input is well known. In regard to broad criminality—the community does not want it, and it wants a strong campaign against it. However, in some of these other areas, the community wants a say, and the process described by Fitzgerald can enable that to occur.

As Australians, we need to look at the experience here in Queensland. It is very easy to look at Queensland and to say that Queenslanders have been baddies. There is no doubt in my mind, nor ought there be a doubt in any objective person's mind, that the problem that was revealed in Queensland is nationwide. We must encourage others to do what we have done and to put in place systems that will ensure that what has been done in Queensland spreads to other places. Unless that is done, our best efforts will be subverted, because the boundaries between the States are not abided by the criminals. The National Crime Authority, the Australian Federal Police and similar types of agencies have to have an interface with State organisations.

The problem is nationwide. The successive policing of laws nationally is not good enough in the context of 1990. We have to do better. We have to lift our act in the future. There is no doubt that today the competence of authorities generally is not up to the task. I do not criticise the efforts of people who are trying their level best. It is just that today's laid-back Australian community has not really given it enough priority, resourcing and skilling to ensure its success. As we upgrade here in Queensland, so does the nation have to upgrade.

This is an exciting concept. It gives me some satisfaction to have been associated and to have dreamt and lived and sweated with the Fitzgerald process for some time and to see it now falling into place in terms of the principal recommendation—the focus—the hot point of it all. The fact that the CJC is getting up and running with goodwill, as Fitzgerald intended, is exciting and I think it is good from the point of view of young Queenslanders. They can look to the future with a great deal of confidence.

**Mr SCHWARTEN** (Rockhampton North) (9.35 p.m.): I join other honourable members in supporting this motion. It is particularly heartening to see the manner in which the Opposition has grasped this issue and, on that basis, has sought to cooperate with the Government.

There is good news and bad news in this motion. It puts in place, I guess, the linchpin for the reform of criminal justice in this State. The good news for those people in Queensland who want criminal justice in this State to be reformed is that this is the first shot in that long battle. I believe that those people in Queensland who have given this Government and, indeed, this Parliament a mandate to clean up corruption should be heartened by the comments of the member for Landsborough and other speakers tonight.

The bad news, of course, is for the crooks and shysters in this State, and it is that the Government is fair dinkum about doing something about them. I think all honourable members are aware of the enormity of the task ahead of them. I think that every speaker tonight has alluded to the enormity of the task that is ahead of us. I certainly go into this committee with that burden well shouldered. I understand the sort of pressure that it is going to bring to bear, and I believe that the other members of the committee share that burden and will shoulder it accordingly.

The quality of the membership of the committee reflects in no small way the intent of Fitzgerald. It reflects not only the numbers in the House but also a gender balance, which I think is important in the whole debate. Although it was not spelled out by Fitzgerald, I think that that can only help in the harmonious operation of the committee, and it will also give a genuine overview to the people concerned. I certainly enter this committee with no misconceptions about where I stand, and I do not believe that anybody else should. Like every other member of this House, I have my own moral values and my own prejudices. For the good of criminal justice in this State I am prepared to put aside my moral values and prejudices and my partisan views. The intent clearly exists for everybody to do the same.

I join with other members in saying that I do not believe that there is any room for consideration of these issues with anything less than an open mind. I certainly have an open mind on all of the issues. I am prepared to sit and listen to the opinions of others and to review my opinions from time to time.

One factor that has not been mentioned during this debate is that the committee may travel from place to place. Because I represent a country electorate, that is important to me. That initiative recognises that criminal justice matters vary from location to location. It is important that electorates throughout the State have a say on criminal justice matters. To that end, I am heartened that the motion includes a provision for the committee to travel from place to place as determined by it. I applaud that provision, which will benefit people in electorates such as Rockhampton North.

Other members have mentioned that the committee is charged with the responsibility of being a watchdog. Ultimately, it will be the watchdog of the people of this State. As such, its members face the enormous responsibility of ensuring that the House is informed on all issues. I have no doubt that the members of the committee will do just that. As the mover of the motion rightly pointed out, the responsibility of all honourable members is to ensure that that is the case.

Two weeks ago in my maiden speech I warned the House that those who do not want criminal justice in this State—those rorters, crooks and shysters who want to evade criminal justice—will try to deflect the attention of the Criminal Justice Commission and the committee onto the juicy issues of prostitution, homosexuality and so on. I was heartened that the member for Landsborough succinctly summed up that issue. Basically, those are the issues into which Queenslanders want an input. All Queenslanders want crooks and corruption in this State stamped out. As well, they want an input into those moral issues. The committee is beholden to ensure that they have that opportunity. I am heartened that the motion encompasses that issue.

I remind honourable members that this is probably a task that nobody wants. It is one of the most difficult tasks that any member of this Parliament has ever had to shoulder. However, because the electors of this State have indicated that they want it done, it must be done. Accordingly, I support the motion.

**Mr INNES** (Sherwood—Leader of the Liberal Party) (9.42 p.m.): The committee that is to be set up is very important. As has been outlined by other honourable members, it is novel. It will have to forge a new relationship with the Government, having regard to traditional Westminster responsibilities.

The member for Landsborough referred to the two key events that made the Fitzgerald inquiry successful. I commend him for his commitment in that regard. He also mentioned Jack Reginald Herbert.

If I might digress for a couple of minutes—I first met Jack Reginald Herbert in 1964 when I came from the Northern Territory to attend university in Brisbane. At that time I lived in the city at Union College on Wickham Terrace. One night, a former Northern Territory policeman asked me out for a drink. I met Jack Reginald Herbert, Glen Patrick Hallahan, Tony Murphy and, I think, one other person. They were all members of the Consorting Squad.

I next met Jack Reginald Herbert in court. It was after I qualified in law. I defended a university student who had been demonstrating against the Vietnam war. He was charged with wilful destruction of property, namely, an Anthony Squires suit. Jack Herbert always had a flair for expensive clothing and the Anthony Squires suit was his property. The demonstrator, Michel Marcel Thompson—Mich Thompson—who is now the owner of Le Scoops' recipe for sorbet, and a respectable businessman, was alleged to have reached up from the footpath, grabbed the pocket of Jack Reginald Herbert's Anthony Squires suit and, after saying something insulting to him, pulled on the pocket and ripped it. Needless to say, my conclusion very quickly was that Jack Herbert ripped his suit when he was bundling a few demonstrators into a paddy-wagon. Because Mich Thompson was prominent amongst the demonstrators, he was lumbered with the charge.

Because that was an indictable offence, the trial lasted for four days. If Mich had been convicted, a career in the public service or in many other areas that he might have chosen would have been affected. Fortunately, we found an independent witness who corroborated certain material matters that had been denied by Jack Herbert. After four days in the District Court, Michel Marcel Thompson was found not guilty.

During the course of the trial I called upon a friend who worked in steel fabrication. Because I was late in getting there, I explained that I was involved in a trial with Jack Reginald Herbert. My friend said, "Yes, I know Jack Reginald Herbert. I have done some steelwork for him on blocks of flats." It had always intrigued me how police officers became owners of blocks of flats and units on the Gold Coast. One cannot usually do that on a restricted public service salary. My friend said, "He is the only fellow who has ever paid me in two-dollar notes." During my career I focused on Jack Reginald Herbert.

Later, while at the bar, I appeared voluntarily for the Bar Association, as many of us did, in the Lucas inquiry. The focal point of that inquiry was verballing, a practice to which I totally object. I objected it to as a police officer, as a barrister and as a member of Parliament. Before I came into Parliament I raised it, and I have continually raised it since I have been in Parliament. Action was not forthcoming. Shortly, I will come to part of the reason for that.

The practice of verballing was associated with Jack Reginald Herbert. At the Fitzgerald inquiry, when Herbert was asked to give an illustration of the technique of verballing, he gave that case of Michel Marcel Thompson as an instance in which he fitted somebody for a crime. No doubt he totally forgot that I happened to be the barrister defending Mich Thompson.

I can recall taking up with the justice committee the issue of verballing and the importance of cleaning up the matters of criminal evidence. That, of course, became the central recommendation of the Lucas inquiry—the recommendation for the tape-recording of evidence. Still today, despite the commitment gained under tremendous pressure only last year, after repeated calls for it and after the revelations of the Lucas inquiry, we are still waiting for the independent verification of confessional evidence. This is 20 years later.

There was not a wall of total resistance to the theory. The resistance came because I was dealing frequently with people who, frankly, were lay people and who did not understand the urgency and the pressure of the problem. Everybody who practised criminal law understood it. But the bureaucracy, the Police Department administration and other members of Parliament do not have that same sense of urgency. They really believe, as is common in the community, that if a policeman fits somebody, there must be something in it.

Looking at our responsibilities, I made sure that the Liberal Party nominees for the committees were two members with parliamentary experience. I realise that the Government has a significant number of responsibilities, starting with the 18 Ministers, the Speaker and the Chairman of Committees. Some of the new members of Parliament will find that because of their new responsibilities and the time constraints imposed by them, they will quickly equate attending a p. and c. meeting with attendance in Parliament. They will find that by doing other things they will fall into a great trap. One of the reasons why I chose as nominees members with parliamentary experience was that they had already had to work out some priorities with regard to their responsibilities. The member for Merthyr has not been in Parliament for a long time but he was familiar——

**Mr Comben:** But none of your people have. You are the only one. They are all new faces. We don't even know their names.

**Mr INNES:** That is a little hasty. That is not true.

**Mr Comben:** Who have you got?

**Mr INNES:** The honourable member has not been around too long, either. He still has trouble finding his way round the State, does he not?

Allocating time is an enormous problem. In addition to looking after their electorates and attending Parliament, new members on the committee will have an added responsibility in that their tasks as members of the committee will be substantial and, to a great extent, technical.

I find fascinating the reference to homosexual law reform and prostitution law reform, the social issues with which I have no doubt those members are comfortable, because they have debated them more frequently and they are more familiar with them. But they should look at the responsibilities enumerated in the recommendations for the Criminal Justice Commission. To a very significant extent, they involve active, detailed issues involving the administration of justice and the administration of the police force. Committee members will be absolutely flat strap in dealing with those issues. They should be familiarising themselves with the workings of the police force and the demands of criminal justice investigation and criminal justice prosecution as well as the other glamour issues, or the easy debating issues—perhaps not easy issues to resolve—about which they all feel they probably know something.

There are many, diverse and highly technical areas into which they will have to wander. That will require a massive commitment to time, otherwise they will go for the easy options—the easy options that have some social political appeal. Believe me, if the system is to be put back on the track and the parliamentary committee is to do its work, it has to provide intelligent oversight of the professional work which will be done on a day-to-day basis by the Criminal Justice Commission. Some of that work will be new. Because it is a dedicated task and a dedicated force, that will be of enormous importance and an enormous new check and balance in the system. But if the new members of the committee and members of Parliament do not take those other matters seriously and attempt to come to grips with what for many of them will be a totally new field, they will not provide that reflective or intelligent oversight which will make the total system more fully and completely effective.

As the member for Landsborough has said, there will be temptations—there always are—to get some easy headlines, and there will be problems. Earlier, some criticism was levelled by my colleague the member for Toowong at the fact that in Parliament people go off a bit too soon, perhaps before they are appointed to positions or before they have had time to work out the sensitive relationship which will exist between the members from all parties. I ask them not to let the socio-political issues become their preserve or preoccupation. They will certainly get the headlines, but that is only a small part of their job.

The social issues have more frequently been mentioned in the speeches in this debate than the technical, police and criminal law issues. The subject of needle exchange and other health aspects were logically discussed by the honourable member whose background is health. Honourable members will have diverse views on that topic.

The commission has a role of initiating the informed, scientific, criminological investigation of those matters and thereafter the committee takes over the examination of the recommendations. That difficult and interesting relationship has to occur. The committee has the right of initiation but, because of time constraints, it will be better served by the commission generating the source of information and then acting on it and making recommendations to this House.

The subject of homosexual law reform causes an instinctive reaction. The findings of the Fitzgerald inquiry can be construed as allowing the subject of voluntary sexual conduct to be examined. However, the subject of male prostitution rather than homosexual behaviour as such was meant to be considered. Sir Max Bingham was perfectly correct when he stated that that was an issue for this Parliament, without laundering it through the Criminal Justice Commission.

The CJC has more than enough to do with coming to grips with the manifest gravity of so many areas of responsibility such as serious crime and the reorganisation of the police force under the new police Act with its regional commanders. The police force will be administered by officers with new designations.

All those issues will have to be understood by the committee if it is to report effectively to this Parliament on the administration and the performance of the police force. Members of the committee should not get lost in the byways and should not divert resources, which have very high priorities in the pure criminal law area to those political/sociological issues.

The work of this committee is very important. The relationship between the members of the committee and the commission is a sensitive one. What will be the *modus operandi* of the committee? I do not see this committee turning into a congressional committee grilling witnesses as a matter of course and initiating the major part of the work. That is not what is intended by the legislation. Such an approach would divert the committee from important criminal areas requiring its attention.

One wishes the members of this new committee well. An enormous amount of work has to be done and the scope of that work is wider than the issues of prostitution and homosexual law reform.

**Mr BOOTH** (Warwick) (9.57 p.m.): My area of concern is the subject of referrals. However, I will come to that shortly.

I listened with interest to the speech of the member for Brisbane Central.

**Mr Campbell** interjected.

**Mr BOOTH:** Later I will say something on that subject that the honourable member will not like.

I listened with interest to the speech of the member for Brisbane Central and also that of the member for Pine Rivers. They were carried away with the thought that the future was going to be a little bit of paradise. The honourable member for Mount Coot-tha was more realistic. She said, "We will do the best we can." I believe that is what one does in Government, and in all things.

The honourable member for Brisbane Central said that the committee was going to set up a strong relationship with the commission. That is good thinking. I have no quarrel with that. However, I would quarrel with the spending of unlimited amounts of money. The Treasurer was correct when he stated that the cost of those proposals has to be watched. That statement showed good sense.

Referrals will be a matter of concern. The members of the committee will know within a week that anyone who believes that he has suffered an injustice or has been affected by some serious irregularity in the commercial field and has not been able to achieve what he considers to be justice, or feels that he has suffered some disadvantage, either real or imagined, will want that to be referred to this committee.

**Mr Beattie:** I've already got them. They are a mile high.

**Mr BOOTH:** I have got some too.

**Mr Beattie:** Don't give them to me.

**Mr BOOTH:** But I am trying to get an answer. The honourable member for Brisbane Central will be replying on the subject of referrals. Strict guidelines for this aspect should be introduced. People wanting a matter referred to the commission should not have to know somebody on that commission. Complaints should not be made to Government members; they should not even be made to ordinary members of this Parliament. Firm guidelines on referrals should be put in place. If there are no guidelines, instead of bring justice, it will bring injustice in a very severe way.

