NOTE: There could be differences between this document and the official printed *Hansard*, Vol. 317

WEDNESDAY, 27 FEBRUARY 1991

—

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

DISTINGUISHED VISITORS

Mr SPEAKER: I have to inform the House of the presence in the Speaker's gallery of the Honourable Angumai Bilas, OBE, MPA, Speaker, Madang Provincial Assembly, and Mr John Hicky, MPA, member for Jomba.

Honourable members: Hear, hear!

PETITIONS

The Clerk announced the receipt of the following petitions—

Adoption Law Amendment

From **Mr Springborg** (40 signatories) praying for significant changes to the Adoption of Children Act Amendment Act 1990.

Ambulance Service, St Lawrence, Nebo and Coppabella

From **Mr Randell** (192 signatories) praying that the present ambulance service at St Lawrence, Nebo and Coppabella be maintained, notwithstanding any recommendations of the parliamentary select committee.

Religious Education

From **Mr Stoneman** (136 signatories) praying for the Education Department to be directed to abandon all work on the P-10 religious education curriculum and allocate resources to the existing religious education system.

Inglewood Court House

From **Mr Springborg** (89 signatories) praying that reconsideration be given to the proposed closure of the Inglewood Court House.

Development, Mount Peregian Area

From **Mr Barber** (23 signatories) praying that a water tower be not allowed to be sited on Mount Peregian or adjacent environmental areas and that residential development between the mountain and David Low Highway be not allowed.

Law Enforcement, Texas

From **Mr Springborg** (328 signatories) praying that there will be no downgrading of service and staff in the Texas police station and that the decision to close the Texas Court House be revoked.

Chinchilla Railway Station

From **Mr Littleproud** (253 signatories) praying that the Chinchilla Railway Station be retained as a freight distribution centre.

Petitions received.

PAPER

The following paper was laid on the table—

Order in council under the Racing Venues Development Act 1982-1990.

MINISTERIAL STATEMENT

Queensland State Budget

Hon. K. E. De LACY (Cairns—Treasurer) (2.33 p.m.), by leave: The purpose of this statement is to advise honourable members of the position of the Queensland State Budget, Labor's first Budget for 34 years. I do so against the background of severe budget difficulties being experienced by other States such as New South Wales and Victoria, and by the Commonwealth.

As at the end of December 1990, the Consolidated Revenue Fund receipts totalled $4,124m, compared to expenditure of $3,981m, resulting in an operating surplus of $143m. This half year operating surplus compares to a surplus of $138m recorded in the same period last financial year. While in part a reflection of Queensland's more robust Budget position compared to that of the other States, that operating surplus is also a reflection of the timing of cash flows. The final Budget outcome is more likely to be close to the virtual balance in the Consolidated Revenue Fund budgeted for last September.

As I have recently stated, any flexibility that the Budget had contained has all but disappeared. In particular, the national recession currently being experienced is having an impact on State revenues. The anticipated decline in stamp duty receipts of 4 per cent factored into the Budget estimate now appears conservative, but current projections suggest that any shortfall against the Budget estimate will be marginal. The figures I am releasing today show that stamp duty receipts in the six months to the end of December represents 49 per cent of the Budget estimate. However, collections for the half-year were 16 per cent down on those for the same period of the previous year. However, this in part reflects a high level of collections in the early months of 1989-90 when two-thirds of the 1989-90 collections were received in the first six months of that year.

Payroll tax collections to the end of December amounted to 48 per cent of the Budget estimate. The combination of lower employment growth due to the general economic downturn and lower wages growth due to the recent wage/tax trade-off is expected to make the Budget estimate for payroll tax of $790m difficult to achieve. However, any potential shortfall will be well within the capacity of the Budget to sustain, particularly given some improvement in other revenue items such as Gold Lotto and Golden Casket receipts.

On the outlays side, the Budget Review Committee of Cabinet has identified significant expenditure savings in departmental operating costs due to lower award movements resulting from the Accord Mark VI. The savings in award costs alone could be of the order of $50m. These and other available program savings will be applied to meet any potential shortfall in revenue, as well as specific award changes such as those recently granted to nurses. These savings will also assist in funding the accelerated capital works program announced before Christmas.

As I indicated to the House last week, the recent widespread flooding will also impact both directly and indirectly on the State Budget. While cash outlays for relief assistance and restoration costs is placing additional stress on the 1990-91 Budget, I anticipate that, with careful management, these costs can be funded. The Cabinet Budget Review Committee is presently reviewing the Budget position to consider any necessary Budget adjustments.

Mr Borbidge: How is land tax going?

Mr De LACY: The honourable member should look at the numbers. I will be tabling them. Within this generally tight budgetary environment we will continue to

deliver important Budget initiatives in the areas of education, the environment and implementation of Fitzgerald reforms. Let me remind honourable members that the Queensland Government did not resort to the massive tax increases adopted by other States. While other Governments may be floundering in their attempts to contain their budgetary problems, through careful and prudent management Queensland's Budget remains well and truly on track. The Budget position that I have outlined is further elaborated in the December quarter edition of the *Queensland Economic Review*, which will be published shortly. I would encourage all honourable members to read the document. For the information of honourable members, I table a statement of Queensland's Budget position as at 31 December 1990.

Whereupon the honourable member laid the document on the table.

MINISTERIAL STATEMENT

National Party Government Expenditure on Electorate Offices

Hon. R. T. McLEAN (Bulimba—Minister for Administrative Services) (2.38 p.m.), by leave: Yesterday in the House, the Opposition Leader was concerned about expenditure on an electorate office. The general expenditure by the National Party Government on its own members' electorate offices was something which concerned this Government when it took office. For instance, in the five-year period between 1985 and 1989, National Party members spent, on average, $4,215 more on electorate office rentals than Labor Party members did. On fitting out their offices, National Party members spent, on average, $1,868 more than Labor Party members did. On furniture they spent, on average, $534 more than Labor Party members did.

Mr Cooper: You are wrong again.

Mr McLEAN: The Opposition Leader wants to be careful. He is being set up from behind. It appears that until January 1987——

Mr Cooper interjected.

Mr SPEAKER: Order! The Leader of the Opposition!

Mr Cooper: I am being provoked.

Mr SPEAKER: Order! The Minister will resume his seat. The Leader of the Opposition said that he was being provoked. I think he is extremely easily provoked. I will not allow interjections. I would like to hear what the Minister is saying.

Mr McLEAN: The Opposition Leader was worried about the way in which the member for Albert, John Szczerbanik, had tried to save money by moving out of Mr Gibbs' expensive office. It appears that until January 1987, Mr Gibbs had an office in the National Party's National House at Southport, where the rent was $414 a month. Then he moved to Runaway Bay Shopping Town, where he took not one shop but two, giving him a massive 106 square metres. In the five years between 1985 and 1989, Mr Gibbs spent $11,448 fitting out his offices. Even three years later, the Goss Government set a maximum for a fit-out at $8,200. Somehow, Mr Gibbs spent $14,451 on furniture. The base rent for his new offices was $638.66 a month plus electricity. The owner refused a monthly lease and so agreement was reached to take out a three-year lease with a three-year option to coincide with election cycles. At the start of 1989, the base rental was $997.62 a month plus electricity. By April 1989, the figure was $1,303.75 a month. With the end of the National Party regime in sight, the National Party Government signed a unique five-year lease for the office with Peter Holdsworth and William Hardman.

Mr HARPER: I rise to a point of order. It was not the Government but the Department of Administrative Services, without any interference from the Government, which handled these matters. The Minister is clearly misleading the House.

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

Mr McLEAN: Very prominent on the lease papers was the signature of one, Mr Gunn. With the end of the National Party regime in sight, on 25 August 1989, the National Party Government signed, as I said, a unique five-year lease for the office with Peter Holdsworth and William Hardman, directors of Errenmore Pty Ltd.

Mr Cooper interjected.

Mr McLEAN: The honourable member should not worry; he will get it. He should be patient. The rent increased to $1,404.53 a month, representing an increase of about 120 per cent over the original rent. No other electorate office has a five-year lease. About half are on three-year leases to coincide with elections. The other half are on monthly agreements. When Mr Szczerbanik was elected to Parliament, he decided to move to cheaper premises. He understandably believed that he would be saving taxpayers' money by doing so. He also wanted to make himself more available to the substantial number of people in his electorate who live in the Beenleigh area, which he felt had been badly neglected——

Mr Borbidge interjected.

Mr SPEAKER: Order! The member for Surfers Paradise will cease interjecting.

Mr McLEAN: As I was saying, Mr Szczerbanik felt that the Beenleigh area had been neglected for 15 years. It was quite interesting to note that, in the two press statements that were issued yesterday by the Leader of the Opposition and the Deputy Leader of the Opposition—those press statements containing identical statements, by the way—they said it was an hour's drive to the other end of that electorate. Mr Szczerbanik gave the people at this end—the battlers at this end—an opportunity not to drive an hour the other way.

The boundary between Albert and Logan runs along George Street, Beenleigh. Mr Szczerbanik informs me that real estate agents showed him various offices in Beenleigh, but the only one suitable for an electorate office was in a part of George Street which is fractionally over the border. In January 1990, the new member for Albert moved into just 70 square metres of office space at 108 George Street, with rental of only $875 a month not to start until 19 February. That represents a saving of more than $400 a month. But to save money, only 55 square metres was fitted out. The rent is only $150 a square metre which, I am advised, compared with advertised office rentals in the town of between $187 and $240 a month. It was a three-year lease, designed to last only until the next election—a very sensible way of doing business. And there was even a special clause in the lease——

Mr Katter interjected.

Mr SPEAKER: Order! The member for Flinders will cease interjecting.

Mr McLEAN: There was even a special clause in the lease to say that, if Mr Szczerbanik ceased to be a member at any time, the Government could give just one month's notice. At the same time, instructions were given to terminate the lease of the Runaway Bay office, find another Government use for the office or sublet it. Because the lengthy lease does not expire until 1994, which is well after the next election in 1992, it seemed that there was every chance of subletting at least one of the two offices held by Mr Gibbs.

Yesterday in the House, Mr Cooper asked why instructions had not been given to an agent to find a new tenant. I am advised that more than one agent has been trying to find a new tenant for Mr Gibbs' two offices. I am told also that regular checks have been made with those agents and the centre management and that personal visits are being made to agents. It seems that no-one wants to lease such an expensive office. Despite the logic of this Government's actions, Mr Cooper attacked it for having two offices in the electorate. Ironically, when Mr Gibbs moved from one office to two offices,

which meant a 50 per cent rent increase, his old lease did not expire until the end of March 1987. It appears that for three months the National Party Government was paying for three offices—one more than Mr Cooper and Mr Borbidge spoke about yesterday in their press releases.

Mr Cooper also alleged that the location of Mr Szczerbanik's office was a breach of the members' entitlements book. If Mr Cooper took the time to read that book he would learn that in the event of a member not being able to find a suitable location within his own electorate he is at liberty to approach the Minister to have the office located in an adjoining area. He did that.

The Transport Department also had an office at Runaway Bay for the issuing of drivers' licences. The streamlining and integration of transport responsibilities, which has saved millions of dollars, involved the creation of one-stop shops. In order to save money, the functions of the Runaway Bay office were merged with the former MRD office in Wardoo Street, Southport. Despite concerted attempts to find a new tenant for that office, to date that has proved impossible. Mr Cooper has attacked this Government over what he calls the "very substantial cost" involved in rental for those offices. I point out that the National Party incurred the "very substantial cost". I look forward to Mr Cooper's next question.

PARLIAMENTARY COMMITTEE OF PUBLIC ACCOUNTS

Inquiry into Accountability of Government Companies

Mr HAYWARD (Caboolture) (2.46 p.m.): As part of its inquiry into the accountability of Government companies, the Parliamentary Committee of Public Accounts conducted a public hearing at Parliament House on Thursday, 14 February 1991, at which witnesses from the Department of Transport, Suncorp Insurance and Finance and the Treasury Department were examined. In accordance with Standing Order 205, I am pleased to table the transcript of proceedings of that hearing.

Whereupon the honourable member laid the document on the table.

LEAVE TO MOVE MOTION ON NOTICE

Mr CONNOR (Nerang) (2.47 p.m.): I seek leave to move General Business—Notice of Motion No. 30 standing in my name.

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

AYES, 32

NOES, 51

Resolved in the negative.

PERSONAL EXPLANATION

Mr COOPER (Roma—Leader of the Opposition) (2.53 p.m.), by leave: Yesterday in this House, I asked the Premier to refer to the Chairman of the Criminal Justice Commission, Sir Max Bingham, what the Opposition alleges is a breach of parliamentary entitlements. I now advise the House that, in the wake of the Premier's refusal to take accountable action in relation to the electoral office of the member for Redcliffe, I have today referred it to the CJC Chairman, and I will table a copy of my letter to Sir Max Bingham.

Mr SPEAKER: Order! In what way is the Leader of the Opposition being personally affected or misrepresented?

Mr COOPER: Yesterday, I raised this matter as a question to the Premier. I was not satisfied——

Mr SPEAKER: Order! The Leader of the Opposition is out of order. He shall resume his seat. It is not a personal explanation.

PRIVILEGE

Allegations by Member for Bowen

Mr STONEMAN (Burdekin) (2.54 p.m.), by leave: I rise on a matter of privilege. Last night in this House, the member for Bowen, Mr Smyth, made allegations relating to me that were not only outrageous but also defamatory, highly inaccurate and showed total contempt for the truth, natural justice and the integrity of one of his fellow members. In his statement to the House, Mr Smyth referred to a particularly tragic event that occurred late on the evening of 3 February this year at the Elliot River near the small township of Guthalungra, just south of my electorate boundary. Mr Smyth indicated that on the morning of Monday, 4 February, I was asked to make available a State Emergency Service helicopter that was undertaking work in the electorate of Burdekin——

Mr SPEAKER: Order! In what way is this a matter of privilege? I suggest that it is a personal explanation. It is certainly not a matter of the honourable member's right to speak. I will take it as a personal explanation, and the honourable member must say how he has been affected personally or misrepresented.

Mr STONEMAN: As I was saying, Mr Smyth indicated that on the morning of Monday, 4 February, I was asked to make available a State Emergency Service helicopter that was undertaking work in the electorate of Burdekin to search for the person who was swept away by floodwaters, in the hope that he might be still alive. Mr Smyth alleged that I refused that request. He then stated that he set in motion various events that led to the finding of the unfortunate man's body. The member for Bowen again stated that all that the member for Burdekin had to do was to ring up the SES in Townsville and the helicopter would have been released. Finally, Mr Smyth stated that all that was needed was a phone call from me to release the SES helicopter and indicated that my failure to do so was a disgrace, that as a result people were distressed, and that I should be condemned.

The facts of the matter to which the member referred are—

(1) Only the District Disaster Coordinator is able to direct the tasking of SES helicopters.

(2) At the time of the incident at Guthalungra, I was travelling between Canberra and Sydney following the National Outlook Conference and on my way to New Zealand, where I arrived late on the evening of 3 February.

(3) The man in question went missing late at night on Saturday, 2 February, not 3 February as claimed by the member.

(4) Following consultations between the District Disaster Coordinator for the area in which the problem occurred—Mackay—and the DDC Townsville, the SES helicopter was dispatched on Sunday, 3 February, from Cairns to proceed to the Elliot River search. The Burdekin group of the SES was put on standby to search the northern bank of the Elliot River.

(5) The SES helicopter refuelled at Townsville en route and proceeded south until it had to turn back after some 10 kilometres due to very heavy rain.

(6) The next morning, because of a change of priorities due to very heavy rain overnight, the DDC Townsville retasked the SES helicopter for more urgent work prior to a planned further dispatch to the search area.

(7) During part of that operation, the helicopter developed a hydraulic problem and made a forced landing just near Ayr, where it was grounded until late that afternoon, by which time the North Queensland Emergency Response Group helicopter had been tasked by the DDC to the Elliot River and had found the man's body. I am prepared to table a photograph of that helicopter.

Mr Speaker, the allegations made by the member for Bowen not only are a vicious reflection on the State Emergency Service of Queensland, myself, the DDCs for Townsville and Mackay and, by implication, a number of other authorities but also give rise to grave questions about the motives behind the gross misleading of Parliament by one of its members. Mr Speaker, in view of what I have said, I request that you refer the allegations of the member for Bowen to the Parliamentary Privileges Committee to determine whether there has been a deliberate and malicious attempt to mislead the House and whether disciplinary action against the member for Bowen should be instigated.

Mr SPEAKER: Order! I accept the fact that the member for Burdekin wishes me to refer that matter to the Parliamentary Privileges Committee. Normally, I would wait some time and consider the matter before I did so. This time, I will give a ruling that I will not refer the matter to the Privileges Committee. A member has made some statements in this place and the honourable member was rightly allowed the opportunity to respond to them. He should have done so as a personal explanation, not as a matter of privilege. I gave the honourable member the right to do that. That is where the matter will rest. If an honourable member wishes to formally move that the matter be referred to the Privileges Committee, I will put the motion.

Mr STONEMAN (Burdekin) (3 p.m.): I formally move—

"That the matter be referred to the Select Committee of Privileges."

Question put; and the House divided—

AYES, 32

NOES, 51

Resolved in the negative.

PARLIAMENTARY COMMITTEE FOR CRIMINAL JUSTICE

Criminal Justice Commission *Report on Gaming Machine Concerns and Regulations*

Mr BEATTIE (Brisbane Central) (3.06 p.m.): I seek leave of the House to table the submissions received by the Parliamentary Committee For Criminal Justice in relation to its review of the Criminal Justice Commission's *Report on Gaming Machine Concerns and Regulations*.

The Committee received 168 written submissions in response to Statewide and national advertisements seeking contributions from individuals and interested groups. A number of persons were adversely named in the CJC's report and, in consequence, the committee gave all those named the opportunity to appear before it at public hearings to answer the allegations. Some chose to appear and provide a written submission and some chose not to appear and to address the allegations in writing alone. These submissions are included with all the others received that I am tabling here today.

In its report that was tabled in Parliament last year the committee indicated that it would table these submissions once the matter of a Full Court hearing was determined. The committee has recommended that this be done and I therefore seek leave to table the documents.

Leave granted.

Whereupon the honourable member laid the documents on the table.

QUESTIONS UPON NOTICE

1.

Legal Aid Office Referrals to Goss Downey Carne

Mr LITTLEPROUD asked the Attorney-General—

"(1) What value of legal work was referred to the firm Goss, Downey and Carne in 1988/89 by the Legal Aid Office?

(2) What was the value of similar work to the same firm in 1989/90?

(3) What is the value of work referred to this same firm in 1990/91?

(4) Did Dianne Clark, a partner in Goss, Downey and Carne previously work for the Legal Aid Office?

(5) Was the Director-General of Justice and Corrective Services a former Director of the Legal Aid Office in Queensland?

(6) Did this Director-General recently accompany the Honourable G R Milliner, MLA, on a trip to Canada and did this trip coincide with a visit to Canada by Dianne Clark?

(7) When was the Cabinet approval granted for this ministerial trip?"

Mr WELLS: (1 to 3) The honourable member's question is in seven parts. I table a schedule of all legal work referred by the Legal Aid Office to all barristers and solicitors in Queensland. In interpreting these statistics the honourable member should take note of the fact that legal aid work is based on a roster system which is strictly adhered to in accordance with the commission's statute. Firms receive legal aid referrals only when it is their turn on the roster. The honourable member should also note that many firms are increasingly reluctant to do legal aid work because it is not as remunerative as other work, particularly in the boom climate which has existed in the legal community in recent years. In other words, firms which do legal aid work in many cases are performing a public service. I would like to thank all the practitioners whose names appear in the tabled documents for their willingness to forfeit more remunerative areas of legal work in order to undertake legal aid work. The honourable member should also note that increases in legal aid scale fees under the National Party Government account for increases in the dollar value of work referred by legal aid in the case of some firms.

Insofar as the question refers to the firm of Goss, Downey and Carne, the honourable member should note that the Premier is not a partner in this firm and receives no remuneration from it. This has been the case for seven years.

(4) Yes. Hundreds of lawyers who have worked in agencies related to my department have subsequently gone into private practice as barristers or solicitors.

(5) Yes.