I do not believe that every commission is in the best interests of a country or a State. Unless commissions are watched, they can get out of hand. In another part of the world, well away from here, commissions are being thrown out. The Soviet Union no longer considers them as desirable as it did some years ago. If one looks at that part of the world, the Soviet Union fixed everything by appointing a commissar. I do not believe that one can fix everything by appointing a commissar.

It has been stated that the Criminal Justice Commission, will report to the parliamentary committee. I hope it does, because I believe that is the only way this House can keep the commission on an even keel.

I do not want to wish the new committee and commission any harm, but I am a little bit cynical. Unless they are watched very carefully by this House, they might not be the great things we think they might be. I do not want to go back to the EARC debate, but the same comments would apply there. We were a little annoyed about the input from this committee and the selection of the commissioners. Those matters have been referred to and I will not rehash what was said.

The referrals to the commission and the committee should be strictly controlled and guidelines should be established. If that is not done, many things will be referred to the commission that should not be and many people will be denied the right to get before the commission. There must be firm and strong guidelines and they must be implemented.

On a lighter note, I say that I was impressed when Mr Ahern supported this move completely. I do think that, if he was considering setting up the Fitzgerald Commission today, he would be a little bit more careful than he was when it was set up.

Mr Beattie is probably as guilty as anyone else in referring to the Fitzgerald report as if it were the new Bible. The good lady from Pine Rivers referred to page 187 or something like that as if Fitzgerald could not make a mistake. I can assure the House that Mr Fitzgerald is human. He should make errors and he could make mistakes. Many other things can go wrong.

The last matter I want to refer to is confidentiality. I served on the Public Accounts Committee. We could meet at 3 or 4 p.m. and hear word for word on the news that night everything we had said. If we met at night-time we could read in the morning press word for word everything that we had said. It is very difficult to work on a committee in an atmosphere such as that. I do not say that I know who did it. However, if the committee is to work, its members will have to be careful about confidentiality.

**Mr SANTORO (Merthyr) (10.02 p.m.):** From the outset in this debate, let me state that I am pleased to be my party's nominee on the Criminal Justice Parliamentary

Committee and I very much look forward to making contributions, on behalf of my party and the many people of Queensland whom my party represents, to the important deliberations and investigations it will undertake following the formal appointment of this committee by this Parliament this evening.

To my fellow committee members, I wish to say and to place on record in this place my determination to assist the committee to operate in a manner that will see it remain untrammelled by partisan considerations and pressures. The qualifications of the members of the committee, as outlined by the chairman elect, are impressive and I look forward to working with each and every one of them in the months to come.

In this address, I wish to concern myself with these three issues relating to the operation of the Criminal Justice Parliamentary Committee: the accountability of the commission and the committee to this Parliament, its priorities, and the issue of funding.

In my maiden speech to this Parliament, I said—

"Many of the administrative reforms recommended by Commissioner Fitzgerald are long overdue and should enjoy the support of all honourable members, but they should be implemented without abrogating our responsibility to support, enhance and protect the Westminster model and traditions in this place."

Tony Fitzgerald, QC, when recommending the establishment of the CJC, recognised this and stated that the permanent role of the CJC must include—

" . . . advising the Parliament on the implementation of the recommendations"—  
in his report, and—

" . . . providing Parliament with regular reports on the effectiveness of criminal justice administration."

The vital link between the commission and the Parliament is to be the parliamentary committee, which is entrusted with the responsibility of overseeing the operation of the commission. According to Fitzgerald—

"The Criminal Justice Parliamentary Committee should have the power to formulate policies and guidelines to be obeyed by the CJC and to direct the CJC to initiate and to pursue investigations or to report to the Parliament."

Fitzgerald was even more specific when, referring to the influence of Executive authority, he said—

"The exclusion or reduction of party political considerations and processes of the decision making process, with respect to the administration of criminal justice, is an important consideration underlying the establishment of the CJC. Accordingly, executive authority and connection with the CJC must be limited to what is necessary to finance it, provide administrative and resource needs and that necessary for public financial and other accounting purposes."

This brings me to an important point about the appointment of the part-time commissioners which, in my view, shows how, unless we are very careful, the role of the parliamentary committee and, through it, this Parliament, can be circumvented and/or curtailed. Section 2.5 (2) of the Criminal Justice Act 1989 applies to both the appointment of the chairman of the CJC and the part-time commissioners of the CJC. This section provides that, before proceeding to the selection of any person for recommendation for appointment as chairman or part-time commissioners, the Minister shall consult with the parliamentary committee or, in the absence of such a committee, with the leaders of the non-Government parties.

The significance of this section is that it does provide a basis upon which the Government can justify the executive appointment of the part-time commissioners to the CJC prior to the establishment of the parliamentary committee. However, it can also be clearly argued that for the Government to have availed itself of this option is to have acted contrary to the spirit of the Fitzgerald recommendations and report, in view of the timing to which we are referring, for the part-time commissioners were

appointed only just over a week ago and the parliamentary committee is being appointed by this Parliament today. Reasonable argument could be put that the principle of parliamentary sovereignty would have been better served and respected if the appointment of the part-time commissioners had been delayed for, say, one week from today.

**Mr Innes:** Perhaps those who have been here for some time would recall that, in July last year, we called for a setting up of the parliamentary committees.

**Mr SANTORO:** I am sure that those who have been here for some time would recall that.

This would have given the parliamentary committee the opportunity to have been involved as a collective in the deliberations which have preceded the appointment of the part-time commissioners. The foregoing is certainly not meant to be a reflection on the part-time commissioners appointed but is a genuine assessment of the attitude of the Executive to this point.

At this stage I would like to suggest that the Government must resist the temptation to use the length of time that the commission takes to consider issues as an excuse to curtail the amount of time that is made available to the Parliament to consider and debate, as a Parliament, the controversial issues that will arise or the controversial legislation that will be presented to the Parliament from the commission or the committee. Any proposed legislation and amendments to existing legislation should be allowed to sit on the table of the Parliament for a suitable—and I mean lengthy—period of time so that the public at large can have full input into the debates and determinations of the Parliament through its representatives in this place. The length of the private and public hearings and investigations of the commission and the parliamentary committee should not be used as a reason to curtail the time available to debate proposed legislation, as was the case when the Fitzgerald report was presented to this Parliament for consideration late last year.

It is also my belief that, unless the commission and the parliamentary committee are dealing with issues which are of a criminal intelligence nature or similarly sensitive, then these hearings should be open to the public and the media, and that mechanisms should be set in place that will allow individual members of the public and interested or affected organisations to have maximum input into the deliberations and hearings of the committee and commission. During my involvement within the parliamentary committee I will always seek to maximise those opportunities which can be made available to the parliamentary committee and the Parliament, which will make the administration of criminal justice in this State more accountable to these two bodies.

There can be no doubt that during the next three years the CJC and the Parliamentary Committee for Criminal Justice are destined to deal with many controversial issues. Many of these issues have been mentioned by previous speakers in this debate this evening. Issues such as reform of laws which concern themselves with homosexual behaviour, prostitution, SP book-making, the cultivation, distribution and smoking of marijuana and the availability of pornographic materials will be deemed by several sections of the community—if not necessarily by the majority of the community—as worthy of urgent consideration and recommendation by the CJC and the parliamentary committee.

However, in my view, there is one area of investigation which deserves to be afforded compelling priority by the Parliamentary Committee for Criminal Justice, the CJC and this Parliament, and that is the issue of hard drugs and the pervasive and evil influence which they have on the social and economic fabric of our society. From time to time one hears criticism and cynicism expressed within the general community about the lack of investigations and recommendations by Tony Fitzgerald, QC, in this most important area of criminal activity. Fitzgerald himself recognised this when he said at page 14 of his report—

"Those who for one reason or another persist in finding faults will continue to complain that some matters have not been dealt with, or some individuals not brought under scrutiny or exposed as wrong-doers. All these criticisms are true."



In his report Fitzgerald provided an explanation for the above criticism, one which should be acceptable to all reasonable people in our community. On page 13 he said—

"The public sittings of this Inquiry could have gone on indefinitely. Had the sittings continued, more people would have been named, more organizations brought into question and more areas of misconduct exposed. However, continued public sittings would have led ultimately to an hopeless situation. As time passed without solutions being presented and implemented, those under scrutiny would merely have adapted to the new environment and developed new methods of misconduct. The Inquiry would have been beating against a fast-running tide, trying to catch up with and expose practices which would already have adapted to scrutiny."

On page 14 he went on to add—

"Those who are disappointed may be comforted by the thought that the Inquiry staff are continuing their investigations, and that this report recommends means by which further misconduct will be brought to light."

Clearly, the CJC is one of these means envisaged and recommended by Fitzgerald. It must act promptly and efficiently in areas of major, if not strident, public concern if public confidence in the overall reform process is to be not only maintained, but also increased.

During recent days the Liberal Party has expressed concern—and today I reiterate this concern which has also been expressed by previous speakers in this debate—about the comments which have been made by various State Labor Ministers in relation to the cost associated with the conduct of the Fitzgerald inquiry and the continuing cost associated with current Fitzgerald reform processes. I urge the Government to resist the temptation to deny reasonable budgetary allocations to the CJC. The Liberal Party certainly appreciates the concerns of the general public in relation to the high cost of justice in this State and I will certainly say more about this issue at committee level. Undoubtedly, the Attorney-General is also closely considering this matter. However, if the Fitzgerald reform processes are to be given a fair chance to succeed, and if major headway is to be made against corruption in Queensland's public institutions and organised crime in the community, then reasonable, adequate funding and logistical support must be provided to the CJC. Otherwise, the crooks in our community will continue to gleefully rub their hands together for a long time to come.

I conclude by saying that I look forward to taking my place on the committee. I and the other members of the Liberal Party wish the committee well and pledge ourselves to adopting a bipartisan approach in the true spirit of the Fitzgerald report recommendations.

I support the motion.

**Mr BEATTIE** (Brisbane Central) (10.13 p.m.), in reply: I wish to make a few closing remarks based on the comments that have been made during this debate. I place on record that I welcome and, indeed, applaud the constructive, dignified and commonsense approach adopted overwhelmingly by all the speakers in this debate. That augurs well for the functioning of the committee. We needed a positive approach at the outset and tonight's debate has certainly been positive. I pay tribute to all speakers from the ALP, the National Party and the Liberal Party for that.

The Leader of the Opposition referred to the committee being the keeper of the people's interest. I could not agree with him more. Indeed, the watchdog role of the committee will be fundamental. I also agree with Mike Ahern, who said that if these committees are to be a success, there needed to be a great deal of goodwill and cross-party cooperation.

When it comes to cost, it must be pointed out that witness protection is one of the most expensive aspects of the operation of the CJC. Mike Ahern and Angus Innes talked about crooks with whom they have had to deal in some manner, shape or form, and Mike Ahern referred to Herbert. The Herbert exercise was very expensive, but necessary.

I repeat: witness protection is one of the most expensive aspects of the operation of the CJC.

To get some idea of the cost involved, it must be appreciated that witnesses have to be protected 24-hours-a-day, seven-days-a-week by a team of specially cleared police officers. In addition, these people have to be kept in safe houses. It is a very expensive exercise. Nothing can be done about that. If the Government grants indemnities and if convictions are to be recorded by using the testimony of these people in an effort to stop organised crime, the community has to bear the costs in the interests of cleaning up corruption.

I agree with comments made by the member for Merthyr, Santo Santoro, in relation to costs. I referred to that matter during my earlier speech. I inform the House that the committee will consider that matter on an ongoing basis.

I turn now to the comments made by the member for Warwick, Des Booth. I point out that at no stage during my earlier speech did I suggest that the committee would be faced in any manner, shape or form with paradise. In fact, the committee will face hell on earth because, as I said earlier, it is one of the toughest jobs that could be given to any parliamentary committee. In terms of the referrals alluded to by the honourable member, I point out that the guidelines are clearly stated in the Act. Obviously he has not read them. Section 2.14 (2) (a), (b), (c) clearly sets out the mechanism for matters to be referred. Subsection (2) (b) states—

"The Commission shall report to the Parliamentary Committee . . .

- (b) when instructed by the Parliamentary Committee to do so with respect to that matter, in relation to any matter that concerns the administration of criminal justice."

In other words, it is a matter for the parliamentary committee to consider the matters that will be referred to the commission. If the committee is of the view that a matter should be referred, that is what will happen. The honourable member should be aware that referral is not a matter for the Liberal Party, the National Party, or the Labor Party without prior reference to the parliamentary committee. It is not for individual members of the committee to refer matters to the commission. It is a matter for the committee to consider and, if necessary, refer to the commission in terms of the Act.

I commend the Leader of the Liberal Party, Angus Innes, for the contribution that he made to the debate. He referred to experience. Although members of the committee from the Government side of the Chamber may not have had lengthy parliamentary experience, I inform the honourable member—and he may view my scars privately later if he wishes—that a number of us have had detailed political experience in the rough-and-tumble of life. I am sure that that experience will stand us in good stead and that those members of the committee who have wider experience in terms of parliamentary service would be only too willing to offer advice at the appropriate time. When the composition of the committee is taken into consideration, especially the inclusion of a member such as Mike Ahern, I am sure that the honourable member would appreciate that the advice would be forthcoming. That is one of the reasons why I will be delighted tomorrow when Mike Ahern becomes deputy chairman of the committee.

I did not seek to refer solely in any manner, shape or form in any unnecessary way to social issues. When honourable members read what I have said, I am sure that they will agree that that was not a matter I emphasised. I dealt at length with law reform in the criminal law field and I highlighted a couple of matters that I believe are sensitive. In doing so, I referred back to the Fitzgerald report. Although that document is certainly not a Bible, as suggested by the member for Warwick, Mr Booth, it must be the starting point. If one looks at the Criminal Justice Act and reads the Fitzgerald report, although the relevant sections may not be word for word, one would have to be blind, deaf and dumb not to appreciate that the terms in the Act are almost identical to those of the recommendations in the report. In other words, the report is obviously the first reference point after the terms of the act are considered.

In conclusion, I acknowledge that at times all honourable members will disagree on political issues. I am sure that Mike Ahern and I will disagree on the subject of toll-roads in his electorate and will debate that matter in this House in a spirited manner. However, when it comes to the commission and to the Parliamentary Committee for Criminal Justice and the work that has to be done, we will endeavour to arrive at a consensus position.

I am pleased with the dignity and common sense displayed during the course of the debate. I believe that the manner in which the debate was conducted is a credit to the House.

Motion agreed to.

## **SELECT COMMITTEE OF PRIVILEGES**

### **Appointment**

**Mr FOLEY** (Yeronga) (10.20 p.m.): I move—

- "(1) That this House do appoint a Select Committee of Privileges.
- (2) That the Committee consist of Ms Power, Messrs Briskey, Pearce, Neal, Katter, Beanland and the mover.
- (3) That four members be a quorum at any meeting of the Committee.
- (4) That the Committee have and exercise such powers, duties and responsibilities as may, from time to time, generally or in any particular case, be determined by the House.
- (5) That, in the exercise of the aforesaid powers, duties and responsibilities, the Committee have authority and power to send for persons, papers and records unless otherwise determined by the House in any particular case.
- (6) That the Committee have leave to sit during any adjournment of the House notwithstanding that such adjournment exceeds seven days.
- (7) That the Committee may sit during the sitting of the House.
- (8) That the Committee, so far as is practicable and as it may do, function in a manner similar to that of a Committee of Privilege of the British House of Commons for the time being unless otherwise determined by the House in any particular case.
- (9) That the Committee, in addition to sitting from time to time on or in relation to matters of privilege, may meet from time to time to discuss privilege generally, including acts or omissions constituting instances of breach of privilege, whether in Queensland or elsewhere, and to inform itself with respect to privilege in such manner as it thinks fit; and, without limiting the generality of the foregoing, may invite from and discuss with such persons or bodies as it thinks fit, submissions and views on or in relation to matters of privilege.
- (10) The Committee continue in existence for the life of the current Parliament, notwithstanding prorogation.
- (11) That the foregoing provisions of this motion, so far as they may be inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders."

It is in moving this motion to establish the Committee of Privileges that I wish to make short comment upon the crisis which faces this House on the question of parliamentary privilege. It has been traced by Erskine May from the fifteenth century that there was a freedom of speech principle established in the House of Commons. That privilege is one that does not exist in vacuo. The worth of it must be demonstrated in each generation. It is one of the most fundamental privileges of the Parliament, yet it rests ultimately on the responsible approach adopted by members of Parliament.

In recent years, considerable criticism has been made of that alleged abuse of privilege in this House. As far back as 7 December 1978, the interim report of the Select Committee of Privileges on the protection of citizens was laid upon the table of this House and expressed the following warning—

"We wish to point out to the House in the strongest possible terms that the status, stature and credibility of the Parliament will be severely damaged if Members do not have an honest and reasonable belief in the truth of matters they raise in the House, and cannot substantiate statements made by documentary evidence where such statements could damage the business reputation or good name of any person."

The Fitzgerald report contains what is, in effect, an indictment of the depth to which public confidence plummeted in the privileges attaching to this House. At pages 332 and 333 of that report, Mr Fitzgerald, QC, refers to the concern of lies being told to Parliament in respect of that. He has recommended that that matter be included in the review program of the Criminal Justice Commission and that it be a criminal offence for any person to lie to Parliament in respect of any matter relating to personal conduct on the part of any person.

That is a most radical suggestion and it reflects the extent to which public confidence has been called into question in respect of the privileges of this Parliament. As my learned colleague the member for Brisbane Central said earlier, it is a matter upon which the commission will report to the Criminal Justice Committee. However, doubtless, in due course it will fall to be considered by this House and, indeed, by the Privileges Committee. The recommendation that there be a prosecution in the criminal courts in respect of lies told by members of this House to the House on matters of personal conduct is a radical suggestion. It springs from a radical demise in the confidence in the standards of this House enjoyed by members of the public over recent years. Furthermore, Mr Fitzgerald recommended that the Criminal Justice Commission consider allowing interrogation upon statements reported in *Hansard*.

It would be inappropriate to allow this motion purely to pass without mention of those historic recommendations. Those recommendations reflect the necessity for the very highest standards to be observed so that the privileges of this Parliament be sustained by high standards of probity in the conduct of members.

I commend the motion to the House.

**Mr NEAL** (Balonne) (10.25 p.m.): I have much pleasure in seconding the motion for the establishment of the Privileges Committee. The member for Yeronga referred to the recommendations contained in the Fitzgerald report. I concur with what he said. All members of this House must guard jealously the privileges to which they are entitled when they enter this House.

Tonight, we have heard much about how the Parliamentary Committee for Electoral and Administrative Review and the Parliamentary Committee for Criminal Justice will work. Unless that spirit is carried into all committees, they will not work. In the past, we have seen evidence of that. The member for Warwick drew attention to the past performance of the Public Accounts Committee.

In past years, I have been a member of the Select Committee of Privileges, being its Chairman for a number of years. During the time when I was Chairman, the media received leaks from the committee. Those leaks were most unfortunate, but everyone settled down and we were able to overcome the problem and to work as a true select committee. One must consider that the work of any select committee of the House will be to no avail unless unanimous decisions come from the committee. Minority reports detract from the majority report. If that occurs, the committee will lose the public's confidence and respect.

It is important that select committees retain the confidence of the House. To do that, they must work in a fashion similar to that to which I have referred. If a select

committee does not work in that manner and have the confidence of the House, it will not have the confidence of the public in general.

I look forward to working on this committee with the other members who have been appointed to it. It is my earnest hope that the committee will work in the way that I have suggested it should and in the way in which the previous committee of which I was a member worked. The members of the Liberal Party and of the Labor Party who were on the previous Privileges Committee worked to the advantage of the House.

Motion agreed to.

**MOTORWAYS AGREEMENTS ACT 1987-88**  
**Disallowance of Order in Council and By-laws**

**Mr BEANLAND** (Toowong—Deputy Leader of the Liberal Party) (10.29 p.m.): I move—

"That the Order in Council and By-laws under the Motorways Agreements Act 1987-88 dated January 1990 relating to the operations of the Sunshine Motorway toll-road, as published in the Queensland Government Gazette and tabled in this House on March 1, 1990 be disallowed."

Tonight, the Goss ALP Government has an opportunity to show the people of Queensland that it is indeed an honest, competent and believable Government. Carrying this motion and disallowing the operation of the toll-road on the Sunshine Coast will restore a little credibility to the Government, which has lost an enormous amount of credibility in recent times, particularly with the people of the Sunshine Coast.

Today's *Courier-Mail* contained a large advertisement, which stated—

"Labor promised 'no tolls' on the Sunshine Coast motorway. Once elected they broke that promise. They lied to 125,000 people."

Proof of that is contained in the statements in the article—

- GOSS: 'Only a vote for Ray Barber will ensure the removal of the toll.'
- TOM BURNS: 'Labor says now that when it is elected as the Government in 1989, it will remove those tolls.'
- RAY BARBER:—"

who was the ALP candidate—

- " 'There will be no toll on the Sunshine Motorway.'
- MILLINER: 'I believe tolls on the motorways will have to be scrapped. I most certainly oppose it.'
- RAY BARBER: 'The toll will remain under a National/Liberal Government. I am the only person who can remove the toll.' "

And so the advertisement goes on.

It is quite clear that the people of the Sunshine Coast and, indeed, the people of Queensland clearly understood the Government's position on this motorway prior to the recent State election. The disallowance of the Order in Council, which contains the agreement between the Government and the Sunshine Motorway Company and by-laws which govern its operation of the tollway, will result in the abolition of this toll-road. Clearly, it will result in the axing of the toll. Unfortunately, under the Acts Interpretation Act and the Standing Orders of this Parliament, it is not possible to move a motion for the disallowance of the notification which in fact contained the schedule of the tolls themselves. Perhaps that is a matter that the Standing Orders Committee might consider at some future time. Nevertheless, by disallowance of the agreement and through disallowance of the schedule itself—the by-laws—the toll can certainly be removed from the Sunshine Motorway.

Everyone remembers how vocal members of the ALP were prior to the election about abolishing the toll. Mr Goss, Mr Burns, Mr Hamill and Mr Barber, the ALP candidate, stated over and over again that the tolls would go. The position is clear. That promise, that clear commitment to the people of the Sunshine Coast, has been broken. Prior to the election the ALP said, "We have the answers. The money is in the system." I know that the member for Lytton, Mr Burns, would well remember that because he, along with his leader, said it over and over again.

Of course, now the truth is out. The Goss Labor Government has not axed the toll on that road at all. In fact, one of the first acts of this new Government was to break that election promise, that clear commitment to abolish the toll on the Sunshine Motorway. It is little wonder that the people of Queensland and, in particular, the people of the Sunshine Coast, see the dishonesty, the deceitfulness and the treachery of this Government's actions. This Government has cheated the people of the Sunshine Coast.

We see yet another broken promise from the Government, and there have been quite a number of broken promises over a period of some three months, whether it be in relation to logging on Fraser Island, the Hale Street/Route 20 proposal, or various other matters. Quite a large number of promises have been broken. This is one of the first broken promises of the ALP Government. Mr Burns even admitted in the *Sun* of 20 February that the ALP had broken its promise in relation to this commitment. In the *Sunday Mail* of 25 January, Mr Goss is quoted as saying that the blow-out had gone from \$40m to a figure of some \$80m and that because of the blow-out the ALP Government would not be able to honour its commitment. In the *Sun* of 20 February, Mr Burns was of the same view. Mr Hamill, of course, started this off in the *Courier-Mail* of 5 January, when he was quoted as saying that the original estimated cost of \$45m had blown out to \$80m-odd. Of course, the ALP played on the fact that it was unaware that the cost had blown out from \$40m to \$80m. What a sham! How deceitful!

The truth is that on 6 September 1989 Mr Burns asked a question in this place about the Sunshine Motorway. I might point out that that was some three months prior to the State election. Mr Burns was then the Deputy Leader of the Opposition and, I understand, the Opposition spokesman on Main Roads. He asked a question in relation to the cost of the Sunshine Motorway, and he was given an answer. Part (2) of Mr Burns' question upon notice was—

"What is the total cost of the motorway, and the cost of stages I and II and the bridge?"

His question was answered by Mr Gunn, who was then the responsible Minister. He said—

"(2) The current estimate of the final cost for Stage I is about \$76m. Stage II could be similar although detailed estimates have not been prepared. Included in the cost of Stage I is the Maroochy River Bridge at a cost of \$4.3m."

Is it any wonder that the people of the Sunshine Coast feel that they have been deceived? That shows that on 6 September—three months prior to the election—the ALP knew full well that the blow-out was to an amount of \$80m, to use its figures.

Recently, in answer to a question in this place, Mr Goss went to great lengths to try to again deceive the House when he produced an article from the *Sunshine Coast Daily* of 20 July 1988 headed, "Goss warns on toll roads". He said that the Labor Party might be forced to uphold the Sunshine Motorway toll. Of course, what Mr Goss did not tell this House when he produced that headline in the *Sunshine Coast Daily* was that that was more than 12 months prior to the time when the ALP found out the true cost of the motorway, which in turn was three months prior to the election. The ALP had plenty of time to decide its true position. The production of that article by Mr Goss was just an attempt to deceive this House and to mislead this Parliament into believing that this information was given at some stage just prior to the election and not 18 months before the election date. So much for that headline-grabber from Mr Goss, who obviously thought that nobody would refer to the date on that *Sunshine Coast Daily* article.

The people of the Sunshine Coast see the Government and, particularly, the member for Cooroora, for what they are. Obviously there was a conspiracy by a number of people to hide the true situation within the ALP. During the election campaign members of the ALP were snake-oil salesmen because they were really selling snake-oil policies. That is exactly how the people of the Sunshine Coast view them.

After questions about this issue were asked in this House, the cover-up continued. The Premier went to great lengths to hide the true position in relation to the press article of 20 July 1988. On many occasions Mr Goss and Mr Hamill have failed to point out the true position. They continue to rely on the contention that, unless the toll is placed on the motorway, additional roads will not be built in this State.

Time and time again the ALP said that the money was in the system and that it had costed all of its election promises. I invite honourable members to remember the record of the ALP in this regard. Mr Goss charged round the State with a letter from Peat Marwick claiming that all the ALP's election promises had been costed and that it could meet all its commitments. Because the Premier is not in the Chamber at the moment, I challenge the Deputy Premier to table that document so that the public at large and the members of this House can ascertain whether that letter included the true costing of the Sunshine Coast tollway or whether it was omitted altogether. If the letter is tabled, honourable members will be able to ascertain whether the ALP did any homework on the issue and how deceitful it was on the matter.

Mr Goss has been careful not to produce the letter, and I am sure that it will not be produced tonight. Why is it being hidden? Perhaps it did not give a true costing of ALP commitments. On many occasions on television and in the media Mr Goss made that famous statement that the money was in the system.

**Mr Hamill:** That's what you said in your advertising campaign—the money is in the system.

**Mr BEANLAND:** That is right. The Labor Party was treacherous and it deceived the people of Queensland. That was dishonesty at its worst.

Just prior to the election the ALP discovered the true cost of the tollway. It then sent to the residents of Cooroora a letter that was signed by Wayne Goss. It stated—

"I believe Ray has the experience to know what's right and the courage to make it happen. That's why he's opposing the toll on the Maroochy River bridge.

...

Only a vote for Ray Barber will ensure the removal of the toll and the upgrading of Cooroora's roads."

I seek leave to incorporate that letter in *Hansard* because it highlights the lengths of deceit to which the ALP will go.

Leave granted.

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

Parliament House,  
Brisbane, 4000.

To the Residents of

Cooroora

Dear Resident

I'd like you to consider just how important the December 2 election is to the future of the Sunshine Coast.

My Labor team can and will win. So I want a strong voice representing Cooroora in the next Goss Government.

That's why we've chosen Ray Barber as my Labor candidate for the Cooroora electorate.

Like you, Ray believes it's time for a change. You may already know Ray from his successful campaign to have Mt. Coolum set aside for a National Park.

Ray is a practicing solicitor who is deeply involved in your community as a member of the Sunshine Coast Legal Service, Save Mt. Coolum Committee, and the Environment Council.

I believe Ray has the experience to know what's right and the courage to make it happen. That's why he's opposing the toll on the Maroochy River bridge.

As the most frequent users of the toll bridge, residents north of the river will pay a disproportionate share of the cost of the motorway and Noosa Shire's proposed new road system.

Only a vote for Ray Barber will ensure the removal of the toll and the upgrading of Cooroora's roads.