(6) Funds were approved for an overseas trip for the Chief Justice of Queensland, the Chairman of the District Court and the Minister for Justice and his director-general. It was I, rather than the Minister for Justice, who recommended that this trip should be undertaken as I considered it necessary that a study should be made of case flow management systems operating in Canada and the United States. The Minister responsible for the administration of the courts is, of course, the Minister for Justice. The Chief Justice and the Chairman of the District Court have not yet undertaken their study tour. However, the Minister for Justice has returned from overseas and will shortly be presenting a report to this Parliament. I have no knowledge of, or interest in, the travel arrangements of private citizens travelling at their own expense. It is not my ministerial responsibility, and it is none of the honourable member's business, however prurient or intrusive he may be.

(7) Approval for the travel to which I have referred was granted on 13 December 1990.

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

2.

Dr R. Cooke, Legal Costs

Mrs MCCAULEY asked the Minister for Health—

"With reference to the case against Dr Robert Cooke brought by the Queensland Medical Board before the Medical Assessment Tribunal, in which the tribunal dismissed all charges and awarded costs against the board—

What was the cost of that court action, which will be paid for by Queensland taxpayers?"

Mr McELLIGOTT: The basis of the honourable member's question is incorrect in that the costs of the court action initiated by the Queensland Medical Board will not be paid by Queensland taxpayers. They will in fact be paid by the Queensland Medical Board out of registration fees and other fees paid by medical practitioners. As the cost of the action is not a charge against my department, I am not aware of the costs, although I have read media speculation that it could be as much as $400,000. The honourable member may or may not be aware that the board has initiated, or is about to initiate, an appeal against the tribunal's decision. I caution the member about taking sides in this matter. It is a matter for the profession. I am aware, and perhaps she should be, that the Australian Medical Association supports strongly the board's position.

3.

Greening Plans, Brisbane Inner Suburbs

Mr BEATTIE asked the Minister for Environment and Heritage—

"With reference to council roadworks programs such as the Hale Street ring-road that have devastated the quality of life of the residents of the inner suburbs particularly in the suburbs of Petrie Terrace, Paddington, Red Hill, Kelvin Grove, Herston, Newmarket, Windsor, Bowen Hills and Spring Hill—

What plans does he and his department have for the greening of the inner suburbs both from the point of view of reducing noise pollution and also of beautifying the inner suburbs and improving the quality of life of the residents?"

Mr COMBEN: I thank the honourable member for his question. As he is the member for an affected area, I sympathise with his concerns about the destruction of

the quality of life in inner-city suburbs. Unfortunately, examples of poor inner-city planning for Brisbane, such as the Hale Street ring-road, were a fait accompli before the Goss Government came to office. The greening of suburbs means more than planting of trees, although I wholeheartedly encourage and support programs such as tree-planting and rehabilitation of inner-city watercourses, such as Enoggera Creek. In this regard, my department has many initiatives under way, including—

assurances that all council or private projects, which have environmental significance, will be assessed under the provisions of the Local Government (Planning and Environment) Act, introduced by my colleague the Deputy Premier and Minister for Housing and Local Government, Mr Tom Burns;

implementation of the Heritage Buildings Protection Act and proposals for Queensland's first heritage Act, which is now the subject of a comprehensive Green Paper;

release of the discussion paper on this State's first Queensland conservation strategy, addressing a wide range of urban issues which need to be dealt with to ensure a sustainable society and responsible environmental management;

involvement in a wide range of Government initiatives designed to improve the quality of life and the environment in south-east Queensland, including the SEQ 2001 strategy, the South East Queensland Passenger Transport Study and the Department of Housing and Local Government's urban infrastructure study.

Urban noise is one disease that the Hale Street ring-road will create. Although the Government has no control over the Atkinson administration's Hale Street ring-road, we are working towards control of urban noise. My department is working with the Transport Department to develop that department's policy and guidelines for the control and reduction of traffic noise from major arterial roads and highways. Strategies to control and manage traffic noise within the urban network and in residential streets are also under consideration by my department. I have also had informal discussions with my colleague the Honourable Minister for Transport concerning an environmental policy for urban transport issues, and this would encompass the matters raised by the honourable member. My department also promotes inner suburbs' beautification with tree-planting plans.

QUESTIONS WITHOUT NOTICE

Media Travel in Government Jet

Mr COOPER: In directing a question to the Premier, I refer to a report in today's *Australian* by Matt Robbins in which it is claimed that the Premier is hosting all four television stations to accompany him in the Government jet on a referendum campaign tour of north Queensland next week. I ask: is he aware that the reported trip as outlined contravenes section 3.2 (c) of the Referendums Act relating to limitation of expenditure? In view of this, will he reconsider his reported decision to host such a trip for the media?

Mr W. K. GOSS: From time to time, in Opposition and in Government, I travelled to various parts of Queensland on a range of issues. I am frequently in receipt of requests from representatives of the media to be able to travel with me. I am not always able to accommodate them, but the requests nevertheless continue. Of course, I am very sympathetic, given the financial problems of major media proprietors in this country at the present time. If I am conveniently able to provide a place in my transport—whether it be by plane, car or bicycle—for members of the press, I shall endeavour to do so. On this trip, which is related to a range of issues which are the responsibility of the State Government and not related to one particular issue at all, I shall endeavour to do so.

Referendums Act 1989

Mr COOPER: In directing a question to the Attorney-General, I refer to the answer given by the Premier. I draw his attention to section 3.2 (c) of the Referendums Act

1989, which states that money must not be expended by the State of Queensland in presentation of arguments in favour or against the referendum question, except in relation to "the salaries and allowances of members of the Legislative Assembly, of members of the staff of members of the Legislative Assembly or of persons who are officers of the public service for the purposes of the Public Service Management and Employment Act 1988". I ask: will the Attorney-General take the necessary action to ensure that the Premier and, indeed, all Ministers, observe the law during the referendum campaign?

Mr WELLS: It is really a delight that we have a convert here. When St Paul was on his way to Damascus, he saw a great light in the sky. Apparently, that is what has happened to the Leader of the Opposition, because now he is saying that he has been converted to the cause of containing costs in respect of the referendum. Here is the man who cost the taxpayers of Queensland $1.5m for the material that had to be put around to everybody in Queensland. He dragged the returning officers through the courts of this State in order to dip his fingers into the till, to get out the money of the people of Queensland and to spend it on a publication that would have his name on the bottom of it. He has now repented of all that. He has changed. We see a converted man. I am humbled to realise that we see such contrition from an apostate. If only the Leader of the Opposition would live by his deeds as he speaks by his words. In recent times, he has been travelling throughout the State on the legal and proper allowance provided to him as Leader of the Opposition. Are we to imagine that he did not talk about the referendum? Are we to imagine that he was travelling around Queensland out of necessity to his electorate? The good people of Roma who have been so misrepresented by him in the past do not have interests in the places which the Leader of the Opposition has been visiting. I am prepared to believe that it was only an accident that the Leader of the Opposition happened to be making those trips in the period just before the referendum campaign began.

I would like the House to note that the Government has no criticism of the Leader of the Opposition for travelling the length and breadth of the State peddling the sort of nonsense that he does peddle about the referendum because, if he was not to do that, the "Yes" case would be marginally less credible than it is now. If he was not to stand there and by the contrast and example that he gives indicate the absolute futility and stupidity of the "No" case, we would have to work harder to get the question up.

School Capital Works Projects

Mr PREST: In directing a question to the Minister for Education, I refer him to an announcement last month that certain education capital works projects would be brought forward in 1990-91, and I ask: can he explain to the House how that program will benefit schools? Can he confirm that the projects on the program were chosen on genuine merit?

Mr Turner: You'll probably get a sensible answer out of this fellow.

Mr BRADDY: That is the kiss of death. I am not sure that I would like to be kissed by the honourable member.

Mr SPEAKER: Order! I appreciate the attempt at a bit of humour. However, I ask the honourable member to allow the Minister to give a sensible answer.

Mr Turner: Great.

Mr SPEAKER: Order! In that case, I ask the honourable member to cease interjecting.

Mr BRADDY: As all honourable members are aware, in January this year, Cabinet decided to free up about $20m, to be spent in this financial year for the acceleration of school capital works projects. That was designed to stimulate activity in the building industry and to help stave off some of the negative impact of the recession which is presently occurring in Australia. A number of school projects which were listed for commencement in priority draft capital works programs for later this year and also in

the next couple of years were therefore brought forward for commencement by June of this year. The projects chosen were all of high priority. They were already listed on the draft capital works program and, because of the nature of the particular projects, could be brought forward to commence this year. I assure the House that each and every one of those projects reflects a genuine educational need. That is demonstrated by the fact that they were on the draft capital works list. As honourable members would be aware, more than $150m was set aside for school capital works this financial year. This additional funding will therefore be of enormous benefit to a large number of schools and also to businesses and builders throughout Queensland, particularly in areas which have previously missed out because of political interference by our predecessors in Government.

Unlike the special works program implemented in 1989 to try to rescue the ultimately doomed National Party Government which is now in Opposition, this program includes a large number of projects in Opposition electorates. Unlike the special works program of our predecessors, which had only 1 out of 292 projects in an Opposition electorate, under our program 65 out of 158 projects listed for inclusion in the accelerated works program are in Liberal and National Party electorates. The fact that those projects cover a wide range of electorates across the State shows beyond any doubt that, unlike our predecessors, we have a commitment to education and the welfare of our people.

Mr Littleproud: You said we were pork-barrelling.

Mr BRADDY: Opposition members are interjecting. However, as I have said, in their last effort, only one out of 292 projects was in a Labor electorate, and not one was in a Liberal electorate. As evidenced by the capital works program in last year's Budget, resources are now allocated on the basis of genuine need. A sizeable proportion of the funds in last year's State Budget was allocated to schools in Opposition electorates. I want to assure the House that any Opposition member making representations about individual projects within his or her electorate can rest assured that if the project reflects a genuine, high educational priority, it will be provided as part of the normal capital works program.

Portability of Domestic Violence Restraining Orders

Mr PREST: Can the Honourable the Attorney-General inform the House of a decision made at a recent conference of the Standing Committee of Attorneys-General in relation to the portability of domestic violence restraining orders?

Mr SPEAKER: Order! Question-time is being wasted. I could not hear that question. If I could not hear it, other members could not hear it, either. The Leader of the Opposition and other honourable members were cackling while the question was being asked. I will not put up with it again. I warn honourable members to stop talking while questions are being asked. I ask the honourable member to repeat the last question.

Mr PREST: Can the Honourable the Attorney-General inform the House of a decision made at a recent conference of the Standing Committee of Attorneys-General in relation to the portability of domestic violence restraining orders?

Mr WELLS: I thank the honourable member for the question. At a recent meeting of the Standing Committee of Attorneys-General it was decided that steps would be taken to ensure that there was reciprocal portability as regards domestic violence restraining orders. The situation that has existed until now has been quite anomalous in that if a woman was able to take out a domestic violence restraining order in one State and subsequently, for her greater security, she moved to a different State, then no protection was provided by a domestic violence restraining order because it was not valid outside the original jurisdiction. The Attorneys-General decided to remedy this anomaly and, on that occasion, Queensland agreed with the decision of the standing committee. Since then, I have had discussions with my colleague the Minister for Family Services with a view to taking the most expeditious course to ensure that the determinations of the standing committee are implemented.

Rumours Alleging Abuses of Travel Expenses by Ministers

Mr BEANLAND: I ask the Premier: in view of the statements by four of his Ministers in the *Sunday Sun* of 24 February that they had been unjustly named in rumours alleging abuses of travel expenses, will he encourage his remaining 13 colleagues to make similar public statements of denial?

Mr W. K. GOSS: The short answer is, "No". The long answer is that I have spoken to all of my Ministers and, indeed, the parliamentary party in general to make the point that I believe that, as these matters are the subject of an investigation, they should not be the subject of public comment which could bear upon and, in particular, prejudice the fair trial of any member of the Liberal Party, the National Party or the Labor Party, should that come to pass, particularly given that in a letter to the honourable member for Toowong, the Leader of the Opposition and myself, Sir Max Bingham pointed out that the investigation had not commenced, or had only just commenced, and that no finding whatsoever had been made.

In those circumstances, and given my comments that there should not be public comment, even from the Criminal Justice Commission, which might prejudice a trial or bear upon it, it seemed to me only fair and proper that Ministers of this Government abide by the same principle that I sought to have the commission and other people adhere to. Therefore, I suggested to them that in fairness, and in keeping with that principle, they not respond to some of the vicious rumours being peddled about this place. I suggest that the honourable member for Toowong not respond either about some of the rumours that have been circulating in respect of himself.

Problems Regarding Information Technology

Mr PALASZCZUK: I refer the Minister for Administrative Services to the ongoing changes to his department to make it cost-effective and efficient, and I ask: will the Minister inform this House of any problems that he faces when it comes to information technology?

Mr McLEAN: I thank the honourable member for the question. I see that Mr Borbidge is laughing. Soon after the Labor Party won Government, I saw him walking around the corridors and laughing. I could not work out what it was about, but I soon found out. When I received the results of an information technology review that was carried out, it was quite obvious that Mr Borbidge had left this Government a hell of a mess, and he knew it; the Government did not.

The Government has run into a lot of problems in regard to CITEC. As all honourable members are aware, Mr Borbidge was the previous responsible Minister. In March 1990, the Government commissioned a review. The results were quite startling. It was found that driver's licences, motor vehicle registers and vehicle hire purchase registers were all on incompatible systems. It cost some $5m to fix that up. It was found that common accounting systems were not used in the Housing Department, DEVET, the Premier's Department and the Primary Industries Department, resulting in the waste of another $2m. Special computer rooms were set up without maximising existing sites, which resulted in the waste of somewhere between $2m and $4m.

Mr Borbidge: When was this?

Mr McLEAN: In the honourable member's time as Minister and previous to that. It was found that there were duplicated networks in the Departments of Primary Industries, Police and Education and the Queensland Forest Service, involving the waste of unknown amounts of money. The review revealed 17 equipment types, 12 different operating systems and more than 20 types of databases. What a mess! It is no wonder Mr Borbidge was running around this place laughing.

The Government has taken action. It has established an Information Policy Board to minimise this waste and duplication. It is implementing uniform accounting and

payroll systems with savings of some million dollars a year. It is rationalising communication networks with a further million-dollar saving, and it believes that, with the coordination of systems which is taking place now, savings of over $20m will be made in lands alone.

It is one of the problems that one faces when one sends a boy on a man's job—and I refer to the previous Minister. The taxpayers of Queensland are picking up the bill for all this waste because that previous Minister could not force through Cabinet a decent policy in this area. He was the responsible Minister for 18 months. Thank God he was not there any longer. Had he remained in that position, I believe we probably would have had Mexicans coming to Queensland for holidays.

Literacy and Numeracy Standards of Queensland School Students

Mr PALASZCZUK: In directing a question to the Minister for Education, I refer to the Government's pre-election commitment to improve literacy and numeracy standards amongst Queensland school students, and I ask: will the Minister advise this House of any action that is being taken now to provide Queensland schoolchildren with the basics of a good education?

Mr BRADDY: In the course of the campaign leading to the Labor Party's election to Government, we promised that we would indeed address the problem, which was a great perception in the community, of concerns about basic literacy and numeracy. I want to assure the honourable member and the House that we have done so by a massive 300 per cent increase in the funding of literacy and numeracy programs in the current Budget. Those additional funds have been used to provide additional resources to support further teacher development. One of the major parts of the program will be to provide extra education and in-service training for teachers so that they can better recognise problems as they are developing in relation to basic literacy and numeracy. Initially, this focus will be on the classes and the teachers involved in Years 1 to 3 in primary schools, but I wish to stress that eventually the materials that are being developed and the programs that are being developed will be available to all teachers to assist all students, particularly in Years 1 to 10.

In addition, some of those additional funds are being used to bring to completion an extensive training program that will be used in reading, writing and mathematics in Years 5, 7 and 9. So, already we have programs well advanced in six of the first 10 years of compulsory schooling in this State.

Literacy and numeracy are the cornerstones of a good education system, and we recognise that this would be of fundamental importance. It is important that the parents, students and teachers have confidence in the system. I admit that the previous Government made some belated attempts to address this literacy and numeracy problem, but no Government in Queensland's history has undertaken the comprehensive approach that the Goss Government is now undertaking in this area.

Funding of the State Emergency Service

Mr STONEMAN: In directing a question to the Treasurer, I refer to the continuing threats across north Queensland from cyclones and flooding, as well as a range of counter-disaster measures vital for the security of people throughout the State, and I ask: firstly, can the Treasurer give an assurance that ready and sufficient funding is available to district disaster coordinators via the State Emergency Service funds so that, regardless of the time of day or week, appropriate and immediate action is able to be taken without any delay? Secondly, has he had any report that the SES at State or district level has been limited in its required responses because of a constraint on funding?

Mr De LACY: I think the honourable member should have addressed that question to the appropriate Minister.

In answer to the second part of his question—no, I have not, but I would not expect that I would. That would go to the relevant Minister.

In answer to the first part of his question—I think he ought to address that to the Minister for Police and Emergency Services because he is the one who oversees the expenditure in relation to his portfolio.

Mr Stoneman interjected.

Mr SPEAKER: Order! The member for Burdekin.

Mr STONEMAN: I take note that the Minister could not answer that question.

Mr SPEAKER: Order! I suggest that members do not come on with that. The member will ask his second question.

Tendering Process for Poker Machines

Mr STONEMAN: In directing a question to the Minister for Tourism, Sport and Racing, I refer to the CJC report on poker machine regulations and its recommendation that Ainsworth Nominees Pty Ltd and others be excluded from the list of possible tenderers, and I ask: will the Minister give a clear commitment to this House that the tendering process for poker machines will not proceed until the Parliamentary Committee for Criminal Justice has undertaken its review of possible tenderers?

Mr GIBBS: My understanding is, and in fact it was confirmed to me only some minutes ago by the Chairman of the Parliamentary Committee for Criminal Justice, that last year, when the Parliamentary Committee for Criminal Justice brought down its report, it made a recommendation that tenders should be open to all players in the marketplace with the exclusion of none.

For the honourable member's information, I point out that the Ainsworth Corporation and all other people who have expressed interest—and they are only that at this stage, expressions of interest—have been thoroughly checked out again by the Machine Gaming Division, and I am led to believe that there is nothing there that would suggest that they should not be able to proceed to tender. I understand that their machines have passed the most stringent testing procedures within the Machine Gaming Division itself. The tenders will not be called until the legislation has gone through the Parliament. At that stage, tenders will be called and people will be invited to tender.

I wish to make two very important points. The first one is that the in-built security measures, which the Government has very clearly put in train within the legislation, specify that there will be no involvement in the machine gaming industry in this State by any manufacturer. That is why the Government has taken the decision—and why it took the decision 12 months ago—that it will purchase the machines and that it will distribute the machines so that it cuts out any possible involvement by any company—no matter which company— that has been involved in the machine industry in Queensland. It cuts out the sorts of rorts that have taken place over the years in New South Wales, in Canberra and in other countries. However, another very important point that Opposition members conveniently seem to have lost sight of is simply this: they are the people who, when they were in Government, licensed the Ainsworth company to operate in Queensland. They allowed that company to tender. They gladly accepted from that company the majority of the machines that are located in both casinos throughout this State. I make that point. The Ainsworth corporation has been supplying video gaming machines to this State since day one when both casinos opened. If members opposite were not concerned about it at that time, they should not be concerned about it now, because this Government's security measures are far more efficient than those that were in place under the Government of members opposite.

Bowen Railway Station

Mr SMYTH: I ask the Minister for Transport: what progress has been made in relation to the relocation of the Bowen Railway Station? Is he aware of community concern over its relocation?

Mr HAMILL: Recently, in Bowen, I had the pleasure of discussing with the honourable member and a deputation of Bowen fruit-growers the siting of the proposed new railway station to service the Bowen area. There had been considerable local opposition to a proposition which had been floated at the time of the previous Government to locate a new station along Bootoorloo Road in Bowen. There was concern about the effects of aerial spraying and there was also concern about the effects of flooding at that site. I am pleased to report to the honourable member that, following his strong representations and those of the local community, Queensland Railways is reconsidering that proposition. Bootoorloo Road is not now on the agenda. Certainly, there is a problem with the ageing Don River Bridge and there is a need to establish a better rail facility in the Bowen area. Let me assure the honourable member that there will be further community consultation. It is anticipated that, perhaps later in March, a decision will be made on a new site, one that will better service the community in Bowen and one that will be the site for the new regional freight centre that will provide a better freight service to the people of Bowen and surrounding districts.

Collinsville Coalmine; Mount Isa Mines

Mr SMYTH: I ask the Treasurer: in view of reports that MIM and the mining unions at Collinsville coalmine have reached agreement on 150 redundancies, what is the current situation in regard to the company's demand for significant financial assistance from the Queensland Government in the shape of a substantial cut in the rail freight for the mine's export coal, and deferral of some mine rehabilitation work?