I know Ray is right behind my practical and carefully-costed policies to bring real change to Queensland.

Real change to end corruption. To implement Fitzgerald and clean up the mess once and for all. Real change in education. To give our kids the right start in life. And real change to protect our fragile environment.

So the last thing we need is another Sparkes-controlled coalition, propped up by the Liberals. You know the Liberals will do a coalition deal after the election!

The truth is, the Liberals can't win more seats than the Nationals. The experts say it's "arithmetically impossible". They can only hope to be the Nationals' junior partner.

Mr Innes has already admitted that the Liberals would prop up the Nationals as a junior partner in a de facto coalition. So a vote for the Liberals is simply a vote for the Nationals. A vote for more of the same. And that's no change at all.

Queensland has a great future. But we need real change now.

Ray rightly believes our families should be the winners.

That's why he supports my education blueprint. It'll increase funding by \$250 million to help lower class sizes and relieve the burden on parents. We're also committed to building a High School in the Noosa-Tewantin area. It's not right that each day 700 students have to be bussed to school in neighboring towns.

Together, we must leave our kids a world worth living in.

My Government will protect our rainforests, coastline, and public waterfront land, fight the greenhouse effect, plant millions of new trees, encourage recycling and introduce tough pollution controls.

Labor will win on December 2. Because the only alternative is a Sir Robert Sparkes-controlled coalition with the Liberals—a coalition soft on corruption.

Cooroora has been badly neglected for years by the Nationals. Only a vote for Ray Barber will end the neglect and ensure the upgrading of vital services such as roads, education, and health.

So even if you've never voted Labor before, I need your support just this once for Ray Barber, to help bring real change to Queensland.

All we ask is one chance. Because only Labor is committed to Fitzgerald. Only people like Ray Barber are keen and hungry enough to clean up corruption once and for all.

If Ray can assist you in any way, please phone 461 555.

Yours sincerely

(signed)

Wayne Goss

P.S. Please remember. A vote for the Liberals is a vote for a National-Party dominated coalition. Please recycle this paper.

**Mr BEANLAND:** The ALP continued to deceive the people of Cooroora. Since the election, Mr Hamill and others have tried to wriggle out of that commitment. It is no use their saying that insufficient funds are available. They said they had done their homework; that they had added up all their election commitments and could meet them, and that the money was in the system. I challenge them to table that document from Peat Marwick. Let honourable members see whether it is worth the paper that it is written on or whether it is a feather duster.

Since the election Mr Hamill, the Minister, has continued to sell out the people of this State. Honourable members are aware of how he sold out to the Federal ALP



Government over the additional \$16m that was to be provided over three years to remove the black spots or dangerous spots on the roads throughout the State. Mr Hamill did not fight for the \$100m-odd that the Federal Government owes this State.

Honourable members are aware that the Federal Government takes 30c in fuel tax from every litre of fuel that is sold and only 5.7c of that sum is returned as road-funding. Even though the Federal election is pending, that situation is not going to be rectified. Only the Liberal Party has given a commitment to the people of Australia that, after the election, in office it will provide that additional \$100m that this State rightfully deserves.

If Mr Hamill had held out for additional funds from his Federal colleagues with whom he is so closely aligned, this State might be much better off. Even with his faulty arithmetic, no homework and that rubbish that is contained in that so-called wonderful letter that describes the costing of the ALP's election commitments, the Minister would be able to fulfil that commitment that he gave so readily to the people of the Sunshine Coast and the people of Queensland. However, the Minister sold out again.

Time and time again the Goss ALP Government will sell out this State. Nowhere else is that more clearly shown than in relation to road-funding. Over three years, because of this State's road problems, particularly in relation to the Bruce Highway and the roads on the Sunshine Coast and the Gold Coast, the sum of \$16m will go nowhere towards improving our roads. If Mr Hawke is returned to Government, the trifle extra that he has proposed will go nowhere towards meeting the real commitments of the people of the Sunshine Coast and the remainder of this State. An additional \$100m is needed, and only through that will the commitments be met.

I conclude by saying that the people of Queensland have been deceived by this Government. The Government has shown its true colours by its failure to keep to its clear election commitment and promise in relation to the Sunshine Motorway. It highlights and sums up the whole operation of the Goss ALP Government over the last three months. It has failed to keep many commitments, but none more so than those given to the people of the Sunshine Coast.

**Mr INNES** (Sherwood—Leader of the Liberal Party) (10.46 p.m.): I have pleasure in seconding the motion for the disallowance of the Order in Council and by-laws. There is an old line of poetry that goes something like this—

"Send not to know for whom the bell tolls; it tolls for thee."

This bell is tolling for the Goss Labor Government.

**Mr Hamill:** Is this *The Importance of Being Ernest*?

**Mr INNES:** The new members of Parliament will find some difficulty in listening to what comes through the moustache of the Minister for Transport.

The member for Toowong is correct about the bad deals that this State receives from dealings between this Government and Canberra. That is really where the Minister wanted to be. Do honourable members remember that he wanted to go to Canberra? He wanted to desert the people of Ipswich. He missed out on pre-selection; that showed the esteem in which he was held by the pre-selection council. He still actually kowtows to Canberra; he still wants to be there and he will still sell this State short—as short as the people of the Sunshine Coast have been sold. Seldom has an election promise, deliberately given, been so spectacularly and completely broken as the promise to the people of the Sunshine Coast. I refer to the promise that was incorporated in a letter and which appeared in headline after headline.

I am aware that the Deputy Premier intends to speak in this debate. We know that occasionally he goes over the top. In fact, today, he was slightly under the top and we hope he overcomes the slight graze that he suffered while he was looking after the media. He went up to the Sunshine Coast and promised the people that there would be no toll—"Vote for the Labor Party and there will be no toll. Vote for Ray Barber and there will be no toll."

Let me make a prediction: the people of Cooroora are waiting for Mr Barber. At the next election they will take a cutthroat razor to him. On which part of his anatomy it is used, I am not sure, but it will mean the end of his political life.

The only party that has consistently opposed tolls on the Sunshine Motorway is the Liberal Party.

**Government members** interjected.

**Mr INNES:** That is right; the Liberal Party is the only one. It has not broken its promise; the Government has broken its promise.

I suppose that in this era of accountability I should come clean. Before the toll was imposed, I used to travel on part of that motorway every day, every January——

**Mr Burns:** You can't afford it.

**Mr INNES:** There is one thing for sure: the Deputy Premier certainly is not going broke.

**Mr Burns:** You can't afford to pay it.

**Mr INNES:** No. The reality is that I went there before that beat-up by the *Sun* and I did not pay the toll as a matter of principle. The member for Nicklin and I went up there on the first day that the toll was imposed. We drove down to the toll plaza, held a press conference and drove back by the other road.

Last year, the then candidate for Nicklin and I went to the section of the toll-road that was the former Mooloolaba by-pass—built by the ratepayers of Maroochy Shire and much used by the ratepayers of Maroochy Shire—which runs from a little north of the Mooloolah River up to Buderim Mountain, and to the new toll plaza that was being built by the motorway corporation under the then National Party Government. On the site of that plaza, which at that stage was a duct or tunnel under the road and two pads for the collection areas on either side, we held a press conference. At that time, that agitated the Government, which was a bit sensitive about the local seats. Within 10 days to 2 weeks, it was announced that that multimillion-dollar part of the construction would be cancelled. In fact, part of the construction where we held the press conference was removed within a fortnight; it did not go ahead. But the tunnel was left. The Government must have known something because it left the tunnel under the road.

Guess what is being reinstated at present? Of course, further construction work is being carried out on the tunnel under the road to provide for the collection of the toll. That is the elementary part of the justice. It was not just, if you like, a political gambit. We thought that the present Government actually meant it and we thought justice was on the side of the people. Toll-roads are not usually built on the site of existing roads. A toll is not usually collected on a roadway that has been used by the people, dedicated by the people and paid for by the people. That part of the road to which I refer falls into that category. The position was slightly different with other parts of the road.

One of the injustices of this toll-road system was that the Government took existing roads, roads that were used extensively and had been paid for, and imposed a toll upon them. Certainly, the width of the roads was doubled, but the roads were totally functional at that time and used extensively by local traffic moving within the local area.

The Liberal Party supports tolls in those areas in which a new road is being built as a matter of convenience and in which existing alternative road systems can be used at more inconvenience. For instance, the Logan Motorway is a good illustration of the proper application of a toll. But the Sunshine Coast deserved a new road. The existing coast road was totally overtrafficked. There had to be a return to the taxpayers, a return for the development of the area and, more importantly, an augmentation of the road system for the convenience of people on the Sunshine Coast. That is why a toll should not have been imposed on the people of the Sunshine Coast, certainly not on the tollway as far as the Maroochy River.

I would also have advocated that that roadway further north into the electorate of Cooroora should not have been a toll-road because that winding, tortuous, dangerous coastal road is totally inadequate. Justice was on the side of the people of the Sunshine Coast. They deserved the road because of their usage of it, because of the taxes that they pay and because they owned part of the roads taken over compulsorily by the provisions of the Act and the contract that is sought to be disallowed tonight. That action was unjust. It was not just a deliberately broken promise; it was an injustice to the people of the Sunshine Coast. That was the reason why the Liberal Party supported the abolition of tolls, or the non-imposition of tolls in that area.

The consequence of the introduction of this toll is that the Government has aggravated the traffic problems of the Sunshine Coast. Some drivers will not use that part of their former road system on which tolls are now being imposed. Those drivers will return to the esplanade roads through Mooloolaba and the coastal road itself.

When it has time to recant politically, this Government should remember that, unlike a lot of Government decisions, tolls do not go away. Every time a driver pays a toll, it hurts.

Why did the Greiner Government make a symbolic but nevertheless politically significant last payment on the Sydney Harbour Bridge? The significance is that one pays the toll daily; it hurts daily. Those drivers will remember those payments up to the time of the next election.

**Mr Hamill:** They are building three new tollways in Sydney now.

**Mr INNES:** One did see a glimmer of conscience. The honourable member told lies about his decision in the first place.

The Minister for Transport's first statements were lies. The Government was saying that it made a promise only to the people of Cooroora. The toll has been imposed on the people of Nicklin. It is perfectly clear that the honourable member told the people of the entire Sunshine Coast——

**Mr HAMILL:** I rise to a point of order. The honourable member for Sherwood is accusing me of telling lies. The term is unparliamentary. I told no lies. I find the comments offensive and I ask that they be withdrawn.

**Mr INNES:** I withdraw the word "lies." The statement the honourable member made initially, at least the Deputy Premier——

**Mr Hamill:** At least get your mark right.

**Mr INNES:** No. When the Deputy Premier made a statement about tolls, he had the frankness and honesty to say, "The Government could not do it; I was wrong; I am sorry; it is off." But, first of all, the Minister for Transport tried to carry on with this sophistry and this nonsense of saying that the Government had complied with its promise; that it had imposed the toll elsewhere.

The people of the Sunshine Coast did not swallow that; nor should they have swallowed it. The honourable member would have been far better adopting the Burns' defence, that is, at least being honest about the promises that were broken. The problem of tolls will not go away.

I have great pleasure in seconding this motion. It will stand as a monument to the Government's first great broken promise, and there will be more to come.

**Hon. M. J. AHERN** (Landsborough) (10.56 p.m.): The issue tonight is not whether there should be toll roads or tolls on roads; the issue is public honesty.

I was associated with this development in the first instance. I do not retreat from the undertaking that was given on behalf of the Government at the time. During the period leading up to the last election, we were subjected to a virtual torrent of information

from both the Liberal Party and the Labor Party stating that that decision was wrong. Tonight we will simply try to catalogue some of the statements that were made.

In September 1989 in a letter to electors the Premier of this State said—

"Only a vote for Ray Barber will ensure the removal of the toll."

**Mr Burns:** It was to the electors of Cooroora.

**Mr AHERN:** The toll will also be imposed on Stage 2. To get to Cooroora people have to travel through my electorate, too. Tom Burns, the man with the patch, was quoted as follows in a newspaper advertisement—

" 'Labor says now that when it is elected as the Government in 1989, it will remove those tolls.'—P. 1381 Hansard 13/10/88."

**Mr Burns:** '1988, that is right.

**Mr AHERN:** That was after the honourable member had asked a question in the House of the Minister for Main Roads to try to find out the cost so that he could be absolutely certain of how much money was involved.

Ray Barber, now the member for Cooroora, was also quoted as follows in the same newspaper advertisement—

"There will be no toll on the Sunshine motorway."

That statement appeared in a letter to electors in September 1989.

Mr Milliner, now Minister for Justice, was also quoted as follows in the same newspaper advertisement—

" 'I believe tolls on the motorways will have to be scrapped. I most certainly will oppose it.'—P. 1600 Hansard 19/10/88."

Again in that advertisement Ray Barber—

"The toll will remain under a National/Liberal Government. I am the only person who can remove the toll."

The rest is history; a 35 per cent swing to the Labor Party in Cooroora. The National Party badly misjudged the mood of the electorate on this issue and a Labor candidate was elected. Because no sooner was Ray Barber elected to the Legislature than Labor started to indicate that it never had any intention of honouring that promise, today there is massive cynicism on the Sunshine Coast. No wonder there is cynicism; no wonder there is hostility; no wonder no member of the Labor Ministry is game to go and address a public meeting on the Sunshine Coast.

One guy at the public meeting asked me, "What do the letters ALP stand for?" I was too smart to answer that. I said, "You answer the question." He said, "The Australian Lies Party." That is the feeling of the electors on the Sunshine Coast. It is a very serious issue.

The Deputy Premier, Tom Burns, tried to help. He went up to a businessman's breakfast on the Sunshine Coast. His retort, by way of rationalisation, was, "Well, Mike Ahern thought about the toll issue. In the first instance it was his idea, so we thought we would put it down into his electorate where he and his mates can pay for it." That statement appeared on the front page of the *Sunshine Coast Daily*.

The Premier came to the electorate and said, "Trust us. All our campaign promises have been thoroughly costed by an independent firm of international repute. All our promises can be thoroughly paid for without increases in taxes. Trust us."

I also want to say something on this matter about money and nail some figures onto the wall. During his debacle on the debt issue, the Treasurer of this State admitted that stamp duty revenue this year is \$180m above the estimate contained in the Budget that I introduced. So there is available, to fulfil election promises such as this one, \$180m that the Labor Party did not have in its audited statement. Of course, this

promise was not fulfilled because it is in a National electorate, and too bad. Ahern can wear it because he cannot be beaten anyhow. That is the situation. It has been said locally. The amount is \$180m and this matter will not go away. The Government has the numbers tonight and will see that this motion is not carried. But I am telling the Government that at some time it will honour that promise.

The Minister for Transport paraded out a huge persiflage of figures. He said that it could not be done because it would take \$15m, I think he said, or \$17m out of the State road maintenance budget and that that was too much. Let me point out how all of this figures. Motor vehicle registration fees in this State finance the Main Roads Fund. They provide the revenue and they provide for the repayment of Treasury loans. Also included are the Commonwealth funds. That is a cameo of how the Main Roads Fund is constituted in this State.

If it is claimed that that is the only method by which funding for main roads can be achieved for this State, the Minister's statement is true but, in every other State, Governments have had to subsidise that fund, that basic device, because the amount is not enough. In every other State, a fuel tax has been introduced. We said during the election campaign that we would not impose a fuel tax. Labor echoed our promise and said that it would not have a fuel tax, either. When we said that, we knew that, so great has been the Commonwealth diminution of revenues, there had to be subsidisation from consolidated revenue to the Main Roads Fund——

**Mr Hamill:** Where from?

**Mr AHERN:** From consolidated revenue. There is now fat in the Budget from stamp duty revenue and it can be done. In fact, it was presumed that it would be done.

**Mr Hamill:** Why wasn't it in your Budget?

**Mr AHERN:** Because it was clearly understood that toll-roads are an unknown issue. A Government does not know how much revenue it will get until the cars roll down the track. It can only make a rough estimate and it is some time before it knows the amount of subsidisation required. That was always understood and accepted, and blind Freddy, even with no training in mathematics, would know that that had to happen. Because the capital cost was so significant when compared to the likely use, it was always understood that the toll would be a contribution, and a contribution only.

**Mr Hamill:** That's not what Treasury understood. That was never agreed to by Treasury.

**Mr AHERN:** Now the Minister has indicated that he was prepared to be snowed by Treasury. So Treasury is running the show, is it? So Treasury is running the Main Roads Department, is it? Is it the Treasury that is running this State? It is the Cabinet, not the Treasury, of this State that has to make the decisions. If the Government lets Treasury run everything, the State will be run by auditors. That is simply not acceptable politically, nor is it wise. The Minister for Transport has now disclosed that that is so.

There are many ways in which a particular solemn undertaking could be made by the Government of the day. If it is not done out of that \$180m extra in the Consolidated Revenue Fund this year, it could come from asset sales. And there are plenty of asset sales around. In every other State, revenue is being raised in this way and it could be done here. It is not being done here simply because for the Labor Party it is up there in political tiger country, so too bad for the people affected. The Government is saying that it will not utilise valuable money that can be spent coddling its own electors, and that it will leave the National Party people to pay this extra tax.

These undertakings will have to be met some day. I make that prediction. I believe that that is what will happen. The Government cannot stand the challenges to its credibility that have been issued daily and that in future will be read by many people time and time again. It is a question that reflects on all of us when something is said so categorically and then is simply wiped away. People think everybody in politics lies.

Time expired.

**Hon. T. J. BURNS** (Lytton—Deputy Premier, Minister for Housing and Local Government) (11.06 p.m.): This is probably the biggest political beat-up I have seen in my 20 years in the Parliament. An advertisement appeared in the local papers up there reading, "No toll. Fax your Minister." From all of these concerned people I got one fax. I got one fax from all of these concerned people who were hiring aeroplanes, paying for advertisements in the press and campaigning all over the place. So how many people were concerned? How many people showed their concern for what was organised by the Liberal Party?

Let us talk about the promises on the facts. Let us talk about Mr King. When the proposal for the bridge was first put up by Jim Birrell and the consortium, the Liberal Party member, Mr King, took part in the unanimous vote in the council for the toll-road and the toll bridge. The proposal by Birrell was accepted by the council. I ask Mr King to deny that he, as a Liberal member of the council, voted for it.

The promises were given by Mike Ahern. After 27 years of representation by Mike Ahern, he and Brian Austin decided to build a toll-road on the Sunshine Coast. Russ Hinze was able to put a four-lane highway right through his pub in his electorate, and Mike Ahern could not get a road in his area at all. His representation was so poor and he was such a second-rate member that he had to resort to this sort of thing to get himself a road. He was so weak, gutless and spineless when it came to standing up for his own electorate, that the only way he could get a road was by this means.

I will read Mr Bill Gunn's second-reading speech to this Parliament. He said—

"The Sunshine Motorway will provide a safe, high-speed road system which will serve the growing needs of the Sunshine Coast. The investment of \$45m for road and bridgeworks will be financed by tolls on the new Mooloolah and Maroochy River bridges. Tolls will be approved by the Governor in Council and are expected to be 40c for cars at the Mooloolah River toll plaza and 80c for cars at the Maroochy River toll plaza. Tolls for the Sunshine Motorway are essential, as the \$45m required to fund this facility"—

**Opposition members** interjected.

**Mr BURNS:** Members opposite should listen to this. He continued—

"represents more than four times the total amount available annually for this type of road in all Sunshine Coast local authorities."

Now it is at \$90m, which is eight times the amount of money for the Sunshine Coast road, and the honourable member for Landsborough is falsely telling the people in his electorate that he would rather have the toll for his mates down here than pay the \$11m or \$12m for the people on the Sunshine Coast.

**Honourable members** interjected.

**Mr BURNS:** Honourable members have just witnessed a good stunt pulled by the honourable member for Sherwood. That is the sort of paper that he ought to use to wipe the other end of him. This is the sort of thing that members of the Liberal Party get up to; one fax and a roll of toilet paper for the poor member for Sherwood, who cannot pay his way. Poor, old Angus; he cannot pay the \$100,000.

**Honourable members** interjected.

**Mr SPEAKER:** Order! Honourable members, I wish to listen to the speech and ask that you stop interjecting in unison. It would be adequate if honourable members interjected one at a time.

**Mr BURNS:** I do not really need your protection, Mr Speaker, because, if that is as much as Mr Innes can do, it is no wonder that the Liberal Party numbers in this Parliament have been reduced to eight or nine. They are down where they deserve to be; down amongst the toilet paper.

Mr Gunn went on to say—

"As a consequence of the final traffic assessments carried out by consultants, Main Roads has been able to reduce the number of toll plazas to two. This will provide the best possible service at least cost. Concerns have been expressed by the public about charging a toll on an existing facility but, with these arrangements, the existing road element is substantially toll free. We have noted the public's concern and have gone as far as we can in confining the toll sections to the Mooloolah and Maroochy River bridges."

**Mr Ahern:** What are you saying?

**Mr BURNS:** I am saying this to the honourable member: he is getting the toll right where he proposed it. He tried to rort it. He turned around and said to the people up there, "I'll put the toll in the Cooroora electorate. I won't have it in my area." The honourable member did not want to raise the money from his electors. Brian Austin said that he did not want the toll in his electorate and he got rid of it. There was to be only one toll, but the member for Landsborough did not want it. He decided to put it only on the bridge in Cooroora so that those other people could pay the toll. What was the name of the previous member for Cooroora whom they all hated?

**Mr Hamill:** Simpson—"Simpleton".

**Mr BURNS:** Yes, old "Simpleton". The honourable member put it in "Simpleton's" electorate and decided that "Simpleton's" constituents could pay. In that way the honourable member for Landsborough would miss out.

On the basis of what our friend Mr Gunn said in his second-reading speech, that the National Party Government was levying a toll exactly where the Main Roads Department asked for it and where the honourable member for Landsborough proposed it, Mr King and the Liberal Party voted for and supported the whole thing. There is nothing wrong with putting the toll where the honourable member for Landsborough wanted it. The honourable member cannot now say that he is against toll-roads. He favoured and proposed a toll-road. He supported a toll-road and put the two toll plazas in his electorate. Now the honourable member is whingeing about getting them back. Why is he complaining about getting what he proposed in the first place? Why is the Liberal Party member, who is on the Maroochy Shire Council, talking about all these bits of paper? Against the advice of all these organisers, the Maroochy Shire Council voted to have the toll. The Noosa Shire Council and the people in that area decided to have a toll-road. All these organisers pretended to be concerned citizens. My backside!

Both the honourable member for Landsborough and I know that this is a stunt to prop up poor, old "rolling" Stone up there; the fellow who is going downhill fast. The honourable member is concerned about him and has pulled this stunt. I am not worried about the members of the Liberal Party; they do not count. I am worried about Mr Ahern, who came to the people and argued this issue all the way through. He supported it, but now he is dinging on it. He is dinging on the proposal that he put forward. The honourable member wanted this road because for 23 years he failed to do his job in his electorate. The people are getting this road because of his failure. If I had my way, this Government would name the first tollway the "Mike Ahern Tollway" and every time people drove through they would see his name. He is the one who wanted it and he should have his name put on it. The next tollway we will call the "Brian Austin Tollway" so that Brian Austin and Mike Ahern can share the load for what they did over the years.

I turn now to look at the funding arrangements. I do not make any bones about the fact that I am still against toll-roads. I have never backed away from where I stand. Opposition members find honesty difficult. They do not like to be honest; they like to be the same double-twisted, two-timing, two-faced people that they have been all along. I stated very clearly to the people in the honourable member's electorate that I do not agree with tolls. I still do not agree with tolls.

**Mr Ahern** interjected.

**Mr BURNS:** No, I did not. I said I am against them. The honourable member can put all the words he likes into my mouth, just like he did on the front page of the *Sunshine Coast Daily*. I have said to him before, and I will say it again; he dingoed on his support of his own people. He put the proposal up and today he does not have the guts to stand up and support it. He is up there being a pretender. No wonder his own mob kicked him out of the leadership, gave him the wipe and treated him the way they did. He does not have the guts to stand up for what he believes in. If the honourable member believes in tolls and proposes them in this House, why does he not stand up for them in the end? Why does Mike Ahern run away? At least I have the guts to say that I believe in something and say so in his electorate. He is not game to do it now because he knows that the people up there will not cop it.

Let me talk about Brian Austin's argument. He said, "If I can get \$60m out of the Federal Government, I will take off the toll." What did he do? Poor old Brian is gone now. I do not know where he will end up, but I will say this: in his parliamentary dealings he had more honesty in him than some of the other members of the National Party. Throughout the controversy he was prepared to say what his position was. He stood up for what he believed in, and he fought for his own electorate first. He woke up to the unpopularity of toll-roads before members of the National Party who are present in this Chamber. He stood up for the people who lived in the electorate he formerly represented.

In 1989, after the debate that was held in this Chamber in 1988, I found out that the cost of that road would be \$76m, and I told members of the National Party about that.

**Mr Ahern:** Come on, now.

**Mr BURNS:** I can show the honourable member the *Hansard* record of the 1988 debate. I will bet the honourable member \$100 to a bunch of grapes that he cannot deny that.

**Mr BEATTIE** (Brisbane Central) (11.16 p.m.): This has been a very interesting debate. I ask the intellectual giant of the western suburbs, the member for Toowong, Mr Beanland: where is the money going to come from? The problem with the honourable member's argument is that the money will come out of the Consolidated Revenue Fund, which means that every member in this House will have to suffer because sleazebag No.1 comes into this Chamber and reads written speeches.

**Mr BEANLAND:** I rise to a point of order. I ask that those statements be withdrawn. I find them most disgraceful. I also draw your attention, Mr Speaker, to the fact that this new member in the Chamber does not know that Standing Orders require him to speak through the Chair.

**Mr BEATTIE:** I am happy to withdraw those remarks. It is, of course, obvious that for some time the honourable member for Toowong has been speaking through a chair. That guru from the western suburbs has his speeches written by university students and could not care less what happens to people in his own area. He wants to put his big hand into the Consolidated Revenue Fund to the tune of \$16m a year for 20 years. He could not care less about what happens to the money that comes out of the Consolidated Revenue Fund. As I said earlier, as a result of that action, every member of this House will suffer. I do not want to see the people who live in my electorate, who have already suffered 32 years of neglect at the hands of National/Liberal Governments, to suffer for another 20 years.

I wish to refer to an article that was published in a local paper circulating in my electorate which indicates the extent of the neglect suffered by my electorate. The people of my electorate could use for more important facilities the \$16m that the member for Toowong would use on the toll-road. Perhaps the member for Toowong will relate to the headline which states, "Years of filth about to end".



**Mrs Edmond:** And it did end.

**Mr BEATTIE:** Yes, it ended because this Government is going to do something about it. The Goss Government is using funds to help people. Let me refer to the type of neglect that was part and parcel of the previous Government's treatment of the people in my electorate. The article states—

"Intellectually disabled children at the Barooka Special School were forced to take cold showers with feces swilling around their feet and drink from polluted hand basins in the toilet block.

Lack of facilities also meant school teachers had to wash children's soiled undergarments in the toilet bowls."

Does the honourable member for Toowong want to know the relevance of that? The relevance is very simply that he will not allow the Consolidated Revenue Funds to be used for the purposes for which they ought to be applied.

**Mr FitzGerald** interjected.

**Mr BEATTIE:** It is all right for the member for Lockyer. When the member returns to his electorate, he will realise that he will need funds from consolidated revenue at some time in the future. Does the honourable member mean to tell me that he does not want money spent on schools and hospitals in his electorate? He could not care less about his electorate. He wants all the money spent on a single road. The member for Toowong wants to take \$16m out of consolidated revenue annually. What about the people who live in the Lockyer electorate? What is the member doing about roads in his electorate? What is he doing about hospitals? He would allow the member for Toowong to spend funds from consolidated revenue on a single road to the tune of \$16m a year for 20 years.

Because the National Party Government was prepared to engage in pork-barrelling, electorates right throughout the State have suffered.

**Mr Veivers:** Pork-barrelling?

**Mr BEATTIE:** Mick Veivers would know all about pork-barrelling. I only have to look at him to know that.

Members of the National Party pork-barrel electorates and they do not care about other electorates in this State. I am sick and tired of people who live in my electorate having to suffer because people such as the honourable member for Toowong—Mr Speaker, you will notice that I have not used the term "sleazebag"—simply want to rip off the Consolidated Revenue Fund. The member for Toowong—the intellectual giant who thinks that he is a descendant from the Rothschilds line of bankers simply because he is a former bank-teller—thinks that he can rip money out of the Consolidated Revenue Fund and not face any social responsibility to the wider electorate.

Let me get down to the real nitty-gritty. At the back of the Chamber sits a member called Bob King, the member for Nicklin. He used to be a member of the National Party, but he could not make up his mind and changed to the Liberal Party. When he was a member of the National Party, Bob King was in favour of the toll, but then he changed his mind.