Mr De LACY: I thank the honourable member for Bowen for his question. I acknowledge his representations on behalf of the people of Collinsville, both privately and with deputations. I assure him that the State Government is very conscious of the importance of the Collinsville mine, both to the town of Collinsville and to the economy of north Queensland. The State Government will be doing everything it possibly can, within responsible limits, to ensure that the Collinsville mine remains viable. I am also pleased that the unions are very close to reaching an arrangement with the mine on both redundancies and work practices. I think I need to say on behalf of the Government that it is important that those kinds of problems are sorted out, because the State Government would not be interested in providing assistance unless the mine and the workers could sort out whatever problems they have had. It works on the basis that if someone wants assistance from someone else, firstly he has to assist himself.

In relation to the specific question—I am pleased to say also that Mount Isa Mines has complied with our request for financial details on the mine. Those details have been analysed and negotiations are taking place. It is hoped that, in the near future, an arrangement can be arrived at which enables the mine to continue. I think I ought to say also that when an arrangement is reached, it will be a commercial agreement and as such we would not be publicising it, as is normally the case. If we reach a commercial agreement, it is exactly that. In conclusion—we will be doing everything we can to ensure that that mine remains viable because we are conscious of how important it is to the town of Collinsville.

Proposed Grain Industry Restructuring

Mr PERRETT: I ask the Minister for Primary Industries: with regard to the proposed grain industry restructuring, is he aware that a petition is being circulated among Queensland grain-growers seeking a referendum of all grain-growers before a decision is made on statutory funding? Would he as Minister responsible for the Queensland grain industry respond positively to such a request by having a ballot conducted in accordance with existing legislation relating to statutory industry organisations?

Mr CASEY: This Parliament would know that even this very day there will be further meetings on this particular matter between the Premier, the Treasurer, representatives of the proper organisation of grain-growers in Queensland—the Queensland

Graingrowers Association—and me. It is also true that, along with a working party from the industry, that association has for some considerable time been looking at a restructuring of the industry in Queensland to bring about within this State a grains board or a grain cooperative which will, in the main, be the start of the whole restructuring. It is something that has been enthusiastically embraced by the grain industry, which has done a tremendous amount of work and gained a great deal of response and support from grain-growers in relation thereto.

I also understand from newspaper cuttings I have seen that, up until now, some people in this State, such as those who sit outside a number of organisations, have been prepared to allow the agripoliticians involved in the association to carry all the work and all the responsibility for them in helping to organise their industry without contributing at all towards the work that it has done—without paying any money for the work. In other words, they have bludged on their mates in the grain industry for a long, long time. I can describe it in no better way. As a Government, we would much rather speak to all grain-growers in Queensland with one voice. I encourage all grain-growers in this State to get in with their organisation, to get behind their organisation, be a contributor to their organisation and support it in the work that it is trying to do for and on behalf of their industry.

It is also true that, when the Chairman of the Queensland Graingrowers Association, Mr Don McKechnie, has gone and put proposals for future change to the industry, he has clearly told meetings of grain-growers throughout Queensland that he supports the philosophy that, if there is to be some change or if there is some doubt amongst a number of grain-growers, there ought to be a ballot. I have had no contact with and have received no correspondence from the so-called petitioners. In the meantime, my Government and I will continue to talk to the proper authority, namely, the Queensland Graingrowers Association.

Proposed Rail Link to Port of Brisbane

Mr FENLON: I ask the Minister for Transport: can he inform the House of the accuracy of an article that appeared on 20 February in the *South-East Advertiser* regarding the proposed standard gauge rail link to the port of Brisbane?

Mr HAMILL: I thank the honourable member for drawing this matter to my attention. I have in my possession a copy of that article so that I can refer to some of the glaring inaccuracies contained therein. A self-appointed spokesperson for the community made some wild allegations about the proposal to link the port of Brisbane to the interstate standard gauge rail network. Honourable members should be made aware of this Government's endeavours to bring about a very important infrastructure project that will substantially benefit the people of south-east Queensland. For some considerable time, it has been an issue in Brisbane, particularly in the eastern suburbs, that heavy transport from the port of Brisbane has been diminishing the amenity of residents in the eastern suburbs. For that reason and for good economic grounds, this Government has been seeking to progress a standard gauge rail link to the port of Brisbane.

The inaccuracies contained in that newspaper article are manifold, but two are most glaring. The first is the allegation that Queensland Railways does not pay compensation for land resumptions. Every member would know that that is nonsense. Another allegation is that there is a proposition, which may still be activated, to construct a railway line from Kuraby to Gumdale. I assure all members of this House and the community that that is not on. Although that proposition was canvassed some years ago, substantial population growth in those south-eastern suburbs of Brisbane has made that option no longer feasible. That is why this Government has considered using the existing rail corridor to facilitate that important standard gauge rail link.

The Commonwealth Government has provided $250,000 to the State Government to conduct presurvey feasibility work for that project. I assure the residents of Greenslopes and other south-eastern suburbs of Brisbane that the project is important. The Government is very conscious of the amenities enjoyed by residents in that area. The feasibility

of the project—if established—will benefit the port of Brisbane and the people of Queensland and will not detract from the enjoyment of people in that area.

Gaming Machine Bill

Mr FENLON: I ask the Minister for Tourism, Sport and Racing: is he aware of claims made today by the Leader of the Liberal Party at a press conference to the effect that provisions of the Gaming Machine Bill make Ministers who are responsible for the machines open to bribery?

Mr GIBBS: I am aware of that most inane comment by the Leader of the Liberal Party. One can conclude only two observations from his statement: he is either a purveyor of deliberate mistruths or a straight-out fool. I prefer to believe the latter. The simple fact is that if the Leader of the Liberal Party took time to read the Gaming Machine Bill, which was introduced last night into the House, he would learn that the very clause about which he raised concern today with members of the media, namely, clause 2.14——

Mr FitzGerald: You can't debate a Bill before the House.

Mr GIBBS: This is very important. The honourable member should be made aware of this. Under the heading "Decisions or determinations of Commission"——

Mr SPEAKER: Order! I rule that question out of order. Honourable members cannot anticipate debates that might occur in the Parliament.

Ownership of Minerals on Aboriginal Land

Mr FITZGERALD: In directing a question to the Minister for Family Services and Aboriginal and Islander Affairs, I draw her attention to ALP land rights policy, which states—

> "A State Labor Government will recognise the right of Aboriginal and Islander communities to refuse permission or to establish conditions for commercial exploitation including mining, forestry and fishing on land not designated as sacred."

I refer also to comments by a spokesman for the Minister, which were reported recently in the media, to the effect that inalienable freehold title and the right of veto over mining were central tenets of land rights policies that were "almost certain" to be included in Queensland's legislation. I ask: how does the Minister reconcile those clear and detailed statements of intent with the Premier's recent dismissal of ALP policy as simply a set of principles? When did the Labor caucus approve the views that land rights policy was only a set of principles? Does the Minister agree with stated Labor policy on land rights?

Mr SPEAKER: Order! Before calling the Minister, I suggest that honourable members think about how they frame questions without notice. That question was far too long. The Minister will answer it as best she can.

Ms WARNER: The honourable member refers to land rights as being merely a set of principles. I would have thought that having a set of principles at all would be quite unintelligible to Opposition members. The idea that that in some way diminishes land rights policy is in the honourable member's mind rather than in the Premier's mind or in my mind. I point out also to members opposite that, whilst they seem to be quite hysterical about the idea of improved land rights legislation in Queensland, it is possible to construe that the deeds of grant in trust legislation that was brought in by the former National Party Government was in itself a form of land rights and did contain vetoes to mining on deeds of grant in trust areas. That is a policy of the former Government, and it exists in Queensland at the moment. What members opposite complain about now is something that the former National Party Government established as a principle in this State.

Effect of Land Rights Legislation on Exploration Permits and Mining Leases

Mr FITZGERALD: I ask the Minister for Resource Industries: in light of the Premier's announcement on land rights for Aboriginal people in Queensland, will he assure the House and mining companies that apply for exploration permits and mining leases that the applications will be subject to the Mineral Resources Act and that no land-owner will have the right to veto mining in Queensland?

Mr VAUGHAN: Last Thursday, I answered a question on this subject——

Mr Littleproud: He is talking about current legislation and abrogation.

Mr VAUGHAN: Which honourable member is asking the question? To whom do I give the answer? Last Thursday, following a very comprehensive answer given by the Premier on the previous day, I answered a question along these lines in response to the Leader of the Opposition. On that occasion, I indicated—I think without reservation—that people who applied for mineral development licences, mining claims or mining leases in accordance with the provisions of the Mineral Resources Act, which came into operation from 1 September last year, would be allowed to proceed with those mining claims, or those mining tenements, in accordance with the terms and conditions that apply to those mining claims or those mining leases. I have indicated also that in relation to any question on land rights considerable consultation will take place between my department and the Aboriginal people. I indicated further to the House that the development of the mineral resources of this State will be conducted in accordance with the best interests of the people of this State.

Spirit of Capricorn

Mr SULLIVAN: In directing a question to the Minister for Transport, I understand that the Spirit of Capricorn running between Brisbane and Rockhampton is to become smoke-free, and I ask: when will that occur and what has prompted him to take that action?

Mr HAMILL: As of 3 March, passengers on the Spirit of Capricorn will be able to enjoy a smoke-free trip on the electric service between Brisbane and Rockhampton. That matter has been the subject of some correspondence between myself and the honourable member for Rockhampton, who has been at the forefront of the fight to make that train smoke-free. Recently, when I was in Rockhampton, I was delighted to make that announcement. Some considerable difficulties have been experienced in accommodating the number of passengers who have desired non-smoking seats on that service. Numerous complaints have been made by both passengers and rail staff about the dangers of passive smoking. When the honourable member for Rockhampton and I made the joint announcement in Rockhampton, I was particularly interested to note that, in the same week, a landmark case was decided concerning the dangers of passive smoking. I suspect that the lead which Queensland Railways has demonstrated in relation to this important matter of public health may well be followed in the future by many other institutions and transport authorities.

Milk-Vendors

Mr SULLIVAN: I ask the Minister for Primary Industries: has he seen an article in today's *Sun* that is headed "Reprieve for milk vendors" and, if so, can he comment on claims in that article that the introduction of the scheme has been extended by one month as procedures for the commencement of the scheme had taken longer than expected?

Mr CASEY: I thank the honourable member for the question. Yes, I have seen the rather erroneous headline and article in today's *Sun* in relation to this matter. May I re-emphasise—as I have on previous occasions when asked questions on this matter—that no-one is being forced from the dairy industry at all. An entirely voluntary system

is being put into place for the rationalisation of milk-vendors in Queensland. There is no truth in the claims in that article. The article is further misleading when it refers to procedures having taken longer than was anticipated. The article is totally incorrect. In fact, procedures have taken longer because the Queensland Dairy Industry Authority has not put into effect properly the Government policy directives in relation to this matter, that is, on how the scheme is to be implemented and put into place. That is a very serious problem that the Government has had with that organisation and that is what caused the delays on this occasion.

In light of the question by the honourable member for Glass House, the article compares somewhat differently with what is happening in Bundaberg, where the vendors who have already begun to take part in the scheme have found that their customers are elated about the scheme and are pleased to co-operate. They are pleased that their dairy cooperatives and their vendors are able to work their system in line with Government policy. It is a good scheme for the vendor system in Queensland and one that will allow those who are not now making money to leave the industry with dignity. It will allow those who want to increase the size of their runs to do so under a subsidised interest scheme. That is the main part of the policy directive that was made by the Government for the Dairy Industry Authority to implement.

Land Rights Legislation

Mr J. N. GOSS: I direct a question to the Minister for Resource Industries. The Minister would be aware that, when considering the question of Aboriginal land rights, the Premier has stated that all land rights issues are on the table and he is inviting submissions from interested departments. Taking into account the Minister's answer to the question from the member for Lockyer, I now ask: will his department be making a submission supporting Aborigines being vested with mineral rights in any land rights legislation?

Mr VAUGHAN: As I have indicated in my answer to the previous question from the Opposition spokesman for Resource Industries, in accordance with its usual policy of consultation, my Department of Resource Industries will be involved in a consultative process in relation to that particular matter. I stress quite unequivocally that I believe in consultation.

Aerial Spraying of Chemicals

Dr CLARK: I ask the Minister for Primary Industries: has his attention been drawn to incidents near Port Douglas and Mossman on 14 February when drift from the aerial application of chemicals was reported to have fallen on to adjoining properties, causing both human distress and suspected death to wildlife? Also, how does the Minister view such an incident and what action does the Government propose to take over the issue of chemical spray drift?

Mr CASEY: The Goss Government views the problems involved with the aerial spraying of chemicals and the spraying of chemicals generally in Queensland with great concern, and it has been working to address this problem since it took office. I accept that the previous Government was also endeavouring to address this problem but it became considerably bogged down. During the last 12 months a task force in my department has been working on the matter. Events brought a culmination this week and the matter was presented to Cabinet. Approval has been given to proceed with legislation concerning the spraying of chemicals. The people of Queensland are aware that this Government is addressing this serious problem.

In relation to the incidents referred to by the member for Barron River—this was one of three very serious incidents that occurred recently in Queensland. The other two incidents occurred on the Gold Coast and at Elliot Heads, where schools were sprayed during the aerial application of chemicals. I point out to the House that I have gone

through the complaints that have been received over the last five years and about 50 per cent of the complaints relate to approximately four or five operators. All the remaining operators have acted responsibly and operated in accordance with the existing legislation. Prior to the incident occurring at Port Douglas, I had written to the operator involved indicating that, following his meeting with the Agricultural Chemicals Board in Queensland, his licence would be suspended for one month from 1 March. This is the first time that has occurred in Queensland, and it has happened because he is a consistent and persistent offender. In the courts last year he was fined approximately $10,000 as a result of similar incidents, including the falsification of records that were held by him and by his company. He had falsified records in an attempt to cover up some of the work he was carrying out. The Government views this matter most seriously. These incidents will be dealt with in accordance with the law and will be further addressed in the proposed legislation.

The incident that occurred in the Port Douglas area was not quite as bad for wildlife as some people thought. There is a wildlife reserve in the region and there was a complaint about a black swan that was found dead. Within an hour the swan was taken to a vet, who certified that rigor mortis had well and truly set in. The swan had been dead for some considerable time and the vet felt that it had not died as a result of the spraying. Everyone handled this poor black swan very fondly and it was sent down to the Government laboratories here in Brisbane. It was discovered that the swan had died from a form of herpes that is carried by wild ducks in Queensland.

Mr FitzGerald: Its swan song.

Mr CASEY: The swan certainly did not die as a result of the sprayed chemical. The swan must have sung pretty well.

Nevertheless, this does not detract from the seriousness of the incident. The matter has been investigated and prosecutions may result from this incident. The person responsible is someone who in the past has offended seriously on a number of occasions; he will not be spraying chemicals for the month of March.

Truck Car Sales

Dr CLARK: I ask the Minister for Justice and Corrective Services: as Minister responsible for consumer affairs, is he aware that a number of Queenslanders are worse off after dealing with a Cairns-based business by the name of Truck Car Sales and can he provide any advice on this matter?

Mr MILLINER: I thank the honourable member for her question and compliment her on the way in which she has brought this matter to my attention. A number of complaints have been received regarding a Mr Jack Bennett, who is trading as both Motorpark and Truck Car Sales at Mulgrave Road, Cairns. His use of fifty-fifty warranties has caused a lot of heartache for those people who have had the misfortune of dealing with him. A fifty-fifty warranty means that both the buyer and the dealer pay 50 per cent of any repair costs for the purchased vehicle. In one instance, Mr Bennett allegedly charged excessively for labour and parts and then halved the inflated price to honour the warranty. Another complaint concerns his alleged refusal to honour promised repair costs. There have also been problems with Truck Car Sales selling vehicles on consignment with the consumer allegedly being misled on the selling price of his consigned vehicle. The Consumer Affairs Bureau advises me that Mr Bennett is on the verge of closing down and is obviously determined to get rid of as much stock as he possibly can. My advice to residents in the Cairns area is to steer clear of him. My advice to anyone who deals with this firm is that, if the deal sounds too good to be true, then it usually is.

Religious Education

Mr LINGARD: In directing a question to the Minister for Education, I refer to the course on multifaced religious education which has now been introduced in some

Queensland schools. The course is designed to teach religions such as Islam, Judaism, Buddhism and Baha'i to all primary school students, including infant classes. The course is being trialed with Year 4 classes and people of these faiths are coming into schools and teaching the classes. Parents have been advised that the course has been designed by Mr Garth Reed, State consultant for religious education with the Queensland Education Department, and I ask the Minister: does he believe that all students need to be taught religions such as Islam and Buddhism?

Mr BRADDY: The courses in religious education are in accordance with the courses that are designed by people who have consulted widely in the community, including the desire today for a comparative knowledge of other religions. There is no suggestion that children are being taught——

Mr SPEAKER: Order! The time allotted for questions with or without notice has expired.

PERSONAL EXPLANATION

Mr BORBIDGE (Surfers Paradise—Deputy Leader of the Opposition) (4.07 p.m.): Earlier in question-time, the information technology guru of the Goss Government, the Minister for Administrative Services, toed the Government line and said that at various times I had wasted $5m, then $2m, then another $2m and then up bobbed $9m, and I think that "between $2m and $4m" was also mentioned. He said that this taxpayers' money had been spent on incompatible computer systems within the Queensland Government. The Minister also sought to imply that I was responsible for every computer system and database within every Government department. He went on to list a number of different systems that are operating. By way of personal explanation, I say to the House that, surely, the Minister is not proposing that a computer system that suited the Police Department would automatically suit the Health Department or the Queensland Forest Service or the Treasury Department. The same would apply to databases. Specific areas require specific operating systems.

Mr SPEAKER: Order! I will not allow the honourable member to debate the issue.

Mr BORBIDGE: I have just one more sentence, Mr Speaker.

Specific areas require specific operating systems, as I said. However, I agree with the Minister that recent advances in networking software are allowing better communication between the State Government's computer networks. I also indicate that I gather the Minister must have been happy with the stewardship of CITEC, in view of his decision since becoming the Minister to promote the former director of that particular Government unit.

MATTER OF SPECIAL PUBLIC IMPORTANCE

Importance of Education to Queensland's Development

Mr SPEAKER: Order! Honourable members, I advise the House that I have received two proposals for a Special Public Importance debate pursuant to the Sessional Order agreed to by the House on 3 October 1990. The proposal submitted by the Minister for Education has been selected. It relates to—

> "The importance to Queensland's development of an Education system that is responsive to long term economic and social needs."

I now call the member for Mulgrave to speak to the proposal.

Mr PITT (Mulgrave) (4.09 p.m.): It is indeed appropriate that the House should debate this important area of human endeavour—education—as a matter of public importance. It is appropriate that this debate should take place when statistics show that, unlike many other States, enrolments in the education system in Queensland are

increasing. Slightly over half a million students—or 532 050 students, to be more precise—have enrolled in primary, secondary and special schools in both Government and non-Government education areas in Queensland, which represents an increase of 2 per cent or 11 400 students. This consists of 315 200 primary school students; 212 950 secondary school students; and in the order of 3 900 in special education. This year, about 46 300 children commenced Year 1, an increase from 1990 of about 1.5 per cent. Of these, 36 800 attend Government schools and 9 500 started at non-Government schools.

The 315 200 students who enrolled in Queensland primary schools represent an increase of about 1.9 per cent, which has been caused by a natural increase and high migration from interstate. Therefore, at a time when unprecedented demands are being placed on the education system and at a time when peripheral programs tend to steal the education headlines, this Government has renewed the commitment to the three Rs.

I recognise the further commitment made by the Minister in response to a question in the House earlier today. The basics are a top priority. In my view, the area of literacy is of vital importance. It is on that topic that I wish to speak in this debate. Some members may have been fortunate enough to have seen one of the documentaries made by the ABC for International Literacy Year because it would have given an understanding of the distress caused to those who have low literacy skills. The program was in a series called *Fresh Start: Literacy 1990*. It featured a man named Joe Thornton who was born in Northern Ireland and brought up in orphanages, both there and in Australia. Since leaving the orphanage, where he was unfairly classified as retarded, he has held well-paid jobs as a mechanic and driver, despite the fact that he could not read; nor could he write. In common with many others with low literary skills, he used props to disguise his disability, such as an empty glasses case so that he could say he was unable to read, and a bandaged hand so that he could say he could not fill in forms. He started learning to read by looking over his children's shoulders while they read aloud. He told his wife one day that he was unable to find a particular word in any of the many dictionaries he owned and asked her to buy him yet another one while she was shopping. When she brought it home, he tossed it away disgusted and said, "The word isn't in this one either."