**Mr FitzGerald** interjected.

**Mr BEATTIE:** Does the member for Lockyer want a toll-road, too? I could put one right through his house.

The "horrible" member for Nicklin was in favour of the toll, but then he changed political parties. This whole debate is about a fight between the National Party and the Liberal Party over electorates on the north coast. They are acting as though they are fighting over a dog on heat. I am pleased to note that tonight the member for Toowong was the first dog off the rank.

Unfortunately I have not heard anything from the Leader or the Deputy Leader of the Liberal Party in relation to Bob King's position on this matter. I am greatly amused to hear Angus Innes, when attacking the Minister for Transport, place great store in newspaper reports. He alludes to every quote that appears in newspapers attributed to the Minister for Transport. Where is Angus Innes on this issue? He is busy denying reports published in the *Sunday Sun* and saying that he was misrepresented. He says that he is not broke; no, he was misrepresented. Yet he is prepared to take as gospel everything that is printed about David Hamill. Angus, I am happy to deal with how broke you are. I can table a list of your entitlements.

**Mr INNES:** I rise to a point of order. The member is a new member. He does not understand Standing Orders, which require people to refer to members by their electorates.

**Mr SPEAKER:** Order! The honourable member for Brisbane Central will refer to members by their electorates.

**Mr Hamill:** As long as you don't refer to him by his seat.

**Mr BEATTIE:** That is about the only thing that we have seen plenty of tonight. We can do without some of it.

I am happy to refer to the Leader of the Liberal Party as the member for Sherwood. He still did not respond to the question of whether or not he was broke.

The hypocrisy of this matter is clear. The member for Sherwood is prepared to treat as gospel anything that the Minister for Transport is reported in the press as saying, but when he is reported as saying something which turns out to be a total political disaster and when he is pleading like a bleeding dog about being broke, he claims that he is misreported.

**Mr INNES:** I rise to a point of order. I find the honourable member's last words, excited as they were, offensive. I ask that they be withdrawn.

**Mr SPEAKER:** Order! The honourable member for Sherwood has asked that the words be withdrawn.

**Mr BEATTIE:** I withdraw. However, I cannot remember which words the honourable member for Sherwood was referring to.

I will return to the point and make it very clear. We have a situation in which the Liberal Party, supported by the National Party, is prepared to dip its fingers into consolidated revenue, and every other honourable member in this Chamber has to suffer in his electorate. When members on the opposite side of the Chamber come bleating about money for hospitals, roads and schools in their electorates, I will remind them of the words of the member for Toowong, Denver Beanland. He is the great mind who wanted to dip into consolidated revenue.

**Mr Hayward:** The Wolffdene dam man.

**Mr BEATTIE:** He was indeed the Wolffdene dam man. He was the man on the Public Works Committee who supported the Wolffdene dam. His track record is something to admire! On that matter, the member for Sherwood was not as supportive of his deputy leader as he is today. Tonight, we are seeing a repeat of the Wolffdene dam debacle. The logic and the intelligence of the debate is the same.

We need to very seriously examine what we are doing here. I am not prepared to allow the areas in my electorate which need Government funding to be put on hold because the National Party and the Liberal Party want to play stupid politics on the Sunshine Coast. I admire the courageous stand taken by the Minister for Transport, who has had the courage to say that we will not allow the people of Queensland to be ripped off. What about National Party members from northern and western Queensland? Are they not sick of seeing that sort of money ripped off them and used on the Sunshine Coast? What about their electorates? After voting for this motion tonight, how will they

tell their constituents that their electorates will receive less money because consolidated revenue is being ripped off. How can they justify that? They cannot justify it.

**Mr Stephan** interjected.

**Mr BEATTIE:** Len Stephan could not justify it if we gave him a year to do it.

This is a disgraceful performance from the member for Toowong. I remind him that his party receives headlines which read "Anger at \$100,000 Lib debt." That is the sort of accountability that the Liberal Party has. That is the sort of party that puts 18 people out of a job, that cannot pay its bills and that wants to abolish tolls on the Sunshine Coast.

**Mr AHERN:** I rise to a point of order. I draw your attention, Mr Speaker, to solemn undertakings by the new Government that it would not sit beyond 11 p.m. It is sitting now to avoid embarrassment. I ask for your ruling on the matter. There is already one Government member asleep. This is legislation by exhaustion.

**Mr SPEAKER:** Order! There is nothing in the Standing Orders about that. There is no point of order.

**Mr LESTER** (Peak Downs) (11.27 p.m.): Tonight, we are talking about an election promise that has been broken; it is as simple as that.

**Mr BORBIDGE:** I rise to a point of order.

**Mr SPEAKER:** Order! I warn the honourable member for Surfers Paradise under Standing Order 123A.

**Mr BORBIDGE:** My point of order is that——

**Mr SPEAKER:** Order! There is no point of order. The honourable member can see that I am on my feet.

**Mr BORBIDGE:** Under Standing Orders 119 and 120, I draw your attention to the fact that the Government Whip is shouting obscenities across the Chamber at the Opposition side of the House. I request that, to maintain the dignity of the Parliament, the same rules that are being forced on the Opposition side apply to people who spend most of their lives in the gutter, like the member for Port Curtis.

**Mr PREST:** I rise to a point of order.

**Mr SPEAKER:** Order! I will deal with one point of order at a time. The honourable member for Surfers Paradise has done more than his share of yelling across the Chamber. I did not hear the words used by the honourable member for Port Curtis, therefore I cannot rule on them. I will leave it at that.

**Mr Borbidge:** Well, I did, and they were not very nice.

**Mr PREST:** I rise to a point of order. The member for Surfers Paradise said that I spend most of my time in the gutter. It is untrue and hurtful. I ask him to withdraw. In fact, I am not like him; I do not spend any of my time in brothels.

**Mr BORBIDGE:** In view of the comments that the honourable member for Port Curtis made towards members of the Opposition, which you, Mr Speaker, apparently did not hear, I have great difficulty in withdrawing the comments requested to be withdrawn.

**Mr SPEAKER:** Order! I have already warned the honourable member for Surfers Paradise under Standing Order 123A. He either withdraws the statement or leaves the Chamber.

**Mr BORBIDGE:** I will leave the Chamber. I will not withdraw.

Whereupon the honourable member for Surfers Paradise withdrew from the Chamber.

**Mr LESTER:** The issue tonight is simply that in the run-up to the State election, the Labor Party promised that there would be no toll on the Sunshine Coast motorway. Once elected, it broke that promise. Not only were the people of Queensland misled, but 125 000 concerned people on the Sunshine Coast were told a direct untruth.

Comments were made by the now Premier, Mr Goss, who said that only a vote for Ray Barber would ensure the removal of the toll. Indeed, he said that in September 1989 in a letter to the electors. The now Deputy Premier, Tom Burns, similarly said that the Labor Government would remove the tolls. Mr Milliner certainly expressed great displeasure at the tolls, and Ray Barber made more comments.

Next Saturday the people of Queensland will have an opportunity to voice their disapproval about this, and it is my solemn advice that they do so. It is my advice to the people of the Sunshine Coast and, for that matter, the rest of Queensland to vote for the coalition. The Opposition believes that then at least the promises would be kept and Queensland would in fact have a better chance of obtaining more money from Canberra for roads.

Why on earth is it that at present that the RACQ is kicking up such a shindig about road-funding not only in Queensland but also throughout the length and breadth of Australia? Hardly anybody would say that the RACQ is a dishonest organisation. One could hardly say that the RACQ is not a good organisation. To be quite frank, I have always been led to believe that, over the years, the RACQ has generally kept out of politics, elections and so on. However, to be quite honest, on this occasion it has had a gutful. The RACQ is trying to help the people of Queensland who own motor cars and give them general advice on the best means of travelling in this State. It is interested in the tourist potential of Queensland. The RACQ has had no option but to run a very, very strong campaign and to condemn the Federal Government and what it is doing.

**A Government member:** What about the Capricorn TAFE?

**Mr LESTER:** A member opposite—I am not sure which one—made a comment about the Capricorn Highway.

The honourable member should have seen the Capricorn Highway some 15 years ago before I became the member for Peak Downs. It was nothing more than a bit of a goat track. During the time of the ALP it was worse; there was no bitumen at all on the Capricorn Highway between Rockhampton and Emerald. The trip between Rockhampton and Emerald took nearly a day. In the time of the ALP, one was quite lucky if one made the trip between Emerald and Rockhampton without doing some damage to one's motor car.

**Mr HAMILL:** I rise to a point of order. I believe that the honourable member is lost. He is somewhere out west and he should be on the Sunshine Coast.

**Mr SPEAKER:** Order! There is no point of order.

**Mr LESTER:** I thank you, Mr Speaker, for ruling that there was no point of order. I was answering an interjection, and I was quite within my rights to do so. I really thought that the learned gentleman opposite would know that, when an interjection is made about the Capricorn Highway, I have every right to protect the people of Peak Downs and to ensure that justice is done. I cannot allow things to be said in this Chamber that could reflect very, very badly on the electorate of Peak Downs.

**Mr SPEAKER:** Order! The member for Peak Downs has been shown some leniency. I ask him to return to the subject-matter under discussion.

**Mr LESTER:** Thank you, Mr Speaker. I believe that you have been very tolerant, too—very tolerant with your own lot, and us, too.

This comes down to an issue of funding. The ALP is arguing that if there is no toll on the Sunshine Coast Motorway, Mr Beattie and a few other people are not going to get more schools in their electorates. The funds will have to come out of the

Consolidated Revenue Fund. He has suggested that we in the west will not get roads as good as we might otherwise and that, therefore, on reflection, even though it is the opposite of what the Labor Party had promised in order to obtain votes on the Sunshine Coast, he believes that the ALP has justification for putting a toll on the Sunshine Coast Motorway. The simple facts of life are that it is Canberra that is starving this State of funds. That is what it comes down to. That is really what honourable members are talking about tonight. We are talking about funding; we are talking about where funds should go and what has happened.

Over the years—and certainly recently—Queensland has pulled its weight, and it even received the \$40m matching grant, which has been available for shires and others to use. Quite simply, this situation has to be taken extremely seriously because we are being taxed continuously through the indexation of excise duties on fuel. The price of fuel is rising to the point at which Australians will be paying more for it than anyone else in the world. However, for every litre of fuel that one buys, only 5c goes back into our roads. That is why the Government is talking about a toll. It is because it is getting only 5c back for every 25c that is being raised in taxes. I want to know where that other 20c is going. That must be going into schools and all sorts of other things.

It is quite clear that if a tax is imposed to raise revenue for road-funding, that tax should indeed go back into roads. That is really what this is all about. An incredible amount of revenue has been raised by the Federal Government by increasing taxes.

**Mr ARDILL** (Salisbury) (11.37 p.m.): I want to address the points that the previous speaker raised. The tax that he talked about happens to be an excise tax on petrol based on world parity prices. Does the honourable member suggest also that the tax on wine, beer and spirits should be spent on hotels? Is that what he is suggesting? Does he suggest that every cent in tax that is raised from a particular product should be spent for the benefit of the purchasers of that product? This is the same sort of specious, political argument as the RACQ and other motoring organisations choose to use every time there is a Labor Government in Canberra.

Everybody would love to have more money to spend on roads. However, I ask honourable members to remember that the fuel excise is not intended to be spent specifically on roads. It is used for all sorts of purposes, including public transport. Incidentally, that excise is also paid by operators such as the railways.

This political debate was brought on because a Federal election will be held on Saturday. That is the only reason why the Liberal Party brought on the debate. When the Bill was first introduced into the House, the Liberal Party went in boots and all.

**Mr BEANLAND:** I rise to a point of order. I personally find those remarks very offensive. I did not bring this legislation before the House. The Government brought in the Order in Council, not me.

**Mr SPEAKER:** Order! There is no point of order.

**Mr ARDILL:** I am in possession of a map that is of some significance. When the former Deputy Premier and Minister for Main Roads introduced the Bill for the tollway, he did not produce this map in the Chamber. In his second-reading speech, the former Deputy Premier said that there would be a toll on the bridge over the Mooloolah River and a toll on the bridge over the Maroochy River. He obviously knew nothing about the geography of the area. Because I do, I said, "What about the people of Mooloolaba and Maroochydhore? Aren't they going to pay the toll?" He said, "Yes, those two toll plazas will pick them all up." I said, "Not by my reading of it. Have you got a map?" He said, "There will be one outside somewhere." I got a map from one of the parliamentary attendants. It shows the electorates and exactly what the toll was all about. Because not all honourable members can see this map from where they are sitting, I will tell them that the toll was to be 80c on the Maroochy River bridge, taking people into the Cooroora electorate; and 40c on the Mooloolah River bridge, taking people into the Landsborough electorate, which is the electorate of the former Premier. He did not

know that he had been conned. However, the member for Nicklin was very happy. At one time he had been a Main Roads engineer and he did a little bit of engineering of his own. He made sure that the people of Nicklin were not paying the toll, despite the fact that the present member for Nicklin was in favour of it.

**Mr Ahern:** Is this a bed-time story?

**Mr ARDILL:** It is not a bed-time story, and the honourable member knows that.

When I drew the former Minister's attention to the matter, he had the tolls altered so that the entire toll was loaded on to the people of Cooroora. I do not blame the electoral candidate for Cooroora who said that he wanted that toll removed. I am sure that the Labor Party will remove the toll.

**Mr Berghofer** interjected.

**Mr ARDILL:** I ask the honourable member to listen. Obviously he has a problem. The Labor Party did not put the toll on the Maroochy River bridge. The National Party did that.

**Mr Ahern:** You are going to take it off, are you?

**Mr ARDILL:** I am sure that the Minister will answer that question to the satisfaction of the people of Cooroora, although it might not be to the satisfaction of Landsborough people such as the former Premier, who will now be paying the toll.

The toll-road, which was constructed by the Main Roads Department, would have been funded by people in every electorate in Queensland. A 40c toll will now be imposed on the road.

**Mr Ahern:** I think you've got it the other way around.

**Mr ARDILL:** No, I have not.

**An honourable member:** Show him which way is up.

**Mr ARDILL:** The former Premier does not know which way is up. He did not know it when the Bill was introduced, but he was made aware of it when I drew his attention to the fact that his friend and colleague had rorted the issue and made sure that the people of Cooroora and Landsborough were going to pay for it and that the people of Nicklin were not going to pay for it. Because the toll was to apply to vehicles using the bridge over the Maroochy River, this matter is being debated tonight. The people of Cooroora were to be disadvantaged by the National Party.

**Mr Innes:** On that map, isn't there a toll plaza just north of the Mooloolah River?

**Mr ARDILL:** Yes. However, it was not on the road from Brisbane to Maroochydoore or Mooloolaba. It would catch the people travelling from that new road into the Landsborough electorate.

The smart footwork of the former engineer was going to ensure that the people of Cooroora and Landsborough paid but the people of Nicklin did not. Our friend from Nicklin was also conned because he had been persuaded that the toll was necessary.

There is a simple answer to the problem: remove the toll from the people who expected to pay it and give it to everybody else. The member for Sherwood said that he is happy for the people of Logan City to have a toll-road. In his philosophy he has nothing against toll-roads. However, because he visits that area and does not often visit Woodridge, he does not want tolls to be imposed on Sunshine Coast roads. That is typical Liberal Party thinking.

I say congratulations to the Liberal Party for moving this motion tonight. It will probably help the party make sure that the "rolling" Stone keeps on rolling back down south to wherever he came from. But let us be sure of one thing, that is, that this motion

is a political stunt and nothing else. Members opposite stood up tonight and sympathised with the people——

**Mr Ahern:** You've always been fair up to this. It was a Labor ploy before the election. That's what it was really all about.

**Mr ARDILL:** The honourable member is quite happy for the toll to be imposed on the people of Nicklin; he is quite happy for it to be imposed on the people of Cooroora, but he objects to having it imposed on the people of Landsborough. Is that right? Or is he quite happy with the toll-road?

**Mr Ahern:** The promise has been broken, that's all.

**Mr ARDILL:** He is happy with the toll-road?

**Mr Ahern:** It's a question of honesty and of cheating.

**Mr ARDILL:** No, that is not the question.

**Mr GILMORE:** I rise to a point of order. I bring to the attention of the House that the honourable member is confused.

**Mr SPEAKER:** Order! I warn the honourable member for Tablelands under Standing Order 123A for taking such a frivolous point of order.

**Mr ARDILL:** The member for Tablelands was a Minister for a short time. He was not the shortest Minister in the Cabinet, but he might have been the smallest. He was not elevated very high. Perhaps he wants the toll imposed on the road to Kuranda, or perhaps he wants the funding taken away from the Tablelands electorate to abolish the toll under discussion.

As I said, this is a purely political stunt. The National Party was in favour of the toll-road. Now it has changed its tune.

**Mr SPEAKER:** Order! Before I call the member for Merthyr, I say to the honourable member for Tablelands that, in the future, he should take a proper point of order from his usual seat.

**Mr SANTORO (Merthyr) (11.48 p.m.):** The arguments during this debate, particularly those from the other side of the House, have taken many an interesting and particularly tortured form.

**Mr Beattie:** They are exhilarating.

**Mr SANTORO:** That is one way of describing them, but that is not the way that I would describe them.

Basically, three issues need to be addressed. I want to bring the debate and the attention of the House back to those three issues. They are these: what promises were made by the now ALP Government prior to the election? What guarantees were given——

**Mr Ardill** interjected.

**Mr SANTORO:** I heard the honourable member in silence. I would appreciate the same courtesy.

What guarantees were given in relation to the question of funding? More importantly, particularly today: what impact will the Government's decision have on the local communities?

I want to divert a little bit and bring the attention of members of this House back to the debates that took place this evening when the CJC and EARC parliamentary committees were set up. Many members stated that the general public are very cynical about the people who sit in this place, that people were very cynical of politicians, and that politicians could not be trusted. I respectfully suggest to members of this place that

we are not trusted because of what is manifest in this place, particularly during debates such as this. That is one of the main reasons.

It would seem to me that, putting aside all attempts at political stunts, putting aside all of the rhetoric which has been used to cover up certain viewpoints, one still cannot get away from the basic fact that certain literature is in circulation within the State of Queensland, particularly within the electorates on the north coast. That literature includes a letter, signed by the Premier of Queensland, that unequivocally, without any hesitation, without any possible opportunity or scope for confusion, clearly states that, if an ALP Government was elected, no tolls would be imposed on new roads on the north coast. One does not need a degree in literature, other university degrees or any other level of education to be able to read it. That document to which I refer has been tabled by the honourable member for Toowoong. It clearly states that a promise was made, and what must be devastating for the people in the electorate of Cooroora and for all of those other people through Queensland who trusted this particular Government is that that promise has been broken.

The point was made: where is the member for Cooroora? Why is he not sticking up for the promise that he made and which was made on his behalf prior to the election?

**A Government member:** He has not made his maiden speech.

**Mr SANTORO:** If the member for Cooroora has not made his maiden speech, I withdraw the comment.

The point needs to be made that this evening the ALP Government has made it clear that it has made a tough decision. These days the Government is very keen to be reported in the paper as saying, "We are a tough Government. We are making the difficult decisions. We are making the tough decisions." I would suggest that in the back of the Government's mind it considers this decision to be one of the tough decisions, and it is making it early.

I suppose one of the political wisdoms around Australia is: make the tough decisions early, because by the end of the term the people will forget them. I can assure the Government that nothing the member for Cooroora will say in his maiden speech, nothing that he will say in any subsequent speech and nothing that any member of the Government will say in future speeches will make the people of Cooroora and the remainder of the north coast forget that one of the most fundamental promises made by the ALP prior to the election has in fact been broken. We in the Liberal Party will make sure that that promise that is written in black and white on thousands of letters will be remembered by the people of Cooroora.

**Mr Hamill:** Why don't you read the relevant bits?

**Mr SANTORO:** The other question to which I referred related to the whole area of funding. Members of the ALP, including the present Treasurer, the present Premier and various new Ministers, including the Minister for Transport, went round saying, "We have got all of our economic bases covered. We have costed our policies. We have had independent audits of the Labor Party's programs and the specific policies undertaken and the Labor Party can prove it."

During the election campaign, the Labor Party flaunted documents to a gullible press and to the people of Queensland, including the document from Peat Marwick. Those documents stated clearly that all of the policies were costed and that all of the Labor Party's programs had been costed to the last cent.

When honourable members ask the members of the ALP to display those traits that they said they would display if elected—that is, being accountable to this Parliament and being open, when asked to do so by providing to honourable members the document that shows the costing, including the costing that allowed Labor Party to promise toll-free roads on the north coast—time after time the Government refuse to do so. The Liberal Party says, "What have you got to hide? Why don't you make yourself as accountable as you said you would before the election and,



more recently, this evening during the debates on EARC and the CJC?" During those debates, this House reached an agreement that led me to believe that perhaps a change for the better was in the wind.

I again call on the Treasurer and the Minister for Transport to table the documents that clearly enabled the ALP to make the promise that it made did prior to the election.

During his years in this place, Mr Burns, the honourable Minister for Housing and Local Government, has been very fond—I acknowledge that I am a relative newcomer, but I have read many of his speeches—of sticking up for the small persons, the little Aussies, the people who need a strong voice.

I ask Government members: how does this decision on the toll-road support the mothers and the fathers of the north coast who want to transport their children on safe roads? If residents of the north coast use the toll-road, which is a toll-road because of the Government's decision and because of its broken promise, the honourable member for Nicklin informs me that it could cost an average family up to \$2,000 a year to transport their children on safe roads.

Has the Government considered the cost to the local traders, the local small businessmen to whom the Government promised so much relief? Has that aspect been given any consideration by this Government?

When members of the ALP were in Opposition they often spoke about the very high level of unemployment, particularly youth unemployment, on the north coast. What assistance is this particular broken promise going to give to small businesses on the north coast? Where is the incentive to employ more young people?

If the residents of the north coast wish to use good roads—and by and large good roads do not exist on the north coast because Government members have not put pressure on their Federal counterparts to provide this Government with more funding—what assistance is the imposition of this toll going to give to local traders and what boost will it give to the local economy?

I am concerned for the little people, the families, the small traders, the unemployed, the people who could have gained further opportunity for advancement by the enlightened promise of the ALP, which has now been broken. It is not there. There is no such opportunity.

The Government keeps saying that the National Party was going to take the money out of consolidated revenue. Members of the ALP should remember, and take it from somebody who has, admittedly been here admittedly for only a short time, that they are now in Government. It does not matter what anybody on this side of the House said; it is what they said. It is their promises and actions before the election that are now accountable in this place.

The question is not where the National Party Government was going to get the money to fund a particular program or policy, it is what the ALP promised and what the Government should deliver. I strongly suggest to the Government that if it cannot deliver, Ministers should resign. That would be the honourable thing to do. If Ministers cannot keep their promises, that is the honourable course to take. That includes the Rhodes scholar opposite, who went to the great seat of learning at Oxford and should know the Westminster parliamentary tradition better than anybody else in this place.

It was interesting and instructional to see Government members with smiles on their faces as, in speech after speech, they tried to prove that the Government had not broken a promise. The proof is there in black and white. It has been tabled. The smiles on Government members' faces highlight the betrayal of trust that the people of Queensland have to put up with.

**Mr STEPHAN** (Gympie) (11.57 p.m.): I join in the debate this evening to highlight two main issues. The first is the broken promise of members of the Labor Party who were elected because they promised to remove the toll from the Sunshine Motorway.

Where does Mr Barber, the honourable member for Cooroora, stand on this particular issue? He electioneered on the basis of the removal of the toll from that road. However, when the opportunity arose for that honourable member to hold his hand up, he was missing. I ask Mr Barber now: where do you stand on this particular issue? How are you going to vote on this issue? The honourable member's constituents are very keen to know and are waiting to find out what he is going to do.

**Mr BEATTIE:** I rise to a point of order. The honourable member for Cooroora has not made his maiden speech. The comments by the honourable member for Gympie are quite inappropriate.

**Mr SPEAKER:** Order! There is no point of order.

**Mr STEPHAN:** The honourable member for Cooroora can make his speech tomorrow. I will be interested to find out how he votes. The fact that the honourable member has not made his maiden speech does not mean that he does not have a right to vote. I am very interested to learn the honourable member's point of view.

Some interesting comments are contained in a letter to the residents of Cooroora signed by Mr Wayne Goss. He pointed out that Ray Barber was a well respected member of the community. Mr Goss stated in the letter—

"I believe Ray has the experience to know what's right and the courage to make it happen."

Those are the words of the parliamentary leader of the ALP. Mr Goss gave this assurance to the residents of Cooroora—

"Only a vote for Ray Barber will ensure the removal of the toll and the upgrading of Cooroora's roads."

That statement is clear enough for me and for the residents of the Cooroora area, or anybody else who received that letter.

**Mr ARDILL:** I rise to a point of order. The honourable member is purporting to read the letter. He is not doing so. He is selectively leaving out parts that do not agree with what he is saying.

**Mr SPEAKER:** Order! There is no point of order.

**Mr STEPHAN:** I can understand the honourable member for Salisbury becoming very concerned and upset about the contents of that letter. I should imagine that he has read the letter. If he does not like that point of view or if he does not like that sentence, would he like it to be taken out? Does he require that it be removed and the letter go through the process of being distributed throughout the electorate again? Is that the sentence to which he is opposed? Does he not like the sound of it?

**Mr Ardill:** You are telling lies.

**Mr STEPHAN:** I am not telling lies. Is the honourable member saying that his leader was telling lies? He signed this letter. He sent this one out. Who is the member saying is telling lies now?

**Mr Hamill:** You.

**Mr STEPHAN:** What, because I am reading the letter? It says that only a vote for Ray Barber would ensure removal of the toll and the upgrading of the Cooroora road. That is clear enough. What else would the honourable member wish to leave out? He goes on to say that he has costed the whole operation, so the cost was known. That has been pointed out a couple of times this evening.

The then Deputy Leader of the Opposition stood in this place and asked a question about the cost of that roadway. He asked that question two or three months ago, yet he gets up now and tries to say that he was not aware of the cost, that he did not realise it would cost so much money and that so much would be required to be recouped from consolidated revenue.

It is no good the honourable member for Brisbane Central asking where the money would come from. He has been told the cost of the road. He cannot plead ignorance now and say that he was not aware of the cost. He and his deputy leader were told the cost. He should have taken notice and understood the answer to the question, or is he simply interested in asking questions and not worrying too much about the answers? Or did he not understand the answer?

Why is that his deputy leader has not gone up into the area? Why is it that he is not game to go up there and face the people? Why is it that, when the Minister for Transport went up there on the opening day, he hid and did not show his face? It was not advertised very clearly that he would be there at 10 o'clock. The advertisement stated that the motorway would be opened at 12 o'clock after the Minister had gone. He was not available to show his face to the members of the community. He hid himself very well on that occasion. It was a good PR exercise.

**Mr Hamill:** Where were you?

**Mr STEPHAN:** I was not there. It is not in my electorate.

**Mr Hamill** interjected.

**Mr STEPHAN:** Did the Minister say he invited me? Did the Minister ask me to go? He did not let anybody know that he was going to be there. He hid himself from that location and he was not game to let people know where he was. He should not lose sight of that fact.

The Government has just realised that the toll-road is the way to fund roads in this area. One of the real problems is the cut-back in funding by the members of the Federal Government, the colleagues of honourable members opposite. That is where the money should be coming from. An excess excise was imposed on fuel for the construction of roads. In 1988-89, \$1,300m was spent on roads but the excise collected amounted to \$5.6 billion. Not enough is put back into roads. Government members should convince their colleagues in Canberra. They are not prepared to go and tell them that funding is required here. They are trying to make excuses. They are trying to justify the decision to cut back on road-funding.

They should go out and tell people in the other areas of this State where they are ripping up the bitumen because they cannot afford to maintain it. They should go there and tell the people they will have to do with what they have got. The Australian Automobile Association said that, in 1988-89, the Budget insulted the motorist. The motorist will continue to be fleeced by the Federal Government through the petrol pump while the condition of the road system continues to deteriorate because of a shortage of funds. Anybody has only to travel around the State with his eyes open to realise exactly what is happening.

**Mr Beattie:** What about your schools and hospitals; are you going to ignore them?

**Mr STEPHAN:** Yes, a lot of money is required for schools. Who made the promise that the road toll would be removed? The honourable member cannot now claim that money is wanted for something else and suddenly discover that the Government does not have the money. Is the honourable member saying that he did not understand the answer that was given three months ago about the cost of the road? Is he saying that he cannot comprehend what amount of money is required? It is no good his pulling faces. Yes, what about the schools? Promises were made about the schools, but that has nothing to do with the promise to remove the toll. Now he wants to say that he was not aware of it earlier. About 6.1c a litre was being paid in excise in March 1983 and it went up to 23c a litre in August 1989.