Distressed, she turned to him and requested, "For goodness' sake, what is the word?" and he replied "Who, h-o-o". One can only imagine his frustration. Sadly, that sense of frustration is all too common in our society.

In Australia, the literacy problem has been pretty well documented, but it is important to see how Australia's problem compares with that in other countries. In Canada, for example, authorities there have said that 25 per cent of the country is functionally illiterate. This figure takes on more meaning when it is translated into practical terms.It means that of those Canadians interviewed, 10 per cent could not read the instructions on a bottle of cough medicine and 50 per cent could not find a store in the yellow pages. Comparable results were recorded in the United States.

Poor literacy skills are a problem right throughout the world. It is a problem that will become more pressing as technology make more inroads into our daily lives. The demands of a modern technological society have made these skills more, rather than less, relevant. Despite this, there is a broad perception in the general community that many students do not acquire these skills during their school education. There is a quite reasonable public expectation that people who leave schools should be able to read and write, and Queenslanders clearly want more done in this area. Literacy and numeracy need to be attended to as a matter of the highest priority. They are the basic skills needed to think creatively for us to become, in fact, the clever country. Of the $5m budgeted last year specifically for literacy and numeracy programs, nearly $2m will be spent on teacher development and $1.3m has been earmarked for teaching resources. The Government has set aside $295,000 for a literacy and numeracy diagnostic program so that students with hidden literacy and numeracy problems will be identified, and remedial action can therefore be taken. $500,000 has been allocated to the regional offices of education to support individual literacy and numeracy programs being run in

schools. The Government recognises that local initiatives are often the most effective way of teaching reading and writing, and is prepared to support these initiatives with money. As I have said, in its first Budget the Government devoted an extra $5m to literacy and numeracy programs, which is an increase of 300 per cent and the effect of this extra money will be seen in Queensland class rooms this year.

The Government has increased the number of in-service programs in schools so that every primary school teacher and every English teacher in secondary school will have some form of in-service training this year. This initiative will cost over $1m. The thrust of the in-service program will be to develop in teachers better diagnostic skills so they can recognise when a child is having problems and then move to have them corrected. At present too many children move through the system undetected. The Government has also allocated $1.16m to all primary and special schools to buy reading books and other literacy aids for use within class rooms. The Department of Education is also in the process of developing a literacy strategy which will require all schools and all levels of the department to focus on the subject of literacy. The Government is also investigating more ways of helping parents who want to assist their children with reading and writing programs. Education is a partnership with parents, but many parents do not feel as though they have the skills to assist their children, especially those parents who come from lower-income areas. One program that will be starting in some Queensland schools this year is called Partners in Learning, which outlines activities that children can do at home under parental supervision. This is an area we can develop further. It is my experience that most parents are only too willing to help but lack the tools with which to work. We as a Government must assist in the provision of these tools.

The social cost of illiteracy is great. For example, 38 per cent of Australians who were asked to work out the change from a $5 note after ordering a sandwich and soup were unable to do so. But in additional to this human cost, there is a very real economic cost. The Federal Minister for Education, John Dawkins, has stated that adult illiteracy was costing the nation at least $3.2 billion a year in lost productivity and was promoting and cementing social and economic inequality. On a simple human level, if we ignore the problem, we fail people such as the young woman who wants to read bed-time stories to her children; the young carpenter who passes the practical part of his course but cannot pass the theory because he cannot read the notes on the blackboard; the young migrant who cannot write a cheque but is quite capable of building a thriving small business; the young public service messenger who stays a messenger all his life rather than becoming a clerk because he cannot read or write; and the father who wants to help his children with their homework so that they do not suffer from the same lack of skills that prevent him from helping them, but cannot.

Australia committed $3m for the funding of International Literacy Year projects. Twenty per cent of that funding went to international projects. However, in Queensland this Government has recognised the social cost of inadequate literacy skills—they result in inequality of opportunity. People with adequate literacy skills can make sense of their world, but the opportunities for those without those skills are limited. Several Queensland Government departments have set aside funds and resources for improving literacy skills. Those include the Queensland Corrective Services Commission, the Department of Employment, Vocational Education, Training and Industrial Relations, and the Department of Transport.

The Government has also encouraged the use of reader-friendly literature—no small concession if one looks at the standard Government form. Even highly literate people have trouble understanding some documents and forms put out by our departments. Those with less than adequate literary skills have no chance of understanding them. If we intervene early we prevent our students becoming the employees of the future who conceal their problems by memorising conversation or dictate letters and messages to a secretary and shun face-to-face meetings to avoid exchanges of complicated reports and correspondence.

But the Queensland Government approached its contribution to International Literacy Year in several ways, both practical and imaginative. I mentioned earlier that

the Queensland Corrective Services Commission had established programs to improve literacy skills. It has long been recognised that inmates of prisons lack basic education. Lack of literacy skills is a significant component in the factors which lead both to offending and imprisonment. Improving the literacy levels of prisoners may well prevent some individuals from reoffending. This, in turn, increases the number of individuals who can make a useful contribution to society while protecting society and reducing prison costs.

Another Government initiative was its financial contribution to the writers' train which toured outback Queensland. Passengers on the train were well known Australian authors who gave readings in bush towns, small schools and anywhere the train stopped. The authors said they were touched and overwhelmed by the interest and enthusiasm shown by country people. They tell of a story where, as they were running late, the train was speeding through the apparently empty vast outback spaces, when someone saw a few small children standing clutching books at the side of the railway tracks. The train stopped and backed up, and the authors found out that the children and their teacher had been waiting by the railway line for three hours hoping that the train might make an unscheduled stop so they could meet the authors.

Australians like to fancy themselves as outdoorsy people, not inclined to be to bookish; but I think this example shows the real value we place on books and reading.

Time expired.

Mr LINGARD (Fassifern) (4.20 p.m.): Clearly, this debate has been called on to enable the Government to discuss its policy on *Focus on Schools* and new initiatives which it is taking. However, I honestly believe that we as members of Parliament are failing in one basic initiative, that is, education for all children in Queensland schools. When we consider that after Year 12 there is not education for all, we realise that we have something to answer for. When at least half of the 25 000 people seeking university places cannot obtain one, a discussion on a topic such as the importance of Queensland's development of an education system that is responsive to long-term economic and social needs should certainly address itself to the real problem that we have with university and tertiary places.

I refer to an article by Glenn Stanaway in Canberra, which stated—

> "The Federal Education Services Minister, Mr Baldwin, said yesterday Queensland would need a very convincing case to win a further boost in tertiary places."

That is an absolute disgrace. The article continued—

> "This year Queensland has about 25,000 university places available, despite nearly double that number of people seeking enrolment and the Federal Government made it clear it was keen to resist the push by the Premier, Mr Goss, for more.
>
> Mr Goss has failed to persuade Canberra to boost significantly Queensland's numbers, even with a personal plea to the Prime Minister, Mr Hawke."

The next statement displays the poor attitude of the Minister. The article continued—

> "But he said Queensland was already receiving 25 percent of higher education growth allocations, despite having only 17 percent of the nation's population."

The Minister is talking about two completely different things. In one place he talks about 25 per cent of growth allocations and then refers it back to 17 per cent of the population. As we all know, Queensland has 17 per cent of the population of Australia. Our advanced education budget is only 16 per cent, our allocation to universities is only 15 per cent, and our allocation to TAFE colleges is 14.5 per cent. In Queensland we have approximately 17.1 per cent of the population aged between 15 and 19 years, and we receive only 17 per cent of the total funding.

I say to the Federal Minister for Higher Education and Employment Services, Mr Baldwin, that referring to those figures is absolute hypocrisy. I also say that because of the political flavour of the Federal Government, this Government should be able to

obtain more positions for Queensland students in universities and tertiary courses. That leads me to HECS. I have no doubt that anyone who has just paid a HECS payment, as I have done for two students, knows the increase in the HECS payment for this year and also knows the rebate one gets for making an up-front, cash payment. I would save nearly $500 by paying an up-front, cash payment for my two students. The Federal Government is indirectly reintroducing the payment of fees. To be quite honest, when one takes into account the interest that has to be paid on late payments, it is not worth while delaying it. Obviously, this Government is encouraging this up-front payment so that it has more money. I honestly believe that the Government is going back to the very old system.

I turn to Austudy. Honourable members have seen the effects of the assets test on country people. There is a notice of motion on the business paper in that regard which still has not been brought on for debate by this Government. The effect of the changes to Austudy on country students can also be seen. Previously, Austudy enabled them to have a free trip to their place of study, a free return trip and two return trips during the year. That has now been cut significantly. It is something that people do not notice unless they are participants in the Austudy scheme.

I also want to say something about the crisis in the universities. I refer to an article in the *Courier-Mail* by Peter Charlton, which states—

> "Australia's universities are close to crisis, according to a recent report. By the end of the decade the universities, many of which are struggling through the transition from colleges of advanced education, could be short of 24,000 academics. The consequences for the 'clever country' are serious."

Time does not permit me to read the whole article. However, the Government has to face a shortage of academics in the future.

I refer also to the Minister's public submissions on *Education—Have Your Say* and *Focus on Schools*. The previous shadow Minister, Mr Littleproud, wrote to the Minister and asked whether he could have a look at the submissions on the Viviani report and the *Education—Have Your Say* report. In an answering letter the Minister's private secretary said—

> "The Minister has asked me to acknowledge your letter of 4th September regarding your request to peruse public submissions on the Viviani Report and the Education—Have Your Say Report.
>
> The Minister will provide a full response to your request at the earliest possible opportunity."

That letter was written in September 1990, but that still has not been done. I believe that the Minister has a responsibility to allow the Opposition to have a look at the Viviani report and the *Education—Have Your Say* report. The booklet *Focus on Schools* is an excellent publication that contains some interesting thoughts on education in Queensland in the future. The report traces the stages and outcomes of the review of the department that was commissioned in March 1990.

On many occasions in this Chamber the Opposition has referred to cronyism by the ALP Government. I have spoken to teachers. I can tell the Minister that they believe that there has been cronyism in the appointment of the top positions within the Education Department. Everybody knows that over the 1989 Christmas period a very special group of people were brought down to a motel to advise the ALP on the policies that it should implement.

A Government member: Where were they?

Mr LINGARD: They were down on the quay. The honourable member knows where they were. They were brought down to a motel on the quay. They were a very special, select little group of people who were to work on ALP policy. One has only to look at the top four positions in the Education Department. Two of those people were at that particular meeting.

Mr Palaszczuk: Who are they?

Mr LINGARD: The honourable member knows who they are. I have spoken about them before in this Chamber. The honourable member knows that that is ALP cronyism. It is terrible. The honourable member knows that the teachers in the Education Department are dead set scared because they know that in this rationalisation program many people will lose their jobs, especially if they cannot show some sort of allegiance to the ALP. I say that it is ridiculous and that it is something that the Government should overcome. Those teachers are worried because they know that those men who missed out on the top positions will go down to the second level. The replacement of special schools by support centres under this regionalisation program will also mean that a lot of people will miss out on jobs.

This morning I asked the Minister a question about the religious education course that is being implemented in Queensland schools. It is being referred to as multifaced religious education. I say that infant classes and middle primary and upper primary classes do not need to be taught about the Islamic, Buddhist and Aboriginal religions.

Ms Spence: Why not?

Mr LINGARD: It would be all right if it was as the Minister presented it in the Chamber today. However, it is now being found that people of the Buddhist faith, the Islamic faith and the Baha'i faith are teaching Year 4 students. I have taught in Queensland schools. If one is worth one's mint as a teacher, one can have a great influence over the opinions and thoughts of little Year 4 students. I say that the people of Queensland will not accept it when they find out exactly what the Government is doing. As the ALP Government in Victoria has abolished corporal punishment and as people such as Senator Colston are talking about abolishing it, I ask this Minister to give a guarantee to the teachers and parents in Queensland that he will not abolish corporal punishment for students who are guilty of gross misbehaviour. Will the Minister give that guarantee to the parents and teachers of Queensland? Quite honestly, I believe that there should be discipline, care and control in our schools.

Ms SPENCE (Mount Gravatt) (4.30 p.m.): Hopefully I can raise the level of this debate above a debate merely on corporal punishment. Today, the public is placing increasingly more value on education as a means of solving Australia's economic and social problems, and I think that that is what the question we are debating today is about. I believe it is natural that this should be so as the education system has the capacity for instilling positive social values. However, it should not replace other mechanisms in society. Educators know, for example, that the family is a more important social educator than the school, and parents should not expect that positive social values will be instilled in their child at school. It is too easy for society to shrug off a social problem as too hard and come to the conclusion that the only solution is to throw it back on the education system. In recent years, this has occurred. We have moved away from requiring the school system to teach the three Rs to expanding its horizons.

Teachers are now expected to teach media studies and be experts in film, television and advertising. They are expected to be knowledgable about publishing, not just understanding literature. They must be able to act and teach drama. They should teach peace studies, legal studies, marine studies, tourism and driver education. They should be able to discuss human relationships with authority. They should also teach politics, religion and catering. I could go on. The point is that society is increasingly placing on the education system the necessity to expand its curriculum to take on more and the education system is responding by trying to meet all demands. At the same time, it is being criticised for not concentrating on the basics. Today, the education system faces the dilemma of balancing the economic and social needs of society as its body of knowledge continues to grow and the nature of society becomes more complex.

Obviously the education system should be responsive to long-term economic and social needs, but I believe that teachers do themselves and the education system little good by becoming jacks of all trades and attempting to provide solutions to all of

society's economic and social problems. Teachers are not the fonts of all wisdom, nor should they be expected to be. Children do not gain all their learning experiences at school, nor should society expect them to. During my time as a secondary school teacher, I found that one of the greatest causes of lowering morale was the pressure placed on teachers to teach subjects for which they had no training. One year teachers were told to teach civics because someone thought it was a good idea; the next year it was human relationships; the next year it was driver education, and so on. They are fairly tough requirements on someone who has been trained to teach only woodwork and metalwork. Might I add that all this occurred under previous National Party Governments in this State. Honourable members should not forget English. It has always been a common belief that anyone can teach English just because he or she speaks it.

In the short term, paying teachers appropriately will increase their morale, but the loss of professionalism which occurs from demeaning their status will ensure long-term problems. I welcome the suggestion of the Federal Minister for Education, John Dawkins, to establish a national curriculum, because the education system cannot continue to respond to the vagaries of political, social or economic whims.

One new initiative of this Government that is not a whim but is rather a long-overdue reform of Queensland's education system is it's emphasis on the teaching of foreign languages which has always had placed on it a fairly low status in the education system, not only by students but also by teachers, parents and the community at large. During my days at school, a foreign language was a subject one had to study to gain entrance to a university. When the universities ceased making a foreign language a requirement, the numbers of students undertaking a foreign language dropped even further.

There are many cultural reasons why Australians do not feel the necessity to study foreign languages in general and Asian languages in particular. There has been a long tradition of being anti-Asian in this country. The Chinese were persecuted on the gold fields; the Kanaka labourer on the sugar fields was treated as a slave. Society then adopted the white Australia policy. Those anti-Asian feelings are still with us in Queensland, but we can no longer see ourselves as an island in a sea of colour separated from our natural European trading partners only by an act of geographical misfortune. Asia is Queensland's closest and, quite properly, its major trading region, and we cannot hope to maintain satisfactory economic ties with that region unless we learn to appreciate the cultural diversity that separates us.

I welcome the introduction of Asian language studies into our schools. The previous National Party Government saw the need for this as well, but it was long on rhetoric, with no action. It did little to train teachers for teaching Asian languages. Like so many of its promises, it did nothing about it. After one year of Government, the Labor Party's record is that 60 per cent of Year 6 students this year are studying a foreign language. Of the 20 000 Year 6 Queensland students studying a foreign language, 38 per cent are studying Japanese; 23 per cent, German; 12 per cent, French; 10 per cent, Chinese; 8 per cent, Italian; 8 per cent, Indonesian; 0.5 per cent, Spanish; and 0.5 per cent, Vietnamese. The Government makes no bones about emphasising Asian languages, but this does not mean it will be ignoring European languages. French, German and Italian will still be vital languages, along with Japanese, Chinese and Indonesian. The Government plans to introduce foreign languages into the primary school curriculum so that, by the turn of the century, every child will be studying a foreign language, and this is a good start. With this build-up of foreign language study in primary schools, where all students follow the same curriculum, there will be a consequent build-up in foreign language study in secondary schools, where students choose what subjects they study.

Previously the Minister stated that he was especially dubious about what he called the fried-rice approach to foreign languages, where ethnic days and being able to say "Good morning" or "Good afternoon" in a foreign language takes the place of the real work of learning the language and learning about the country. I welcome the sense in this statement. It horrifies me that people take Japanese courses of eight or ten hours

and then think they have some knowledge of the Japanese language. I think anyone who has undertaken a study of a foreign language knows that it is a really hard slog and cannot be done in a piecemeal fashion.

I am pleased to say that, in my own electorate, just about all the primary schools are undertaking a course in foreign language. Japanese is being studied at six of the primary schools and high schools and Chinese is being studied at five additional schools. I am convinced that there is a need to raise the level of "Asia literacy" among students, not merely in languages but also in an awareness of history, culture and current events. Whatever can be done through education to build a greater understanding, to foster greater tolerance for others or to encourage an acceptance of our common humanity will be in the interests of every single one of us.

The next subject that I want to address is that of gender equity. If education is to solve Australia's long-term social and economic problems, then righting the inequality between the sexes that currently exists in Queensland's education system must be on the agenda. The students' gender, their social, economic or cultural background should not be a limiting factor in their development. This Government is concerned about the status of women generally, and the need to improve the conditions of their lives. At present, women and men do not participate as equals in all aspects of economic, social and political life. I am pleased that the Minister for Education has instituted a separate section in the Education Department to deal with gender equity issues. Until last year, the Queensland Department of Education was the only system which had not officially and publicly endorsed the national policy.

I am also pleased that the Minister for Education has seen fit to promote women into higher places in the education system. Before this Government came to power, 73 per cent of primary school teachers were women, 56 per cent of secondary teachers were women and 78 per cent of special education teachers were women, but only 4 per cent of principals in Class 1 schools and only 6 per cent of principals in Class 2 schools were women.

Time expired.

Mr LITTLEPROUD (Condamine) (4.40 p.m.): Could I start with a protest? Mr Deputy Speaker, I ask you to inform Mr Speaker that, as I understand it, the subject chosen for the Matter of Special Public Importance debate would be decided at 12 o'clock on Wednesday, yet members of the Government were overheard discussing the topic on Tuesday afternoon. I ask that you bring that to the attention of the Speaker.

Mr DEPUTY SPEAKER (Mr Campbell): Order! I will take note of those comments. I hope they are not a reflection on the Speaker himself.

Mr LITTLEPROUD: No, but I am alerting you to a fact.

I suppose it could be said that the topic before us today is almost a mission statement of an education system. Obviously, everybody in the House would agree with the proposition. It has always been the intent of the Education Department, and it has always been the case. The Queensland education system, especially the schooling system, has always had a reputation of being innovative, and that has been agreed to by various educators federally. The Education Department has always been constantly vigilant of what necessarily should be in the system. These days, we talk about the new basics. I shuddered a little when the previous speaker started talking about a broad range of subjects, because there is an overcrowding of the curriculum and there is a need for educators now and in the future to make sure that the new basics are defined and that the curriculum has the correct priorities so that children are lined up with the essentials—the foundations—of a good education early in their life. We also want to be constantly vigilant in having links with industry so that education has relevance.

If we want to talk about the future, I imagine we should also talk about what we have now. I have jotted down the foundations on which the education of tomorrow can be built in Queensland. In 1989, seven out the first 10 schools in an Australiawide

science competition came from Queensland. It is acknowledged throughout Australia that Queensland has the best computer education in Australia. The Institute of Australian Family Studies commented that Queensland's human relationship course is the best in Australia. Contrary to the comments of the previous speaker, I inform her that Asian studies were started by previous administrations. In fact, in 1989, it was acknowledged that more children in Queensland learnt Japanese than those in all the other parts of Australia put together. I also remind the House that, in 1989, I visited China to put together an agreement which since then has been built on. So the foundations were established then. I applaud the steps that have been taken since.

Steps have also been taken—and I noticed the article in today's paper—with regard to the off-shore sale of education as a commodity. That is to be commended. It has already been started. It has a long way to go, but it provides great opportunities. It is along the lines of the present Education Minister's statement of education being self-funding. The Queensland curriculum has been applauded by many people, even the president of the Australian Teachers Federation. Just recently, the Grants Commission carried out a review of the use of Government funds for Government services throughout Australia and it came out strongly in favour of and recognised Queensland's efficient style and delivery of education. These days, quite a few Ministers opposite talk about driving the public dollar further. So that is the base that is being built upon.

What about the future? Without doubt, we have to build on this study of Asian cultures and languages. We are part of South East Asia. I acknowledge the steps being taken under the present Minister. I hope that good progress is made. There are limitations in that sufficient qualified people are required. I know that technology is being used to overcome those limitations. With technology, one qualified person will be able to deliver a lesson into more than one class room simultaneously. Over the last couple of years, that has been trialled. I do not know to what extent it has been further enhanced since then, but it is certainly one way of making use of technology to overcome the shortage of human resources.

With regard to maths sciences—I believe more emphasis needs to be placed on that and encouragement should be given to people to undertake those courses. The previous speaker said that there was no gender equity in Queensland education. I point out to her that that is not the case. The Education Department has always tried to encourage girls to go into maths sciences.

Recently, a leading secondary school principal said that the reason girls do not follow maths and science professions is not a problem in the education system, it is a community problem. The Education Department has been assisting by having students undertake those subjects in terms of gender equity. In fact, many girls do extremely well in those subjects. We must also consider social attitudes. Proper attitudes should be developed towards the work ethic and social harmony. I hope that human relationship education will pay dividends in that regard. I also refer to equality of opportunity. The member for Burdekin will mention distance education. The Queensland education system has the best record of any system in the world for delivering education to people in far-flung places. Equality of opportunity is most important.

Queensland already has a good schooling system. The greatest need in the future will be expansion in higher education. I refer to TAFE and tertiary education. That expansion will take various forms. A network of tertiary institutions has been put in place across the State. There was some criticism from various quarters and a difference of opinion between this Minister and Mr Dawkins about which institutions should become universities. To build upon that network of tertiary institutions we must create open-learning centres and annexes at TAFE colleges so that provincial cities that are not large enough to sustain full universities can still deliver tertiary education. I understand that students enrolled at the University College of Central Queensland are using videotapes and landline connections at the Emerald TAFE College. We must make available to tertiary students that equity of opportunity that has already been developed in primary and secondary schools.

Another way of delivering equality of opportunity and especially TAFE education is by way of TAFE annexes, which have already been established at Charleville and Gayndah. They represent only the administration of a central TAFE college, but the courses are delivered in those smaller towns. That will better cater for those students who are not academically able to undertake traditional academic courses but want to undertake technical courses that will enable them to enter trades. Because many more students are continuing on to Years 11 and 12, those annexes could provide prevocational training for their future. It is imperative that a network of TAFE annexes be put in place across the State and open-learning centres be developed further. I understand that 24 to 40 open-learning centres, which are a great innovation, have been established across the State.

I turn now to the mentality of students and their attitudes. Somebody once said to me, "We do our children a great disservice. We give them ambition to get a good education. Then we plant an idea in their heads. We tell them to go out and get a good job." He said that we should be telling our children: "Go out and build yourself a business. Go out and become the boss. Go out and be a creator rather than the person who contributes." There must be some people who will take up that challenge. We need more entrepreneurs and people who will run the show rather than those who are prepared to work with it. There will be a natural attrition when some people take up that challenge. Others will take their place in organisations. Many of the nations to Australia's north that are doing extremely well were built especially on small business. What does the future hold? How do we achieve these things? I believe that we are on the right track. Parents should be consulted and their attitudes determined. Parents can impart to their children the basic standards that they require. They can also tell their children about the subjects that were mentioned by the member for Mount Gravatt, namely, legal studies, political studies, understanding society, human relations and consulting industry and business. People in the professions and business know the sorts of skills that they need to make themselves competitive in the international world. If we could consult those two groups of people and have their views reflected in local schools and the overall State curriculum, we would be getting somewhere. A couple of years ago, those connections were put in place with the introduction of the school development plan, which is continuing. When I was Minister for Education, I introduced onto the Board of Senior Secondary School Studies representatives from industry and commerce so that they could provide input at secondary school level. I hope that that practice continues. A curriculum that meets the demands of parents and industry groups should be created. The Government should also provide appropriate facilities and personnel and carefully monitor the entire system, including the standards, the people operating it and its needs. I believe that the framework exists. The Education Department has a proud record of providing good services. I believe that, if the department is allowed to use its professionalism and is not dictated to by the Government, it can continue to deliver.

Hon. P. J. BRADDY (Rockhampton—Minister for Education) (4.50 p.m.): This debate provides an opportunity for honourable members to talk about the philosophy of education and its importance in Queensland's history. In fact, it is vital. This country is suffering its worst economic period since the Great Depression of the 1930s. At the same time, we are attempting to educate more people than this country has ever educated. The combination of those two factors is catastrophic for all the ideals that this Government would like to put in place. It can manage only some of them.

It was a pleasure to hear the positive contributions of the members for Mulgrave, Mount Gravatt and Condamine in relation to the needs of our education system. They discussed literacy, numeracy, foreign languages, the equity position, mission statements and many other issues. I thank particularly those honourable members for discussing those matters of great importance. It was disappointing not to hear a similarly positive contribution from the shadow Minister for Education, the member for Fassifern, who made a series of ad hoc attacks, some of which were relevant, some fanciful and some completely fabricated either by him or other people. I refer to his initial remarks about universities. The honourable member knows that this Government has made strenuous

efforts to provide as many university places as possible for our students. Since the Labor Party came to Government in this State it has funded an additional 2 300 places for university students. The member incorrectly attempted to imply that 25 000 people in this State should be in universities and cannot get into them. Certainly, simplistically, one could say that 25 000 people wanted to go to universities. However, people involved agree that only about 5 000 of those—and that is 5 000 too many—would be qualified to gain a place. If they were given the choice, those 25 000 people may want to be Robert Redfords, test pilots, millionaires and all sorts of things. But they do not have the capacity to do those things either. Everyone who thinks that he or she has a vague chance of going to university, of course, applies for a place. However, only those who have reasonable scholastic skills and aptitudes will be selected.

The fact that 5 000 or 6 000 people in Queensland have that capacity, ability and aptitude yet cannot be admitted to university is a great shame. The Government has not abrogated in any way its responsibility, because it has criticised strongly the Federal Government for failing to meet its responsibilities. I know that the former Government did the same, and it was accurate in that regard. The Federal Department of Education now applies a formula under which Queensland receives more than its share of the growth on a population basis. However, that increase is not sufficient to catch up. Both the Premier and I have criticised strongly the Prime Minister, Mr Dawkins and the Federal Government for their failure to recognise the facts. To date, we have obtained one success. The Federal Government has agreed to set up a bilateral working party between it and the Queensland Government to consider once again the formula by which university places are calculated between Queensland and the other States. That will not help the students in 1991, but it holds some hope for the future. In the meantime, it will not buy off the Queensland Government from criticising the Federal Government when it should.

The member for Fassifern then talked about cronyism and how it has been the subject of much talk amongst teachers. I inform the House of the difference between his Government and this Government in the selection of senior administrators in the Education Department. Before I do so, I refer to the claim made by the honourable member that, sometime last year—I think he said before Christmas or before the election—I was supposed to have met at a motel, which was unnamed, with certain people, who were also unnamed, to plan an education strategy for the benefit of the Labor Party, as distinct from the Government. I categorically deny that. The honourable member failed to name the people and the motel. No such meeting was held at any motel.

In another instance, in the media the honourable member said that two out of the four top positions in the Education Department went to personal friends of mine. I presume that that is the same sort of allegation that the honourable member made today about the mythical motel—it is absolute nonsense. Of the top four positions in the department, the director-general is the No. 1. The first time that I met the now Director-General of Education was when he was interviewed as one of the short-listed candidates for the position. One of the deputy directors is Mr Dick Warry, who was an assistant director-general at a senior level in the department. Since I became Minister for Education, he and I have come to know each other well. Before that, we were in no way friends or acquaintances. If I had met him, I had certainly only met him briefly. I move on to the next two positions. Prior to my becoming Minister for Education, I had met Mr Frank Peach, who is now a deputy director-general, on one occasion—and one occasion only. We did not meet at any motel. He on no occasion tendered me advice as to what I should do. So I reject that.

The fourth person to whom the honourable member referred, I presume, is Mr Peter McDonald, who was the Regional Director of Education in Rockhampton. He and I were not friends; we were acquaintances. We never met and he never tendered advice to me as to what I should do in terms of policy. He conducted himself at all times, as I did, with complete propriety. As I say, he and I were acquaintances. The fact that he happened to be a highly regarded regional director is beside the point. Again, it is a

nonsense. It is either a fabrication or the result of listening to scuttlebutt from people who are disappointed and who make up rumours and nonsense about meetings in motels and other places that never occurred. It is a pity that, with no evidence at all—because the evidence does not exist—the member for Fassifern should descend to that level of nonsense in his speech when he should have been talking about his view of education, his philosophy of education and where education should be going in this State.

I turn to the system for selection of people. Our predecessors in office had no requirement for the strict selection processes that we have now. The former Government had in place a process whereby the positions were required to be advertised only in the *Queensland Government Gazette*, and sometimes consequential appointments were not required to be advertised at all. This Government has a system of Australiawide advertising and selection committees on which there are at least two people from outside of the Education Department. Structured interviews take place. At the end of the day, people are selected on merit and equity. On that basis, as the member for Mount Gravatt rightly said, for the first time in the history of Queensland five women received appointment in the top 20 positions in the Education Department. In relation to the future of education in this State—it is absolutely vital that the women of this State, who have made such a great contribution, understand that they will have every opportunity to receive appointment on merit in accordance with their ability.

In relation to other matters—it is important that we have the ability to understand the needs of our students, because the vast majority of them now stay on at school. That is why Mr Warburton and I set up a committee to consider the education needs of 15 to 19 year olds immediately after we became Ministers. The sort of program that is necessary is one whereby, if more than 80 per cent of students are staying at school, we must structure our school programs to be appropriate for them as well as asking the Commonwealth Government to provide more university places for those students who qualify for those places.

In short, we must provide a system under which all the young men and women who are students believe that they have an equal chance. All the young men and women who want to become teachers in this State must believe that they have an equal chance and they can look forward with ambition, knowing that if they work and study hard they will get their place in the sun. No longer will Queensland have a system whereby certain people are favoured and progress simply because they live in a certain part of the State or because they are male rather than female.

Mr DEPUTY SPEAKER (Mr Campbell): Order! I call the member for Burdekin.

Debate interrupted.

PRIVILEGE

Location of Members' Electoral Offices

Mr BORBIDGE (Surfers Paradise—Deputy Leader of the Opposition) (5.00 p.m.): I rise on a matter of privilege. Today in question-time the Minister for Administrative Services——

Mr DEPUTY SPEAKER: Order! I have not recognised the honourable member yet. I recognise the member for Surfers Paradise.

Mr BORBIDGE: Thank you, Mr Deputy Speaker. I rise on a matter of privilege. During question-time——

Mr DEPUTY SPEAKER: Order! I ask the honourable member: has he previously made a personal explanation on this matter?

Mr BORBIDGE: No. This is a matter of privilege and I understand that under Standing Orders a member may raise a matter of privilege at any time.

Mr DEPUTY SPEAKER: That is correct.

Mr BORBIDGE: I refer to an answer given by the Minister for Administrative Services today during question-time relating to the location of the electorate office of the member for Albert. The Minister advised the House, in defence of his position——

Mr DEPUTY SPEAKER: Order! What is the matter of privilege that concerns the honourable member?

Mr BORBIDGE: I am coming to it. The matter of privilege is that the Minister for Administrative Services has misled the House and I ask you, Mr Deputy Speaker, to consult with Mr Speaker as to whether this matter should be referred to the Privileges Committee. This matter relates to a blatant lie that was told——

Mr Palaszczuk: That is unparliamentary.

Mr BORBIDGE: A blatant untruth that was told to this Parliament today by the Minister for Administrative Services when he said that under the members' guidelines an electorate office need not be located within a member's electorate. That is wrong. I table page 20 of the members' entitlements book as amended by the Goss Government and I quote paragraph (c) which states—

"The office provided for the Member shall be established in the Member's Electorate."

Mr Ardill: Except.

Mr BORBIDGE: No exceptions.

Mr DEPUTY SPEAKER: Order! Honourable members will not debate this issue. The honourable member will table the document.

Mr BORBIDGE: I will table the document.

Mr Ardill: You are misleading the House.

Mr BORBIDGE: Come and read it, you great——

Mr DEPUTY SPEAKER: Order! Honourable members will not debate this matter. I ask the honourable member to finish his matter of privilege.

Mr BORBIDGE: I table page 20 of the members' guidelines and I invite other members to read it if they do not believe me. I request that you, Mr Deputy Speaker, refer this matter to Mr Speaker to determine whether the Minister for Administrative Services has misled the House. I believe that he has misled the House.

Whereupon the honourable member laid the document on the table.

Mr DEPUTY SPEAKER: I will confer with Mr Speaker on this matter. I call the member for Burdekin.

Mr Borbidge interjected.

Mr DEPUTY SPEAKER: Order! I warn the member for Surfers Paradise under Standing Order 123A.

MATTER OF SPECIAL PUBLIC IMPORTANCE

Importance of Education to Queensland's Development

Debate resumed.

Mr STONEMAN (Burdekin) (5.04 p.m.): In rising to speak in this debate this afternoon I point out that education provides the basis for economic development. It is the single most important factor relating to the development of any society and community

and, therefore, one that I readily acknowledge. I have acknowledged this fact for many years, even before I became a member of Parliament. Like many people, I became involved in education simply because I am a parent, which finetunes one's understanding, bias and—in certain instances—one's prejudices.

The Labor Government is increasingly claiming that it is saving Queensland from a Dark Age mentality in terms of education. There seems to be a process of change for change's sake in many areas of Government, and education is no exception. I make the point that on any independent measure Queensland has the best education results in Australia. That fact has been confirmed by independent groups outside this State. It has been measured by means of result and per capita outlay. Queensland's system has been found to be efficient, effective and productive. No Government can ever allow a system such as this to rest on its laurels or allow the suggestion to be made that the system is perfect. The system must be continually fine-tuned. It concerns me that in education—as in so many other areas—a kaleidoscope of change is being made simply to put the stamp of this Government's philosophy on it. We should be worried about the activities of theorists and people who have an academic preoccupation to the detriment of the end result, that is, the students at every level of scholastic endeavour in this State.

In particular I want to focus on education in country areas in Queensland, because the economy of these regions is devastatingly at risk. I am concerned about the availability of boarding school places in Queensland and I am sure that the Minister is also concerned. The cost pressures placed on boarding school operations cannot be passed on to the consumer group, because consumers in country areas have no alternative other than to use boarding schools to access secondary education. People living in country areas are becoming increasingly unable to take up that boarding school option. Because their ability to take up this option has been lessened, the viability of boarding schools is also being lessened and the only alternative is to close them down. Costs are driving these schools out of education and as a result will drive families out of country areas. As I said at the beginning of my speech, education is one of the basic grounds of economic development. In addition, there is real economic development, that is, the generation of this State's finances, which to this day is still very much tied up in regions outside the metropolitan areas, although it is the metropolitan areas which have a greater range of educational institutions and, therefore, greater access to education.

Distance education, in the original sense of the term, is now being swamped by a whole range of new initiatives. In basic terms, people understood distance education to be all about the provision of education in remote areas and access to education by students at all levels to all areas of education, but a plethora of distance education initiatives are being developed that are quite outside that role. Unfortunately, a concern has arisen about people who are able to opt into the system at the primary level, thereby changing the focus and thrust of needs in distance education at the primary level. This is a matter of concern to many people, including me. Although my own children have moved through the full range of education—primary, secondary and tertiary levels—I will soon be confronted with my grandchildren being involved. I already have one grandchild who lives in an isolated area. One hopes that he will be able to stay with his parents, provided that economic conditions prevail that will enable his parents to allow him to do that. By the time he is of school age, perhaps there will be a change in the thrust and direction of distance education that will be a cause of concern to me and to many other people.

As I said, a change in direction will alter the balance of needs and demands. I point out to the Minister the vital importance of making sure that the issue of funds required to sustain basic levels of education is addressed very seriously in budgetary terms. I am sure that he is aware of that and that the need for funds is ongoing. I acknowledge his interest in this area, but I emphasise that a great many other demands and pressures will be placed on people who will be affected by changes in distance education, and they will have greatly reduced opportunities to sustain changes in education of the type that have occurred in the past. I believe it is vital to maintain a sense of direction in distance education.

Before long, the second generation of satellite communications will be available for education, which will be much better for people who are the recipients of that form of education. However, this also requires greater commitment by the department, the Government and by people in the sections of the department involved. It will also require a greater degree of funding. I would be very disappointed—in fact, I would be devastated—if I felt that the pressures emanating from other areas, to which other Government members have referred, were to overtake those basic areas of Government services that are so vital to people who live in remote areas. I wish to refer briefly also to another area of distance education that falls outside the primary focus of what people normally understand distance education to be. I refer to people who live in rural towns and villages throughout this State who are subject to transfer, for example, bank managers, stock agents, stock inspectors and their families, policemen and doctors. Often, these people find that they are unable to give their children the opportunity of continuing their education to an appropriate level. When the parents finally reach a stage in their career when they are able to provide their children with access to universities and tertiary facilities, they will want to be sure that those students are not going to be disadvantaged by having had access, technically, to a secondary school, but one that does not provide a curriculum that meets tertiary education prerequisites.

In conclusion and on a more parochial level, I wish to pay tribute to a couple of people. I am concerned about some of the arrangements at the top level of the department that have been referred to by my colleagues. Some of those may be appropriate and some may not be, but I do not want to go into that. I simply want to note that in education in my electorate a number of directors of regional education have been outstanding. Those people have been extremely professional and have adopted an extremely caring attitude towards education at all levels. I particularly pay a tribute to Steve Miller, who was recently transferred from the northern region to the Maryborough/Wide Bay area. I acknowledge the promotion of Miss Gail McKay who, for three years, was principal of the Ayr State High School and is now the new executive director of the regional office. She is widely acknowledged for her capability as a headmistress and I am sure that she will take forward that capability to her new position. In fact, it was with a great deal of pride that I was able to attend a presentation for her recently at the Ayr State High School where 800 students, a large number of parents and the total staff acclaimed the work she did in her three-year period at that high school. It was a very moving moment for all involved and one that all who attended will remember. The people at that ceremony were obviously proud to have known her. I certainly wish her very well, together with all the other women who are moving into the ranks of education administration in this State.

Time expired.

Mr DEPUTY SPEAKER: Order! The time allotted for the Special Public Importance debate has expired.

LEGAL AID ACT AMENDMENT AND PUBLIC DEFENCE ACT REPEAL BILL

Second Reading

Debate resumed from 20 February (see p. 6236).

Mr LITTLEPROUD (Condamine) (5.13 p.m.): In speaking to this legislation, I preface my remarks by saying that it is a responsibility of Government to ensure that people have access to the law. As a layman and a person representing the community, I am aware that from time to time comments are made about the very rich and the very poor having access to the law, but justice being denied to middle Australia. I acknowledge that Governments in State and Federal jurisdictions are always trying to review this matter and redress the problem and that the legal profession is also taking a look at itself. In fact, some of the initiatives that have been passed by this Parliament in the past include legislation on community mediation centres, laws being written in

simple English and the consolidation of Acts to make reference easier. All those types of legislation are initiatives that were taken in the past to address this problem. Without doubt, however, more still needs to be done.

It is important that the average person has access to the law; it is important that people retain a faith in the integrity of the legal system; and it is important that we always attempt to retain affordability of the law. The legislation is part of an overall thrust towards that equity of affordability of access to justice.

The legislation comes before the House as a result of a Commonwealth/State Government agreement made in early 1990. The Attorney-General told us that the agreement included a merger of the office of the Public Defender and the Legal Aid Commission. The Legal Aid Office uses public funds to assist people in non-criminal matters. The Public Defender's Office uses public funds to assist people in criminal matters. One of the conditions of the agreement is set out in the Attorney-General's second-reading speech, in which he stated—

> "The State intends to merge the operations of the office of the Public Defender with those of the Legal Aid Commission."