**Mr Booth:** Which way do you think the member for Cooroora will vote?

**Mr STEPHAN:** I will be very interested to see which way he votes on this matter; so will the 27 000 voters in his electorate. They are waiting to see. Whether he is a oncer depends on the way in which he votes.

Time expired.

**Hon. D. J. HAMILL** (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (12.08 a.m.), in reply: What a pathetic bunch they really are! After being monstered by Pa Kettle from Gympie, I am smarting from the argument put forward by this Opposition, which has nothing to say but which makes so much noise trying to say it.

The motion for disallowance of the Order in Council and by-laws moved by the member for Toowong relates to a schedule of tolls that was not devised by this Government or by the Labor Party; it was devised by the National Party and Mike Ahern. He is that hypocrite sitting opposite; a failed former Premier; a failed former Minister; the failed member for Landsborough; and a person who, as the member for Lytton said, has represented Landsborough for so long but who could not deliver to his electorate. He decided that he and the former member for Nicklin would try to deliver a roads program to the Sunshine Coast by means of a toll-road. Originally on that road they intended to charge not one toll, two tolls or three tolls, but five tolls.

What happened next? I will chart the course so that honourable members can understand how the former National Party Government made financial decisions which this Government is having to pay for. First, they took two tolls away, leaving three. Then Brian Austin thought, "Gee, I do not like the idea of having a toll in my electorate. I'll take that one away as well. I am Minister for Finance so, with a wink and a nod, I will talk to Treasury. She'll be right. I'll find the money. We'll get rid of the toll. We will not worry about the detail. We will not worry about where the money is coming from. We will just take the toll off." Brian Austin—this blow-in to the Sunshine Coast, the former Liberal member for Wavell, the imposed person in the seat of Nicklin, and the person whose position in Nicklin caused Bob King to join the Liberal Party—decided there would not be a toll. Mike Ahern said, "That will do me as well. I cannot have a toll in my area." Then they picked on Gordon Simpson. Do honourable members remember Gordon Simpson? He was the member whose parliamentary career fell to pieces when he was elevated to a Ministry. He was a wonderful member for Cooroora, but the trouble was that the rest of the members of the National Party hated him. That is why the National Party Government put the one-dollar toll on the Maroochy River bridge. Pure political self-interest caused Mike Ahern and Brian Austin to forget about the financial integrity of the project and simply get it out of their electorates. They knew that they were on the nose in their electorates and did not want to have a toll collected there.

Tonight I can agree with the members of the Liberal Party when they say that the one-dollar toll on the Maroochy River bridge is inequitable and unfair. I will give fair quotation to the letter circulated in the electorate of Cooroora. This letter was tabled in this House by Mr Beanland. It confirms the remarks I made on the first day when I said that the National Party had spent 32 years in remedial classes learning about the Westminster system. The honourable member for Gympie ought never have graduated from remedial class, because he failed to read the letter. I will quote from the letter and read it slowly so that even that dullard from Gympie will have a chance to understand it. The letter states—

"I believe Ray has the experience to know what's right and the courage to make it happen."

The next sentence was underlined and the dullard from Gympie failed to read it. The letter continues—

"That's why he's opposing the toll on the Maroochy River bridge."

The next paragraph states—

"As the most frequent users of the toll bridge, residents north of the river will pay a disproportionate share of the cost of the motorway and Noosa Shire's proposed new road system."

Only a vote for Ray Barber will ensure the removal of the toll and the upgrading of Cooroora's roads."

I would have thought that even a person of limited intellectual capacity such as the honourable member for Gympie would have understood that the reference in that letter relates back exactly to the Maroochy River bridge.

I am pleased to be able to say that this Government is removing the toll on the Maroochy River bridge. The Government supports the schedule which is before the House this evening because it is not prepared to play political games with the integrity of this State's finances. Unlike the honourable member for Landsborough, it is not prepared to let grubby self-interest stand in the way of a responsible attitude to the husbandry of this State's finances. This Government's overriding commitment to the people of Queensland was for accountable, responsible and economically responsible Government. I for one was not prepared to sacrifice this State's roads budget for the next 20 years to pay for Mike Ahern and Brian Austin's pork-barrelling. It is disgraceful and immoral that these former National Party Ministers and failed political figures expect all Queenslanders to pay for their excesses. This Government is not prepared to sacrifice the income flow necessary to pay for this project which has been allowed to escalate.

When the former National Party Ministers announced the Sunshine Motorway project, it was to cost \$45m. Later it was revealed to the public of Queensland that they had not included in that figure the cost of resumptions or the cost of the design work. The figure was jacked up another \$20m. Still later it was jacked up another \$10m so that, at the time the Labor Party took office, it had an edifice to the financial irresponsibility of Mike Ahern and Brian Austin and their ilk which would drain the Queensland Budget for 20 years to the tune of some 15 per cent of the moneys available for new road construction and works.

**Mr Lingard:** You wanted to stab him in the back.

**Mr HAMILL:** I hear the honourable member for Fassifern. He is one of my more frequent correspondents. He is always writing letters to me about the priority that he believes should be given to the upgrading of roads in his electorate. I ask the member for Fassifern whether he is prepared to sacrifice projects that he considers dear to his heart to pay for Mike Ahern's folly.

**Mr Veivers:** Don't come near me with that claptrap.

**Mr HAMILL:** What about the member for Southport? Which project does he not wish to go ahead so that the people of Queensland can pay for Mike Ahern's folly?

**Mr Stephan** interjected.

**Mr HAMILL:** What about the member for Gympie? Which roads does he not wish to have constructed so that there will be money to pay for Mike Ahern's folly? I say to those honourable members that for a long time my constituents have suffered because of the financial irresponsibility in the previous 32 years of coalition Government. My constituents missed out on schools and suffered an inadequate police presence. Dare I mention the main road that was constructed in my electorate during that time? Grass is growing straight down the middle of it. It is testimony to the priorities of the former Government of this State.

I do not ask any member of this House to pay for Mike Ahern's financial irresponsibility. I believe that the Government has an overriding responsibility to the people of Queensland to deliver a program that will upgrade the services that the people of Queensland have long since been denied. Previous conservative Governments were more concerned about pork-barrelling their back yards than they were about providing a decent quality of service to the people of Queensland. That is why I made the decision not to sacrifice the budgetary allocation for roads in this State to pay for Mike Ahern's financial irresponsibility.

**Mr Ahern:** What about the lies?

**Mr HAMILL:** The former Premier speaks about lies. What about the lies that his Government told the people who live in the Sunshine Coast area when it was said that the project was fully funded? What about the lies when the previous Government said that the project would cost \$45m? What about the lies when the previous Government said that the cost would be \$66m, or \$76m? Who will give me a higher bid? The previous Government demonstrated no financial responsibility.

Let me now refer at greater length to the financial constraints that the Goss Government inherited in budgetary allocations for roads. I noted with great interest that the former Premier and Treasurer—the architect of this financial year's State Budget—said that the Goss Government should sell off assets to pay for the honourable member's folly on the Sunshine Coast. I also recall that Mr Ahern suggested that money should be drawn from the Consolidated Revenue Fund to pay for his pork-barrelling. I ran the ruler over the roads budget and I inform the House that I discovered that, indeed, an asset sale had taken place this year. Oh, yes; Mike Ahern had decided to flog off the family silver to put a bit more dough in the pork-barrel.

**Mr Ahern:** That was recommended by the department, and you know it.

**Mr HAMILL:** The member for Landsborough accepted the advice given by the departments to raid the biscuit barrel and sell off the silver by flogging off \$67m worth of Department of Main Roads assets which had generated \$12m per annum in revenue and which could have been added to the roads budget. The position now is that, to maintain the real value of this State's roads budget, the Goss Government will go into the next Budget \$90m in real terms below par, thanks to the financial irresponsibility of Mike Ahern and his former Government. Yet the member for Landsborough has the effrontery to talk about morality and responsibility.

**Mr Ahern:** What about Federal cut-backs?

**Mr HAMILL:** Now he is bleating about Federal cut-backs. Where will his excuses end? Mr Speaker, the buck stops here. I can inform the House that the buck that has subsidised the National Party's pork-barrelling has stopped here.

Let me relate another little story which demonstrates the ethos of members of the National Party, who are not content with a roads program across the State that this financial year was artificially pumped up by asset sales. In addition, the previous Government proposed a \$12m supplementary roadworks budget. Prior to the last State election, I had been a member of this Parliament for six years. I was never asked during that time by the former Government about projects that could be considered for a supplementary road program.

**Mr De Lacy:** It was just the National Party members.

**Mr HAMILL:** It was only the National Party members who were asked what projects they wanted out of that additional \$12m. I must inform the House that I have tried to honour those commitments, because most of them now relate to Labor electorates. The Goss Government does not welsh on its responsibilities.

Let me relate another little story concerning the member for Auburn and the former Minister for Main Roads, who travelled to the Duaringa Shire. They made a promise to the Duaringa Shire that they would deliver a new \$1.65m bridge on the Duaringa-Apis Creek road.

**Mr Elder:** I wonder why.

**Mr HAMILL:** Does the member for Manly know that road? It runs up near the Ten Mile. That area has not done too badly over the years. I received a deputation from the local shire council pointing out that this was an important project. Indeed, I am sure that it is. I look forward to inspecting the site personally. However, the point I make is that that particular road has only 80 vehicles a day travelling along it. When I asked whether the project was part of the Budget allocations, the answer was, "No."

**Mr HARPER:** I rise to a point of order. Mr Speaker, I put it to you that the Honourable the Minister is misleading the House. What he has not said is that in the last year——

**Mr SPEAKER:** Order! There is no point of order.

**Mr HAMILL:** I presume that the member for Auburn was going to say that some parts of the road had been under water for several months because of the wet season. I reiterate that only 80 vehicles a day travel along that road.

The point I was about to make before I was so rudely interrupted by the member for Auburn was that National Party former Ministers—not content with a roads budget that had been inflated by pork-barrelling promises and not content with a supplementary program for which no provision had been made in the Budget—ran around the State making all types of promises. Unfortunately, the Goss Government does not have the funds to meet those commitments.

**Mr Littleproud:** You talk about promises.

**Mr HAMILL:** The shire chairman said to me, "But it was an election promise." I had to remind him that it was not one of my promises. The fact is that I am not prepared to pay the bills for political pork-barrelling.

The Goss Government said that its roads budget would be based upon established priorities and on both social and economic needs. I do not resile from that statement. Let me illustrate the difference between the Goss Government's approach and that of its predecessors.

**Mr Ahern:** Lies!

**Mr HAMILL:** The people represented by Mr Ahern were not consulted in relation to the Sunshine Motorway Stage 1. No, no; it was imposed upon them. It was part of election aggrandisement between the member for Landsborough and the former member for Nicklin.

In relation to Stage 2—I have given a very firm commitment to the people of the Sunshine Coast and the process of carrying out that commitment is now under way. I am interested to hear that the process of community consultation that we undertook has indicated that there is strong support coming from the Sunshine Coast, the Maroochy and the Noosa councils and numerous other community groups for Stage 2.

The Government's position is quite clear. It will not proceed unless the community wants it. The community understands that, if Stage 2 were to proceed, it would proceed only as a tollway. The Government has the basic decency to come clean. It is not prepared to slip and slide, shake and avoid when the political heat in the kitchen becomes too hot.

The whole debate this evening is a farce. It is a political game. It is a fight about who is going to win the seat of Fairfax on Saturday, whether Mr Stone will move from the Senate or whether another former Liberal come National——

**Mr Ahern:** It won't be Labor, I can tell you that.

**Mr HAMILL:** I say to Mr Ahern that it probably will not be the National Party, either. Given the quality of representation that has come from that area for so long, I am not surprised.

The Tollbuster group, aided and abetted by Mike Ahern, the man whose toll we are debating this evening, rose up in arms in great indignation at the terrible decision that the Government took in the interests of the State. Even the antics of the Mike Aherns and the other National and Liberal Party personnel who have been popping in and out of Tollbusters have become too much for one of the credible people who had attached himself to the cause. I refer to the gentleman who came to see the Premier and

me recently to discuss a compromise position with respect to the toll, because it does not pay.

The Government stated that the criterion had to be financial responsibility. It is not prepared to run up a bill of \$300m for future generations to pay off. I say to Mike Ahern that enough is enough. The Government is sick and tired of paying for his legacies already.

In the *Sunshine Coast Daily* of Saturday, 17 March, Mr Drinnan, the honest broker, in his disgust at the antics of those who sit opposite, stated—

"Vocal anti-toll campaigner Doug Drinnan distanced himself from the Tollbusters group yesterday because the movement had become too political.

Mr Drinnan said he would no longer be the spokesman for the group because he had always wanted it to maintain a non-political stand."

This debate reeks of politics. Those on the Sunshine Coast who are protesting demonstrate quite clearly that their agenda is not what is good for the State of Queensland, it is what is good for the Sunshine Coast. It is all about trying to push a barrow for either the Liberal Party or the National Party—or, more particularly, trying to push one barrow into the other barrow. It is difficult to know who is pushing the barrows because people keep changing sides all the time. The whole argument that has been put forward is threadbare.

I have pleasure in saying that the toll on the bridge will go. It will be replaced with two 60c tolls, not sequential like the tolls that my constituents have to pay when they use the Logan Motorway. The tolls will be imposed where Mike Ahern and Brian Austin decided that they would not be imposed, in the area where the traffic volume is greatest and where there is the clear potential to pay for the project. The tolls will not apply for the 30 years that Mike Ahern was prepared to accept with the financially irresponsible proposal that his Government put forward, but for 20 years.

When it comes to the bleatings of the Liberal Party about where the money is coming from, all I can say is that that is probably what its advertising agency is asking tonight. When I talk about the financial responsibility of the Liberal Party, I look forward to reading the White Mercantile list and seeing that the Liberal Party will be taken to the cleaners because it will not pay its debts. The Government is sick and tired of paying for the legacies of the National Party. That is going to stop. The Liberal Party should get on with fundraising in order to clear its name and stop posturing as the harbingers of financial responsibility in this House.

In division—

The bells having been rung—

**Mr SPEAKER:** Order! Close the bars.

**Opposition members** interjected.

**Mr SPEAKER:** Order! The member for Barron River will leave the Chamber until the division has been counted.

*Whereupon the honourable member for Barron River withdrew from the Division.*



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

AYES, 32

NOES, 47

DIVISION

Resolved in the negative.

The House adjourned at 12.38 a.m. (Thursday)