Members of the Opposition have some concerns with a couple of aspects of the legislation. Firstly, they know that some of the funding will come from the Federal Government. They are concerned that the Federal Government might have attached conditions to the funding so that it can dictate where the expenditure takes place. When the Attorney-General sums up this debate, he might care to address that matter.

We also have a fear that the Public Defender's Office might be starved of funds. The Attorney-General said that there will be no alteration in the size of the budget. In his second-reading speech, he stated—

> ". . . it is intended that the fund base available for criminal legal aid will be maintained."

I focus on the word "intended". The Attorney-General might be able to use a stronger word than that and give us an assurance. Some of the people to whom I have spoken about the intent of the Bill fear that because most of the work of the Legal Aid Office is in family law, which has an unmet demand, the Attorney-General will have to cut his load according to the amount of funding. He may have a tendency to give too much to the Legal Aid Office to be used on family law and starve the Public Defender's Office of funds.

I have been asked to raise our concerns about a person's right of choice of a legal adviser. Under the present legislation, in criminal matters, which are administered by the Public Defender's Office, a person has the right to choose a legal adviser. I am advised that in this legislation a person's choice of a legal adviser is to be taken into account. Does the legal profession believe that is true justice? Is it a personal freedom that should be retained? Is it a personal freedom that should not be lost? It has been explained to me that a person could lose the right of choice of a preferred legal adviser. When the Public Defender's Office takes into account the preferred legal adviser, does not appoint that preferred person and makes its own appointment, will the Crown be both the prosecutor and the defender? Because of that concern, we are not certain that the Bill is worded properly. Perhaps the Attorney-General will allay our fears on that matter.

With the Legal Aid Office, the practice has been that an application is made for legal aid, it goes before the relevant body and in most cases the means test is applied in deciding whether legal aid is granted. The legislation provides that legal aid will now be decided on merit. There is doubt in the minds of members of the Opposition, and also in those of members of the public, as to what constitutes merit. Will that be decided on financial capacity, on an assets test, on income, on preference to people who do not speak English or on preference under the notion of affirmative action? We also want to know who will make the decision. Will it be the Federal Government, departmental staff or a panel of representatives of the clients, the profession and the community at

large who will decide whether an application for legal aid has merit or not? In that regard, we have some reservations as to qualification for legal assistance.

With regard to staffing, I note that provision has been made in the Bill to protect the interests of the public servants who presently work in the Public Defender's Office. The Bill proposes that all staff will be part of the Legal Aid Commission and eventually they will not be public servants; they will be employees of the Legal Aid Commission. I understand that provision, because I realise that the independence of the commission should be safeguarded. The Bill provides that public servants can transfer their employment and become employees of the independent commission without losing any rights or entitlements that they have accrued as public servants. I acknowledge that that had to be done, and it has been done very well. There are not too many people involved in the merger, but I have not been contacted by any of the persons involved. I assume that they approve of that change of employment. I congratulate the Attorney-General on meeting their requirements.

As the debate continues, various Opposition members may bring to the notice of the Attorney-General and this House specific cases in which they believe people have not received the service that they expected either from the Public Defender's Office or from the Legal Aid Office. I will leave it to those honourable members to detail the specific cases. I am sure that the Attorney-General and members of this House would acknowledge that the present system of providing legal aid is doing a good job, but we are aiming to provide an even better service. I accept the rationale behind the merger of the two offices which are both offering legal services to people who are lacking in funds and who want to be funded out of the public purse. This legislation is a genuine attempt to provide an initiative to address that problem. However, we should be aware of other needs that may be present. I appeal to the Attorney-General to listen carefully to other members who outline specific cases. I appreciate that, earlier, he paid me the courtesy of allowing me to be able to speak with departmental officers. I urge those officers to listen closely so that they can answer the concerns that are expressed. Members often receive representations from people who feel that they have not obtained the type of service to which they were entitled.

A particular instance comes to mind. I am aware of a person who applied for legal aid and was denied it because of a failure to meet the means test qualifications. That person accepted that. However, it became a very protracted dispute and it became very costly. It reached the point at which that person almost became insolvent. It has been reported to me that that person has applied again for legal aid, and it has again been denied. Some time ago, I spoke to the Minister's director-general, who indicated that that should not have been the case. I did not know enough about the intricacies of it. Perhaps the Minister may be able to address such matters in his reply.

It may well be that when a judgment is being made as to whether a person is worthy or not of receiving legal aid, in addition to considering his or her means, consideration should be given to the cause that is being fought and the fact that the person who is making the complaint may well have a very valid complaint and not get the justice that is sought because the public purse is able to give such legal representation to the defendant that he ends up breaking the person who is making the complaint. The complainant may in fact win the case but lose out in terms of costs. I suggest that when legal aid officers are dealing with applications for legal aid, they give consideration to whether or not their decision may lead to an injustice being done to the other party.

The Opposition does not intend to oppose the legislation. However, it was my responsibility to make the Minister aware of some of the reservations that members of the Opposition have. I await the Minister's reply.

Mr FOLEY (Yeronga) (5.24 p.m.): There is no more solemn duty upon a Parliament than to provide for the poor and the dispossessed. There is nothing more important to those without means than to ensure that they have access to justice. Twenty-one years ago, I started work in social welfare in Brisbane. When I think of the changes in the condition of the poor in Queensland over that time, the one central feature which strikes

me as having improved the condition of the poor is the availability of legal aid. We still face profound problems with respect to housing, health and education amongst the poor. However, I well remember that in those days the rights and liberties of people who were dependent upon welfare were often not respected. I well remember how stigmatised many of them felt. I well remember the lack of self-assertion which was a characteristic of many who were dependent upon social welfare services.

It is with considerable pride that I support this Bill. It is the most important reform to legal aid introduced by this Government. Last year, this House moved to ensure that the delivery of legal services would entail some input from community legal services. That modest amendment was welcome. What we have before the House today is a Bill that will enable the amalgamation of those agencies which deliver legal services to the disadvantaged in our society, in both civil and criminal arenas. It has come to pass, as with so many features of modern social policy, as the result of a Commonwealth/State agreement. It is, as the Attorney-General very correctly pointed out in his second-reading speech, a move that is cost-effective. However, it has a number of other positive features, both for the people whom legal services are intended to benefit and for those lawyers who work to deliver those legal services. In particular, it will help to provide a better career path for those lawyers. It will enable those lawyers willing to give of their service pro bono publico to have both civil and criminal experience in the course of their careers. That can only be for the good.

The law, like any other profession, can become arid if it becomes too narrow. Indeed, I think it was Edmund Burke who observed that the law sharpens the mind by a process of narrowing it. This will enable the lawyer who is committed to delivering legal services through a legal aid system to have the benefit of both criminal and civil experience. It will also benefit defendants in criminal proceedings in a very practical way. It will enable the same agency to offer a legal service throughout the various steps of the criminal justice process. As a barrister, I have acted on behalf of numerous defendants in criminal proceedings where one starts with a committal hearing in the Magistrates Court. Until now, responsibility for funding of legal aid cases of that nature has rested with the Legal Aid Office, yet when the same case comes on for trial in the District or Supreme Courts, one has to change agencies and be represented by the Public Defender, with a corresponding change in the instructing solicitor and often in the counsel who is appearing. That is to say there has been, until now, an unnecessary and unfortunate division between the provision of criminal legal aid in the committal hearing and at the trial. This should cure that deficiency and hopefully help obtain better justice, because anybody who has practised in the courts well knows that the material which emerges in the course of a committal hearing is vital ground for preparing a proper defence, and indeed a proper prosecution. It is important, in the interests of justice, that cases come before the courts with properly prepared prosecution and properly prepared defence.

It has been an open scandal for some years, a scandal which was not alleviated during the stewardship of the previous Government, that the level of fees for public defence work has been abysmally low. The plain effect of that is that legal aid clients and Public Defender clients in criminal cases have suffered. I pay tribute here to the many solicitors' firms and the many counsel who have taken public defence briefs, notwithstanding the very low level of remuneration, because of their commitment to the public good, but I sincerely hope that this legislation before the House, and the amalgamation which will flow from it, will help to remedy the curious anomalies which developed, such as, on the one hand, the provision of cut-rate services—I should say "cut-rate fees", not "services", because certainly the Public Defender's Office has an admirable record in the provision of legal services to its clientele. Those many solicitors' firms that have been obliged to prepare criminal trials for the courts on a shoestring have effectively subsidised the system. I hope that this amalgamation will go some way to ensuring that a more rational approach to the fee structure between criminal and civil matters will be obtained, and that should apply, I hope, especially in the case of fees for preparation for criminal trials, for the preparation of a trial is absolutely vital to ensuring that justice is done.

I express accord with the comments of the previous speaker in his concern over public access to justice. It has become a truism that the law is now accessible only to the very poor and the very rich. This reform before the House needs to be seen along with reforms to enable citizens to have better access to justice, those reforms such as mediation, provision of arbitration, provision of counselling services and provision of specialist tribunals. One is reminded in this respect of the words of the eminent British jurist, Lord Scarman, in his lecture on the new dimension of English law when he said that it is no longer satisfactory for the law to provide a framework of freedom in which men and women may work out their destinies. If we are to achieve social justice, Lord Scarman observed, it is necessary for the law to be loaded in favour of the weak and the exposed, to give them access to the courts and access to specialist tribunals where their causes may be pursued.

In this respect, no area of the delivery of legal services is more important and more critical than its delivery of legal services to Aboriginal and Islander people. It is a sad reflection upon our society that our prisons still remain choked with Aboriginal and Islander citizens. It is a continuing and monumental failure of our social and legal systems that that should be so. In this regard, I express the hope that these agencies will continue to work closely with the Aboriginal and Torres Strait Islander Legal Service, for it is essential that there be communication with the Aboriginal community and a respect for the singular skills of Aboriginal and Islander field officers, who can help to bridge the gap between a people who have been much discriminated against and a legal system which is inherited from across the seas.

I pay tribute in this respect to the fine work done by the Public Defender's Office and I note the significant contribution done by the former Public Defender, Mr Bill O'Connor, most notably in the celebrated case of the Crown v. Alwyn Peter. That case, which was funded by the Public Defender, enabled an array of evidence to be placed before the court concerning the special problems faced by Aboriginal communities. In that instance, it concerned a homicide arising out of circumstances in Weipa South and evidence was placed before the court which traversed the anthropological, psychological, linguistic and cultural circumstances which gave a background to that tragic death.

It is very important that, in the delivery of legal services to Aboriginal and Islander people, there be ongoing education, and the experts in this regard, of course, are the Aboriginal and Islander people themselves. In this respect, I am mindful of the work of that fine leader of the Aboriginal community in Brisbane, Ms Lilla Watson, a lecturer in the Social Work Department at Queensland University and a former colleague of mine. She is one of the people who have been involved in the presentation of reports to courts to assist judges in their sentencing function to understand the social circumstances which lead up to the commission of certain offences and to assist the courts in knowing how best to approach the difficult and sensitive task of sentencing. One hopes that this amalgamation will provide an appropriate time at which the relationship between the Legal Aid Commission and the Aboriginal and Islander community can be again considered, for there is no room for complacency in this area. Let us hope that the problems confronting us in that arena may be significantly remedied by the end of this decade. It would be tragic if this structural amalgamation were not also to result in a rapprochement between the Legal Aid Commission and the community.

In referring to that link, it is important to note that this reform helps to give fulfilment to that vision of legal aid services which was set out by Professor Ronald Sackville back in 1975. One of the great heritages of the Whitlam Labor Government in Australia was the scholarship which went into the royal commission headed by Professor Henderson into poverty in Australia. One important strand of that royal commission concerned the provision of legal services to people in poverty. Arising out of that came recommendations by Professor Sackville for the structure of legal aid in Australia. That stressed the necessity for community involvement in the delivery of legal services and it stressed the important role of legal aid services in law reform.

When one practises day to day in the courts, one sees the sharp and the rough edges of the legal system. One sees how, at times, it impacts unfairly upon citizens.

Nowhere is that more real than in the practise of legal aid work, for one is characteristically working with clients who are amongst the most vulnerable and disadvantaged in our society. If one looks at the Legal Aid Act, one sees a splendid framework in which community involvement and law reform is possible. One hopes that this amalgamation will enable those perspectives, those issues to be considered afresh. For while the Legal Aid Commission does have a number of committees which are involved in the review of applications for legal aid, it is necessary also to go back to that original vision of Professor Sackville as to the role that those committees might play in making a link between the delivery of the legal service and the unmet legal needs of the community.

Finally, I turn to the provision of clause 2.10 of the Bill. It is often the function of members in this House to plead a case for the disadvantaged and the dispossessed. On the whole, the barristers of Queensland do not normally fall into the category of the disadvantaged and the dispossessed. In this respect, however, I am pleased to see that this clause cures a patent injustice which existed under the previous legislation. Up until now there has been provision for the appointment of a solicitor to the post of director or assistant director. One might ask, "What about the poor barristers? What about their rights for equal treatment?" I am delighted to see that this Government, in its compassion for the disadvantaged and the dispossessed and its continuing commitment to equality of treatment, has cured this anomaly by substituting the words "legal practitioner", thereby enabling barristers to be treated on an equal footing with solicitors. That is a modest aspect of a very important reform which I welcome as it comes before this House.

Mr BEANLAND (Toowong—Leader of the Liberal Party) (5.43 p.m.): The Liberal Party supports the legislation presently before the House. In his second-reading speech, the Minister raised a number of important points in relation to this legislation. He has indicated that there will be some economies of scale that will flow from the merger of these two offices. I hope that, in addition to there being economies of scale, perhaps the Minister might also give consideration to additional funding of the Public Defender's Office. One of the previous speakers has already raised the issue of fees. I will not canvass that issue again. I believe there is a clear need for some additional funding to be made available to the Public Defender's Office.The economies of scale will certainly make a difference. However, there is clearly a need for a further injection of funds to ensure that justice is delivered in this State and that it is seen to be delivered.

One very important aspect of the legislation is that Legal Aid Commission staff—regardless of the office in which they worked previously—will be on contract. I believe that measure will provide greater opportunities and greater flexibility. I understand that the commission's staff will be able to remain within the public service. I believe that will enable a greater flow of staff between the private and public sectors and provide better opportunities for everybody.

In his second-reading speech, the Minister stated that it is proposed to remove a legally assisted person's choice of legal adviser as a statutory requirement upon the commission. In the future, the provision of criminal law assistance—a highly specialised field in which not all practitioners have adequate experience—will be left to the discretion of the Office of the Public Defender. I hope that does not mean that Big Brother will trample over the wishes of people who are receiving legal assistance. Quite clearly there must be some concern that Big Brother might know best. I can understand why that change is proposed. However, I assure the Minister that people are concerned that their wishes will not be adhered to and that legally assisted persons will not obtain the legal advisers of their choice. Although that might not concern honourable members, it certainly concerns those people who are directly affected. I ask the Minister to keep a close watch on that proposed change. Practitioners with everyday knowledge of these matters are concerned that every opportunity be provided to legally assisted persons to ensure that they obtain the legal advisers of their choice.

For a long period the Liberal Party has had a great deal to do with this legislation. In fact, in 1974 the then Liberal Minister for Justice, the Honourable Bill Knox, introduced

the Public Defence Act, which created the Office of the Public Defender as we now know it. The legislation has come a long way since then and some major changes have been made to it. I believe that the Public Defender's Office has played a very important role. The position of Public Defender will continue within the Legal Aid Commission. I hope that the new, merged office will continue to provide as adequate a service as that provided by the Legal Aid Commission. Perhaps the Minister, through his good offices, could make inquiries as to whether the Government might make a further injection of funds. That would be most desirable and would certainly assist in the way in which the Public Defender's Office is able to operate within the new, expanded Legal Aid Commission.

Mr BRISKEY (Redlands) (5.49 p.m.): The Legal Aid Act Amendment and Public Defence Act Repeal Bill is designed to merge the Legal Aid Commission and the Office of the Public Defender. That merger makes sense because it will save money and because more people in need of legal assistance will be able to receive it. It makes sense also because it will remove any duplication of services and provide a more effective and efficient service to the people of Queensland. At present the Office of the Public Defender provides a service in criminal matters. The Legal Aid Office provides a service for all other matters. Money will be saved by the amalgamation of those two offices because separate offices will no longer be required and computers and other office equipment and clerical and other office staff will be shared.

There is an ever-increasing need for legal aid. The statistics contained in the annual report of the Legal Aid Office show an 11 per cent increase in legal aid applications compared with those of the previous year. The field of family law experienced a significant increase. I applaud the initiatives of the Legal Aid Office in relation to additional dispute resolution to enable parties to resolve their disputes hopefully before undertaking long, expensive legal battles in which there is ultimately a winner and a loser, with resultant ill feeling. The ever-increasing number of applicants will be more likely to obtain legal aid as a result of the cost-savings provided by the amalgamation of the two offices. Whereas there is always a need for extra resources to be provided so that more people can avail themselves of legal advice and/or representation, that amalgamation will offset that need and many more of those applicants will be able to be helped.

At present the Office of the Public Defender has barristers, solicitors and law students on its staff, whereas the Legal Aid Office employs legal staff, para-legal workers, library staff and social workers. Another advantage of the merger is that it will bring together those solicitors, barristers, social workers and other para-legal staff who have varied experience and talents. That enlarged team of professionals working together will provide a much enhanced service to their clients. Without the need for extra funding, more people in need will be provided with a better service.

New technology is constantly being introduced and utilised by both offices. The Public Defender's Office now has access to the courts' case register system, which has significantly improved communication levels. A computerised comparative sentence system containing all relevant sentencing and Court of Criminal Appeal decisions is also in place. The Legal Aid Office is also introducing and utilising new technology. Its library staff have installed a library management package called Inmagic, which has permitted the introduction of machine-readable records of books and periodicals, selected journal articles, judgments, opinions and other publications. On-line access is also available to other legal databases including Info-line and the State Library of Queensland.

The merger of the two offices will enable staff from both offices to have access to the technology that each office has introduced, which will ensure a more efficient and effective service to clients. The staff of both offices will gain from the enhanced staff training which will be available as a result of the merger. That will not only assist staff with their professional and career development but also have a long-term effect on the services provided to clients. It will enhance also the legal education being provided by the Legal Aid Office to the community. No confusion will be associated with the changes resulting from the merger for either members of the legal fraternity or members of the general public, as the Public Defender's Office will become the Criminal Division of the Legal Aid Office and will retain the title "Public Defender".

The merger is not a cost-saving exercise by the Government; it merely means that limited funds will be better spent. All funds presently allocated to the Public Defender's Office will be allocated to the Legal Aid Commission and will remain available for criminal legal aid work that the Public Defender's Office dealt with previously. It is important to note that the highly specialised legal representation that is required in complex criminal trials will continue, as the new Criminal Division will require that a person have the best legal advisers available. The amalgamation of the two offices is the result of extensive consultation by the Attorney-General, and I applaud him for his work in that regard. The amalgamation is of benefit to all Queenslanders, as Legal Aid offices are located throughout the State and the Public Defender's Office is located only in Brisbane. The amalgamation will prevent overlapping of services and will save public money and resources. I support the Bill.

Hon. N. J. HARPER (Auburn) (5.55 p.m.): In considering amendments presently before the House, it is opportune to consider the development of legal aid under conservative Governments in Queensland. That goes back to the Legal Aid Assistance Committee, which was established early in 1966 to provide legal assistance to persons of limited means. It was a referral service that was offered primarily by private practitioners, included a legal advice service and, in conjunction with the Law Society at that time, arranged for the provision of duty lawyer services. As I say, that committee developed under conservative Governments and, I must say, in close cooperation with the Law Society and the legal fraternity generally in Queensland until, in 1978, a Bill was introduced to establish an independent Legal Aid Commission of Queensland to provide legal assistance for persons in need. It is pertinent that we should note that it was intended to be an independent commission. It included representatives from the various sectors associated with law in Queensland.

At that time, it was determined that the Public Defender would not be incorporated with the independent Legal Aid Commission that was established. The Bill that was introduced authorised the State to enter into an agreement with the Commonwealth, and it specified matters that would be the subject of the agreement, which included the provision of finance from the Commonwealth Government. The commission that was born in 1978 took over responsibility for the existing State scheme of assistance provided by the Legal Aid Assistance Committee, to which I referred earlier, and also took over responsibility for the Australian Legal Aid Office scheme, a Commonwealth instrumentality which was funded by the Commonwealth. Of course, that was the reason for the involvement of the Commonwealth in the independent Legal Aid Commission of Queensland. It was never intended that that Legal Aid Commission would become an instrumentality of the Commonwealth Government, although, as the years proceeded there was an inclination on the part of the Federal Government in particular to want more and more input into the administration of the commission.

Sitting suspended from 6 to 7.30 p.m.

Mr HARPER: Before the adjournment of the House for dinner, I said that this new independent Legal Aid Commission of Queensland took over the responsibility for the existing State scheme of assistance provided previously by the Legal Aid Assistance Committee and responsibility for the Australian Legal Aid Office scheme. Advantages of this scheme included the elimination of the administrative duplication that had occurred previously and associated confusion in the eyes of the public as a result of that duplication and the several assistance schemes that were then in place.

The Legal Aid Commission of Queensland amalgamated the referral service and the salaried officer service and relied heavily on private practitioners who were willing to act on behalf of assisted persons. These community-minded people came forward, offered their services and agreed to take part in this scheme. The fees payable to those practitioners who were prepared to offer their services were determined by the commission. I think the Attorney-General alluded to that fact this afternoon during question-time. Those fees were determined by the commission after consultation with the Law Society and the Bar Association. These fees were struck and were then payable.

It is important to appreciate that funding for the commission came mainly from three sources. First of all, an allocation was made by the Commonwealth which was intended to cover federal matters that previously were the responsibility of the Australian Legal Aid Office. Secondly, an appropriation was made by the State Government and, thirdly, there was the interest that accrued from moneys held by solicitors in their trust accounts. That interest was channelled into the Legal Aid Service and the new Legal Aid Commission. In addition, a contribution was made by some of those people who were assisted by the Legal Aid Service. Moneys were recovered from the people who contributed to the scheme.

Although the commission as it presently stands is required to publish its guidelines which it uses in determining applications for assistance, the fact is that many people who should be entitled to assistance are denied that assistance. In some cases, assistance is granted to others in what are often questionable circumstances. Anomalies such as this will always occur, particularly when the assistance available under this Act is said to be provided on the basis of it being reasonable in all the circumstances. This morning, one of my colleagues quoted to me a case of a person who had been forced out of his business completely. He has been made virtually bankrupt and lost everything as a result of what appears to have been a vexatious action which was taken out against him and which was funded by the Legal Aid Service. Everyone knows that, in theory, that should not happen, but in practice it does happen. A person is able to fund a case against another person because he or she has received assistance through the Legal Aid Commission. The other person is unable to match that funding due to financial constraints and, in some circumstances, the costs of fighting a publicly funded case are so high that the end result—even though that person does not lose the civil action—is that the person is deprived of his livelihood or assets. It is all very well to say that those costs can be recovered or that an order can be made for recovery, but the old saying, "You can't get blood out of a stone", is fairly appropriate.

The Opposition spokesman, the member for Condamine, referred to Family Court matters. It appears that the Legal Aid Office is increasingly funding Family Court cases. Ministers of any Government, no matter what political persuasion, must be mindful of the difficulties that this can cause. I certainly hope that the Legal Aid Office does not simply become a funding channel for family feuds that could be more appropriately dealt with in a very low cost atmosphere.

Bearing that in mind, it is small wonder that we in the Opposition have mixed feelings about the intended use of a merit test in deciding whether an application for legal assistance is to be granted. We are concerned that this provision could be used to prevent people from taking legal action, irrespective of the fact that they are otherwise eligible to receive assistance to enable them to take some action. I am pleased that both the Attorney-General and the Minister for Justice are in the House and I hope that both Ministers take note of the Opposition's concern. Those were the words of one of the Minister's colleagues in 1978 who was the Labor Party's Opposition spokesman in this House. At that time, he expressed concerns and it is small wonder that tonight we in the Opposition express somewhat similar concerns concerning a test of this nature being applied. The question is: will that merit test be based on objective or subjective assessment? That was one of the matters that worried the Labor Party when it was in Opposition in 1978 and it was alluded to by the Labor Party spokesman at the time.

One of the essential considerations in the establishment of the Legal Aid Commission was its independence. Unfortunately, it seems clear that these amendments further erode that independence. I say "further erode" quite deliberately because, in recent times—during the 10 years that I have been a member of this Parliament, including the period when I served as Minister for Justice and Attorney-General—I witnessed definite attempts being made by the Federal Government to erode the independence of the commission and take a more leading or interfering role, which I suppose is not an unfair term to use although some of the Minister's Federal colleagues may not think so. However, I believe it is important that the commission, in its present state and in its proposed state, be independent. I also believe that that independence should be guarded quite jealously.

It is equally important that the Public Defender be independent. I am somewhat dismayed at the provision that will amend the guidelines for allocation of work as part of the considerations. They will read in (c) as follows—

> ". . . in relation to proceedings, other than prescribed criminal proceedings, the desirability of enabling a legally assisted person so far as is practicable to obtain the services of the legal practitioner of his choice."

I think that is most unfortunate because there are so many qualifications contained in it. The Bill that is before the Parliament adds the words, "in relation to proceedings, other than prescribed criminal proceedings", and also the words, "so far as is practicable". Apparently, the Minister claims that not all private practitioners have adequate experience in criminal law. Be that as it may, it is surely the right of an accused person to choose the solicitor and, if appropriate, the counsel or barrister whom that person wishes to have as his representative. The honourable member for Condamine made the point that an accused person who seeks assistance from the Public Defender and is granted defence by the Public Defender but chooses to have a solicitor other than one employed by the Public Defender should have the opportunity to choose a defending solicitor or counsel of his or her choice.

Mr Beattie: That is not a good idea.

Mr HARPER: It may not be a good idea but it is a democratic idea, and that is what we are all about. If a person does not choose the best that may be available, at least that person has made the decision. On the one hand, I do not believe that members of this Parliament can hold their heads high if the commission says, "No, we will nominate who is going to defend you. Irrespective of your own feelings, we don't think that person is adequately versed in criminal law and we will appoint someone else", and the Crown says, "We're going to prosecute you." Although members of Parliament may understand, accept and appreciate that the two sections are poles apart, or are more than at arm's length from each other, it must be appreciated that the public's perception is that those two bodies are not at arm's length and are not poles apart because both the defence and the prosecution will be appointed by the Crown. On the other hand, if an accused person indicates that he does not have a solicitor of his own choosing, it would be fair enough for the Public Defender to nominate either one of her own officers, or someone from private practice. However, as I said, I think it is unfortunate that these provisions can deny a person the legal practitioner of his or her own choice.

In summary, I point out that the Opposition is concerned about the amalgamation and the possible loss of independence of both bodies—the Public Defender and the Legal Aid Commission. I, for one, will certainly monitor, both personally and through those with whom I have contact, this new development as it establishes its credentials. In the years ahead, I hope that those credentials will be well respected, not the reverse.

Mr WELFORD (Stafford) (7.42 p.m.): Few features are more fundamental to a just and civilised society than the protection of the individual rights of citizens in our community, and nothing is more fundamental to the protection of those rights than equal access before the law and equal representation before the courts. If people are to have their legal rights protected and respected within the legal system, it is essential that they have a right to representation. Because of limited financial means, many people are denied that access. The legal aid system that has been established in this country—which was originally an initiative of Labor Governments—has ensured that those people obtain representation before the courts. Before 1972, anyone who could not afford a private lawyer had to rely on the charitable work of lawyers who, from time to time, worked for gratis or performed work on spec, that is, receiving payment only if the litigant won the case and received some type of financial compensation from which the lawyer could extract his or her fees. The practice still exists in Queensland, notwithstanding the fact that it is very severely frowned upon by the Queensland Law Society. As previous speakers have indicated, this legislation amalgamates the operations of the Public Defender's Office, which had responsibility primarily for the representation of defendants in criminal proceedings, and the Legal Aid Office, which primarily provided representation and financial support for litigants in civil proceedings.

Before I speak generally about some of the problems of legal aid in Australia and in Queensland, let me turn to the Bill and draw members' attention to some of the important clauses. The first clause of significance is clause 2.3, which inserts a definition of "prescribed criminal proceeding" to mean a criminal proceeding before any court or tribunal except a Magistrates Court and a Children's Court exercising jurisdiction under the provisions of the Children's Services Act. It also excepts proceedings before a justice taking an examination of witnesses in relation to an indictable offence punishable upon conviction by imprisonment for a term exceeding 14 years, and any other proceeding, not being a civil proceeding, that the commission determines. Effectively, the Bill extends the role of the Legal Aid Office to provide legal assistance in criminal proceedings, a role that it previously did not play. In effect, it is taking over the functions of the Public Defender's Office. In subsequent clauses, the administrative structure of the Public Defender's Office is absorbed into the office of the Legal Aid Commission.

I note also that clause 2.6 extends the duties of the commission to provide financial assistance to community legal centres. Community legal centres are a relatively recent phenomenon in Queensland, although in December 1972 the Fitzroy Legal Service was established in Victoria at about the same time that the Federal Labor Government came to power and took steps under the stewardship of Attorney-General Lionel Murphy to establish the Australian Legal Aid Office. These days, community legal services offer an increasing range of services, in particular in relation to legal advice. I will say more about the costs that the community incurs—the taxpayers incur—in providing legal aid in the litigation context as against in the legal advice context, and make some suggestions as to how legal aid in this country might approach its future role.

Clause 2.18 provides that the court can recommend that legal assistance be given. It states specifically—

> "The court or tribunal in or before which a person appears in any prescribed criminal proceeding, if it is of the opinion that special circumstances exist, may recommend that the person be provided legal assistance pursuant to this Act."

Proposed new section 36A (2), provides—

> "An application by such a person for legal assistance shall be made in accordance with section 26 and shall be dealt with in accordance with the provisions of this Part relating to applications for legal assistance generally."

Clause 2.18, which allows a court or tribunal to recommend that legal assistance be provided, is buttressed in effect by clause 2.16, which allows the Legal Aid Commission to take into account the recommendations of the court to that effect in determining whether legal aid should be granted. Clearly, the courts also have a role in determining whether there are cases of hardship or special circumstances which justify legal assistance being granted. There may be cases in which a person applies for legal aid and has that application rejected, but when it comes before the court, the court will often consider, especially in cases in which the legal issues involved are complex, that it is simply not appropriate for the person who is party to the proceedings to be without legal representation. That may be a circumstance in which the recommendation is made, and often the case will be adjourned so that the matter can go back to the Legal Aid Commission for further consideration.

I commend the Attorney for including in this Bill a number of provisions which protect the employment rights of staff in both offices. In particular, clause 3.3 provides that persons who work for the Public Defender's Office prior to this Bill taking effect will become members of the Legal Aid Commission and will retain their rights as public servants when they become members of the Legal Aid Commission. That is also provided for in clause 3.4. In respect of someone who comes across from the Public Defender into the Legal Aid Commission, clause 3.4 (3) also provides that, where the performance of duties in the Public Defender's Office was conducted by barristers for clients who have been granted legal aid under the Public Defence Act, the commission in determining the guidelines for the allocation of work between officers of the commission and private

legal practitioners is to treat as desirable the allocation of such work to those barristers as will enable them to utilise and develop their expertise and maintain their professional standards. The purpose of that procedure is that, where people already have matters on foot or where a matter is appropriately dealt with under what was previously the Public Defender's Office, staff of that office will continue to deal with those sorts of matters because it is an area in which they obviously have special expertise.

A machinery provision in clause 5.2 simply amalgamates the funding arrangements for funds that are provided to the Legal Aid Commission from the contribution fund. The contribution fund is established under the Queensland Law Society Act and, as previous speakers have indicated, money is invested in it primarily out of interest which is accrued on solicitors' trust accounts. Section 36E provides for the distribution of the proceeds of that fund, firstly, in payment of the costs of the Law Society in administering it, and the balance is distributed 40 per cent to the Legal Aid Commission, under current circumstances, 35 per cent to the Under Secretary of the Department of Justice for the costs of the Public Defender, 10 per cent to the Under Secretary of the Department of Justice for the provision of Supreme Court library facilities throughout the State, 10 per cent to the Law Society for legal education and 5 per cent to a separate grants fund established under section 36F of the same Queensland Law Society Act of 1952. Effectively, all clause 5.2 does is combine the 40 per cent previously provided for the Legal Aid Commission and the 35 per cent earmarked for the Public Defender so that that 75 per cent now goes directly to the commission and is used for its purposes.

I want to make some brief comments in general terms about the operation of legal aid. One of the most vexing problems faced by legal aid systems throughout this country is the cost of providing legal aid. When the Australian Legal Aid Office was floated in 1972 by the Federal Government, a much more comprehensive and wide-ranging service was able to be offered through legal aid offices throughout Australia and, of course, the cost of employing lawyers in those offices was much less than it would be today. The intention of that system was primarily to provide a point of direct access for low-income members of the community to obtain legal advice but also to obtain some measure of legal representation should they have to appear in court. In 1976, the Fraser Government restructured legal aid in Australia, effectively setting up the independent commissions in each State. Of course, in New South Wales the State commission took over the operation of the remaining Australian legal aid offices established by the Commonwealth. As I recall it, the Queensland Government consistently resisted the establishment of Australian legal aid offices and very few, if any, of those offices were established in Queensland before the commission was established under the Fraser Government.

Since that occurred, the costs of delivering legal aid services in this country have spiralled dramatically, and part of that cost arises because so much of the work of legal aid offices is now farmed out to the private profession. I do not propose to make any particular criticism of the private profession, although I note that Denver Beanland, the Leader of the Liberal Party, who spoke somewhat incoherently on this matter earlier today, said that more money should be pumped into legal aid. One can only presume that that is designed to grease the palms of the many lawyers who dominate the Liberal Party. It is well known that the Liberal Party is smothered with lawyers and doctors, who spend most of their lives ruining this country with their venal, grabbing greed. It is about time that this matter was addressed. The Liberals would rather have it otherwise. Of course, one often hears the LIberals squealing about taxes and the need to cut down the size of government. But, tonight, the Leader of the Liberal Party stood up and said that the Liberals want more money to be spent on legal aid. Honourable members know the reason for that. The Liberals want more money to be spent on their mates. They want public funds to be distributed to the private legal profession.

As I have indicated before in this Chamber when legal aid issues have been debated, the solution to that is to expand the role of offices such as the Legal Aid Commission, to expand the number of lawyers employed in the Legal Aid Commission and to provide a much wider service to the community. I would like to see the day when the Queensland Legal Aid Commission provides what the Australian legal aid offices were originally

designed to provide, that is, a strategically located range of legal centres throughout the State, so that people of limited means have ready access in their local area to legal advice.

Mr Booth: Would you like to socialise your profession?

Mr WELFORD: I take the interjection from the member for Warwick, who talks about socialising legal expenses. One of the characteristics of members of the National Party and their conservative mates is that they are happy to socialise the losses of the farming community and the private business community, but whenever a profit is made by a Government service, they want to capitalise it and privatise it. That is typical of the attitude of these people opposite. Their idea is to socialise one's losses and capitalise one's profits. That is fine because it will serve their mates but do nothing for the people in the community who have very limited means.

I understand that the Law Council of Australia has spent $52,000 formulating its submission to the Senate inquiry into the costs of justice, which is designed to lock its thinking into a continual round of current attitudes. We really need to change the attitudes whereby legal services are delivered in this country. Let me be specific about that. At present, the problem with legal aid services in Queensland and in Australia, for that matter, is that we are locked into this endless litigation treadmill. Much more work has to be done by way of providing legal advice—peremptory advice—which assists people to organise their affairs and resolve their disputes in ways that avoid litigation. If one looks at the way in which private lawyers deal with their corporate clients, one finds that although there is a lot of litigation in the corporate/commercial area, it is often a last resort. Many corporate clients get a lot more advice from their lawyers and spend a lot more money on their lawyers getting advice than they spend in court. But that does not happen with legal aid. Legal aid spends money to fund private lawyers to put people through the courts, and it is an extremely expensive process.

What I am suggesting is that we need to look at the question of costs and the way legal aid is provided. The emphasis must again be on the provision of legal advice, legal counselling and legal education to the community. The emphasis must be on those services which assist the community to resolve legal conflicts and legal difficulties without the costs of litigation, because litigation does not solve any problems for anyone and does not benefit anyone other than private lawyers. The community is concerned about outcomes. A number of surveys suggest that there is little evidence that the incomes of salaried lawyers have increased dramatically over the last decade. Whether or not that is true, the fact remains that the cost of people having access to legal advice has increased dramatically. We need to look at why that is the case.

I do not know in detail why the cost scales that operate currently for the payment of lawyers involved in litigation result in such enormous cost blow-outs for people appearing before the courts, but obviously they do. People are not concerned about the permanent value of a lawyer's work; they are not concerned whether a letter is worth $9, $10 or $15, or whether a phone call is worth $6; they are concerned about outcomes. It is simply intolerable that people should go through a legal conflict, which may often be resolved on the doorstep of a court, even without a trial, yet have to suffer a legal bill in the order of $15,000 to $20,000. Using taxpayers' funds, the Queensland Legal Aid Commission is funding that process. It is a gravy train for lawyers, without any litigation, on matters that very likely could have been resolved if there was a better process of counselling prior to lawyers being involved. Obviously, there is a vast area of legal education and legal counselling which can be provided by paralegals and salaried lawyers which would obviate much of the cost that people incur in trying to protect their legal rights in this country.

The other important and valuable aspect of the work of the Legal Aid Commission, and of the community legal centres under the auspices of the commission, is its work in those areas which otherwise would not be provided by the private legal profession. That may be in areas of environmental protection, in areas in which there are representative

or class actions that might be mounted, and in areas of “poverty” law, such as tenancy law and employment law, which many of the larger or more slick commercial private firms around town simply will not touch.

While I make those criticisms of the cost of employing lawyers in the legal system as it occurs at present, let me not denigrate those lawyers who do make their contribution through the Legal Aid Commission, at somewhat less than the market rate, for the legal aid services that they provide.

Time expired.

Mr BOOTH (Warwick) (8.02 p.m.): In rising to speak to the Bill, I assure the last speaker that I was not entirely against what he was saying. Most people believe that the cost of any legal action in this State is so high that one will be destroyed if one has to enter into any lengthy period of legal action.

Mr Beattie: Not if one had your money!

Mr BOOTH: I would be destroyed, too.

Mr Prest: What do you pay for—knowledge or bluff?

Mr BOOTH: One might be paying for both. I agree with the honourable member—one might be paying for bluff.

This afternoon, I listened to the honourable member for Yeronga, who said jokingly, "What about the poor old barristers?" Recently, I heard a yarn about a barrister who died and went to heaven. He was met at the gate by the staff of Saint Peter, who took him immediately to a large castle, which made Buckingham Palace look like a humpy. When the barrister reached the top of the castle, he looked over about 260 dwellings that would best be described as workers' dwellings. He said to the chap who was escorting him, "How come that I have got this magnificent castle and staff and those people out there seem to have just little workers' dwellings to look after themselves?" The gentleman said, "Well, they are all popes. There are 264 of them." He said, "They are a dime a dozen, but you are the first barrister who has ever got here." I think there was some merit in that story. I think that is what the gentleman who just sat down was talking about.

Whilst I did not accept everything that the member for Yeronga said, I did take heed of what he said about the quality of defence. He said that the quality of defence is fairly important. The last speaker spoke about matters that are farmed out. I have come to the conclusion that, when those matters are farmed out, sometimes the quality of the defence is lacking.

I was involved in one matter about which I was quite worried, although I did not seem to be able to do anything about it. In that case, the gentleman had decided that he was going to defend the matter. He was told that if he had a certain amount of money, he would receive defence. Within a couple of hours of the trial commencing, he was told that he would need about twice that sum of money. He then had to apply for legal aid from the Public Defender. The same man who was going to defend him became the Public Defender. I do not know how much he was paid, but I am told that it would have been only a mere pittance. That is all the defence the gentleman received, because it was all over in a few minutes.

Mr Beattie interjected.

Mr BOOTH: I am not going to go into the details, but if the honourable member wishes to discuss it with me, I am quite happy to do so. The man who was involved in the matter was very annoyed. He says he hates me. He believes that the public defence he received was no good. After reading through the court documents, I believe that he was not defended adequately.

I am not criticising the present Attorney-General. He had nothing to do with the matter.

Mr Beattie: Criticise the last one.

Mr BOOTH: No. There was another one in between.

I am not criticising this Bill, because it might improve the situation. I certainly do not think it can make it any worse. However, some aspects of the Bill do worry me. In his second-reading speech, the Minister stated that he was going to stretch the dollar further. That is fine. I am not against good management if he can stretch the dollar further. However, if the standard of defence is lowered by stretching the dollar further, then I would worry. If the Government is not prepared to give a citizen adequate defence—a fairly high standard of defence—then it would be better to say that he will not be defended at all and let him have a go on his own. Poor defence is not worth anything. I suppose poor advice from anywhere is not worth anything, but certainly a poor defence is not worth anything. I believe it is one area in which the Government should be very careful.

The previous speaker spoke about the farming-out of work to private professionals. He appeared to have a bigger set on them than I do. Some of them have not impressed me much, either. I cite the instance in which a marriage breaks down. It is very often the case—not always—that, because the woman has very little money, she seeks legal aid. After the marriage is annulled——

Mr Prest: How do you get a fair trial in heaven if there are no lawyers up there?

Mr BOOTH: I do not know. I think we would all be better off if we defended ourselves. That is just my thought.

Mr Beattie: Get off it!

Mr BOOTH: Mr Prest provoked me into saying that. I did not intend to say it. After a marriage is annulled and property settlement occurs, especially if some money changes hands and the woman gets a fair amount of money——

Mrs Bird: Oh!

Mr BOOTH: I was not trying to be sexist. It could be the other way round. It could be that a man might receive a fair amount of money. Once the farmed-out professional knows that the parties have some money, he seems to be able to send out a decent sort of an account which comprises all sorts of charges.

Mr Elder: Terrible!

Mr BOOTH: It is shocking. I cannot believe that the member for Brisbane Central would defend this sort of thing, but no doubt he has his own ideas about it. If this legislation does something that is good—and I think it does; I cannot see any great problems with it—then consideration needs to be given to when people are able to get legal aid. It should not be just a matter of means-testing them. I know that arbitrary decisions have to be made, and I guess in some cases some problems will arise. However, I am sure that, at times, some people who should have been granted legal aid miss out on it. It was either Mr Littleproud or the previous Attorney-General, Mr Harper, who said that some people seemed to be able to continue legal action against others until it absolutely destroyed them. That happens not because one party has such a good case but because he is prepared to keep on going. The other person may run out of money and, as a result, lose the case. Even if he does not lose the case, he is wrecked financially.

I am particularly worried about the cost of legal action in this country. I am not sure of this, but it would not surprise me if the Premier and, perhaps, the Attorney-General worry about this matter, too. It seems wrong that, if a person takes action against someone, it costs that person so much to defend himself that he is wrecked financially. As I said earlier, that has probably happened to some people who were in this place not so long ago. I am not completely happy with some of the statements made in the Minister's second-reading speech. Nevertheless, it was a reasonably good speech. The Minister spoke about the merit test to determine whether or not a case is likely to

succeed. That matter is always a bit of a bugbear. However, as I noted earlier, where arbitrary decisions have to be made, it is fairly difficult to get away from the application of such a test.

An endeavour should be made to streamline the Act as much as possible. As I said earlier, I worry about the fact that the provision of legal aid is determined by the application of a means test. Nevertheless, it is pretty hard to find a better way to determine it. Consideration needs to be given to the merit test, because a lot of money should not be spent on an action which has no chance of success. My experience with these matters relates only to the time that I have been a member of this Parliament, which is about 12 years. The Minister's second-reading speech contains some fairly flowery language. At one point he referred to "the delivery of legal aid services by a broad-based, multi-talented group of legal professionals". I suppose the reference to "multi-talented" relates to different skills and so forth. Although that sort of flowery language sounds great, it does not guarantee the success of the legislation. On the other hand, it does not indicate that it will not be successful. When this legislation is passed, it might be easier for a person to find out what he can and cannot do. That is all important to the ordinary person in the community who suddenly finds that he wants legal aid and then looks around for some advice. It is very, very difficult for such a person to find out what he can do, particularly in the early stages of seeking advice. As a result, such people usually go to the much-maligned private practitioner, to whom reference was made by the previous speaker, and he or she either decides to take the case and proceed through legal aid or finds out whether the person has enough money to pay for a private defence. It is very often the case that people in those circumstances do not know what to do. As a result, they often come to members of Parliament and ask them to find out what they can do.

In years past—not in recent times—it has not been easy to find out just what can or cannot be done. The first thing that people want to know is where to go, and the second is how to go about getting legal aid. I urge the Minister to produce fairly clear-cut instructions so that people know where to go to obtain legal aid. It should not be impossible to set out those instructions better than they have been given in the past. One of the previous speakers spoke about the high cost of legal aid today. If legal aid is easier to obtain, the cost will increase slightly. But if the guidelines are fairly strict and fairly definite, the cost may not rise as much as one thinks. Because people who find themselves in a mess have to get help somewhere, I urge the Minister to produce some instructions and make them as simple as possible.

I am very worried about the high cost of all legal transactions. It has reached a frightening stage. People who have substantial funds find the cost of legal transactions frightening, and those with no funds find it impossible even to enter into such proceedings. Businesspeople who must enter into legal proceedings early in their careers often find that their businesses are wrecked and people are thrown out of work. We should be very careful with this legislation. I urge the Minister to be as careful as possible and ask him to formulate guidelines that are easy for everybody to understand. I wish the two amalgamated offices well. I cannot imagine much that could go wrong with the concept. I do not believe that it will improve anything other than costs unless better personnel are employed or people who are better able to carry out their duties are appointed. The Public Defender's Office has been legislatively designated since 1915. At that time it would not have had as much pressure placed on its resources as it has during the past 10 years. Because our society seems to be becoming more Americanised, people seem to think that just about everything requires legal action. That is not in the best interests of anyone.

Mr Ardill: It is in the best interests of the lawyers.

Mr BOOTH: That might be so. But not all lawyers are at fault. People are deciding to take legal action on a greater number of occasions than was the case in the past.

Mr BEATTIE (Brisbane Central) (8.16 p.m.): Following the recent contributions to this debate one could be forgiven for forgetting what this debate is all about. This Bill

is designed to merge the operations of the Public Defender's Office and the Legal Aid Office, which is the responsibility of the Legal Aid Commission. There are a number of objectives, the most important being efficiency—saving money and making sure that there is a greater availability of legal assistance and a more efficient use of available legal aid funds; in other words, driving the legal aid dollar further. I can understand the scepticism of some members. However, I do not believe that it makes a lot of sense to have those two offices separated. I believe that the Minister and the department have quite skilfully put together two very difficult sectors. Sensitive problems have arisen because those offices operated under different systems. I believe that the Bill has been designed in such a way as to overcome those difficulties.

I do not believe that anybody could seriously deny that there should not be a one-stop shop in the legal field. That must be more efficient. The honourable member for Auburn spoke about farming out work. In essence he said that two separate areas will be combined and will provide the defence and the prosecution. In reality that will not happen. The Legal Aid Commission will be briefing out cases. I will come back to that aspect. One of the points that the honourable member dealt with was the choice of lawyer. This Bill encompasses the existing situation which provides—and will provide in the future—that within particular practicabilities in the civil sphere there is a choice, but in the criminal sphere there is no choice.

Clause 2.17 amends section 33 of the principal Act to ensure that the statutory obligation to consider the legally assisted person's choice of legal practitioner is limited to proceedings other than prescribed criminal proceedings and to where such a choice is practicable, in other words, the civil field. A new subsection is also inserted to authorise the commission to require private legal practitioners to follow procedures set by the commission when providing services for legally assisted persons. I am sure that the honourable member for Auburn raised this issue in a very genuine, sincere way. However, during my experience as a member of Parliament, which covers little more than 15 months, I have had people approach me because they want assistance but cannot afford it. Inevitably, I advise them to seek legal assistance. People request a barrister of whom they have heard. They have no idea about the legal field but they have heard in a pub that a particular barrister, say, "barrister" Des Booth, is a real whiz. They say, "I want Des Booth because he is a good barrister." Des Booth might be the best family lawyer who ever strutted the earth, but he might be the worst criminal lawyer. By saying that they want Des Booth to represent them, those people would be doing themselves a great disservice. I am not adopting a paternalistic approach to this problem. The reality is that professionals in the Legal Aid Commission will be briefing out barristers and handing out briefs to solicitors on a regular basis. They know who specialises in a particular field. The legal profession could be compared to the medical profession. It is becoming more complicated. The law is becoming more diverse. One has only to consider tax legislation, company legislation and the various other Acts under which we must live. More and more lawyers are specialising in particular fields. Large law firms in Brisbane such as Morris Fletcher and Cross and Feez Ruthning have their own separate specialist departments. Smaller law firms are finding it harder and harder to make ends meet because they are general practitioners who find it hard to compete with the specialists. I believe that it is an important ingredient of this legislation that people do not request particular barristers to represent them in the criminal field—their Des Booths or their Perry Masons—because they have heard that they are good barristers or solicitors.

Mr Harper: It is one thing to advise and another to insist that advice be taken.

Mr BEATTIE: The problem is that in many cases honest, diligent battlers have a bee in their bonnet about a good solicitor or barrister. It is totally against their interests to request a particular barrister. Perhaps the wife of a friend might have been divorced and the barrister who represented her did a great job in the divorce hearing. This is exactly the point that I made before. Although that person might be a good family lawyer or a civil lawyer, he might be a dreadful criminal lawyer. Therefore, I support that provision in clause 2.17. The same argument does not apply to the civil sector. That is very much a historical factor.

I turn to the question of the rationalisation on funds. In relation to the amalgamation of these two offices—in the long term, that rationalisation will save money not only in terms of administration, which makes sense in itself, but also in terms of accommodation and databases. With greater coordination, a lot more emphasis can be placed on decentralisation. Recent developments in the legal profession indicate that it is becoming more attractive to go to Cairns or Townsville—the big centres. It is important that that be encouraged. Legal aid needs to be more decentralised if we are going to establish the most important ingredient of equality before the law. That is a fundamental principle, and it not only means equality before the law regardless of income but also equality before the law regardless of where one lives. Those issues are very important.

Mr Harper: You are on the wrong side.

Mr BEATTIE: No, I am on the right side. This is what the Bill provides. I am delighted to be here on the right side supporting the Bill. In the long term, the amalgamation of the two departments will mean that decentralisation will become a greater reality and, one day, we may have Des Booth, QC, from Warwick.

Clause 2.16, which amends section 29 of the principal Act, has not been given any airing tonight. In relation to who will receive legal aid—that clause enables the Legal Aid Commission to develop guidelines for financial consideration, and decisions on applications will be at the discretion of the commission. The clause gives more flexibility based on experience. For example, when a person's income is being assessed—and care must be taken in the allocation of the legal aid dollar—more factors, such as a de facto's income, can now be taken into consideration in terms of the allocation of legal aid. In addition, there are public interest considerations. For example, a rainforest organisation that is trying to protect something of national or State importance might be able to get assistance for its fight. Reference is made to that in paragraph (b) of the Explanatory Notes in relation to clause 2.16.

Mr Harper: Up the greenies!

Mr BEATTIE: No, it is not just "Up the greenies!". I just chose that as an illustration with which I am relaxed and happy. I am sure that the honourable member for Auburn and the honourable member for Warwick could find an illustration with which they are equally relaxed. However, this is a matter on which we will all agree. The clause gives the commission the flexibility that it does not now have to give legal assistance to, say, the traditional mum-and-dad company, which may find itself at the end of a legal action and the whole financial state of that business might be going to the wall. Mum-and-dad companies and family trusts are everywhere. Those people should not be excluded from getting legal aid when the survival of that mum-and-dad company is being put at risk. Clause 2.16 gives the commission the flexibility to award financial assistance to such people. I am sure that all honourable members would welcome that. In the short time in which I have been in this place, I have heard of people who have run into difficulties because they have not, in those circumstances, been able to get legal assistance. I congratulate the Minister on that clause. It is very important for small-businesspeople.

It would be remiss of me on this occasion if I did not make a couple of general comments, as others have done. The legal profession is facing a fairly serious situation in terms of its credibility in the community. I am not someone who stands in this House and attacks my profession. I have been a proud member of the Queensland Law Society for 14 years. However, the profession must realise that there is growing community concern about the cost of legal actions. The problem is that those people in the wealthy bracket can afford it. They can pay the $170 or $200 an hour and it is not a problem for them. Then those people to whom the provisions of the Bill refer and who are in the lower income bracket will get assistance. What is left is the great middle ground, such as the mum-and-dad companies to which I referred. The people in the middle ground find difficulty in paying legal bills.

I know from my recent experience in practice how expensive it is. The solution is not easy. Recently, I helped a friend of mine, Peter Channell, to set up the firm of Peter Channell and Associates. I know the costs of running a law firm, and they are fairly formidable. A law firm is a small business. Interest payments must be made as well as all of the other costs. Nowadays, law firms have all of the computer data and programs that they could possibly want. Therein lies the problem. They have the cost of running a small business, on the one hand, and, on the other hand, the need to address the fact that the middle ground is currently finding it difficult to pay legal bills. The profession must address that problem fairly soon, otherwise, the credibility of the profession will be put at risk.

Another aspect that is relevant here—and it has been canvassed by other speakers--is the service that is delivered by the profession. When I heard the Minister for Justice talking about case management, I was delighted, because that is one of the greatest areas of neglect, particularly in the civil area, in Queensland. There are many reasons why there have been delays but, as I have said in this House before, I know of many cases in which the pleadings were finished, the matter was set down for trial but still a period of 12 to 18 months elapsed before the matter was heard. In some cases, the period was two years. That is not waiting in common law actions for the damages to the plaintiff to be determined. I am talking about when that has all been done and the pleadings are finished. I know that the previous Government moved towards increasing the monetary amount of actions that could be dealt with by the District Court, and I am delighted at that initiative. I might add that the Government was a long time doing it, but it was the correct move, and I am delighted that the Government took the step. However, more judges need to be appointed appointed to the bench and other changes made.

I turn to the question of competence. The Supreme Court Rules set out the procedures that are to be followed. Too often the members of the legal profession—whether the lawyers are funded through legal aid, which is the subject of this Bill, or whether they are being paid privately—do not follow the time limits provided for in the Supreme Court Rules. Those time limits are followed only very, very rarely. I ask: who suffers as a result of that? The clients are the ones who suffer. Case management is fundamentally important. Some time limits within which the procedural steps are taken must be adhered to, otherwise the end result will be huge delays in the courts and people suffering. This particularly applies in cases where people are claiming damages for injuries or in commercial matters before the courts.

Recently I saw the new president of the Law Society interviewed on the *7.30 Report*. He is a very reputable person and competent lawyer but I was surprised to hear him say that in his view there were no inefficient or incompetent lawyers, or words to that effect. The reality is that every profession has them—lawyers, doctors and, dare I say it, even politicians. The profession must take a realistic look at the matters I have raised: costs should be cut and realistic costs should be considered for the middle ground; delays should be removed from civil proceedings; and the need for the ongoing education of lawyers—which is something that the Law Society has handled quite well—must be acknowledged.

The Bill before the House tonight is a prudent one. It saves the community money. It provides more efficient services to the community and I believe that in the long term it will be of great benefit to the State of Queensland.

Mr ROWELL (Hinchinbrook) (8.32 p.m.): I wish to raise a couple of points in this debate, but generally this Legal Aid Act Amendment and Public Defence Act Repeal Bill has some merit. It has the capacity to save the State money in the long term and will probably facilitate the provision of a better service.

I wish to canvass the effect of this Bill on people living in rural communities. A group of people in the Ingham district have formed a community and information support centre. At the end of last month I wrote to the Minister about their needs. People who do not have the capacity to pay legal expenses are approaching that support centre because they require legal practitioners to serve their needs. The matter of expertise

referred to by the member for Brisbane Central is a very important point. There are horses for courses in the legal profession; one cannot simply get any solicitor to do a job. A limited number of legal practitioners operate within the small rural communities of Ingham and Tully. Very often these practitioners do not have time to take on cases. As a consequence, those who are seeking assistance through legal aid have to go to Townsville. Because Townsville is 100 kilometres away and these people are stretched for resources, that presents a problem. The additional cost of getting to Townsville to obtain that assistance is a cost that they cannot afford. The support centre in the Ingham district proposed an outreach centre from the Townsville centre itself so that a legal practitioner who is qualified in a particular field would be able to come up to the region on a needs basis. In other words, if a divorce or other family law case arose, the Townsville centre could send up to Ingham a legal practitioner who is qualified in family law.

Recently a woman who had been thrown out of her home with a child came to my office. She had no means of supporting herself and, as a consequence, she found it very difficult to get assistance from a solicitor. Unfortunately, the solicitor who represented the family was acting for her husband. As a result, she had to go elsewhere. Therein lies the problem. She was unable to go to Townsville to seek the necessary assistance and she was really out on a limb.

Mr Beattie: They acted for the husband, did they?

Mr ROWELL: Yes, they acted for the family. She had been thrown out of the family home with the child and the solicitor who was the family solicitor acted for the husband. This lady did not have any resources. She did not have a cheque book or a damned thing to enable her to go to Townsville. It made it very difficult for her. It would be of some merit if an outreach centre were to be established in Ingham.

I turn now to consider the merit scheme. I believe that the criteria need to be defined. The Opposition is not absolutely certain what the merit criteria will be and on what basis cases will be given legal aid assistance. Young people are another group of people who are seriously affected. In some cases they are alcoholics, have committed alcohol-related crimes and have been involved in drugs and other things. In many cases they have had to go along to court undefended. Despite the fact that they may have committed crimes that are unacceptable to society, that is not fair. The custody of children is another area. I could go on quoting cases and instances where persons have been disadvantaged due to the fact that one side or one partner has the capacity to pay and the other does not. In the case of, say, a family lawyer remaining with either the wife or the husband—it could happen either way—major problems are caused for the person who lacks the capacity to obtain legal advice. As I said, I foresee no particular problems with this Act. I acknowledge that different cases have been cited indicating that people have lost out severely because of violation of the principles of legal aid. In some cases, businesses came unstuck as a consequence of a person's pursuit of legal matters. I do not know how people can be screened to prevent that from occurring. It is a particularly difficult problem. Bearing in mind the state of the economy at the present time, I do not believe that people want to see those types of problems in the community.

Generally, I support this Bill. No doubt problems will arise, which is the case with most legislation when it is put into practice. If this legislation can be improved, it should be amended. I support the Bill.

Mr PITT (Mulgrave) (8.38 p.m.): I acknowledge the valuable contributions made in this debate by Government members, some of whom—no doubt because of their legal training—have a clear appreciation of the importance of this legislation. In his second-reading speech, the Minister highlighted the economic good sense that the amalgamation of the Legal Aid Office and the Office of the Public Defender will make. In times of fiscal restraint, the Government has a clear responsibility to make sure that the public's taxation dollar is spent as efficiently as possible. As the Minister has pointed out, funds spent on legal aid are not exempt from the need for financial stringency.

The proposed merger comes at a time when even greater demands are being placed on the public purse and the resources offered by the Queensland Legal Aid Commission. In fact, the President of the Legal Aid Commission, Mr Stephen Keim, has revealed that the recent annual report of the Legal Aid Office shows an increase of 11 per cent in legal aid applications compared to the number of applications for previous years. The actual approvals for legal aid also increased by 10 per cent. A significant increase occurred in family law applications, which in fact represent 45 per cent of all legal aid applications. There is no doubt that legal proceedings and litigation are a growth industry. When the Office of the Public Defender and the Legal Aid Office are combined, it will put an end to the unnecessary duplication of services and will provide a movement towards the simplification of public applications for assistance. The legislation presently before the House will allow people who are applying for legal aid in relation to matters in the Family Court and the Magistrates Courts, and those seeking financial assistance for criminal trials, to go through the same office. The legal instrumentality created by this merger will be truly multifaceted. Under existing arrangements, the two organisations overlap quite often in the provision of their services. The new structure will provide a one-stop shop whereby the individual can seek legal advice and have his or her case considered, taken through the committal stage and, if necessary, through the District Court or Supreme Court—all by the same group of professionals who have an intimate knowledge of the case from start to finish. I know that my constituents in far-north Queensland will welcome this move by the Attorney-General. In the past, an individual who had insufficient means to adequately defend himself or herself through normal channels and who was charged with a serious offence would follow a tortuous path in the search for justice. The first contact that was made was with Legal Aid, which prepared the case and took the defendant through the committal stage. Having reached that point and having fully briefed the Legal Aid officer, the person committed for trial then had to start from scratch because, at that stage, the role of the officer from Legal Aid came to an end, and the client was then passed on to the Office of the Public Defender. Incidentally, that officer had to be flown up from Brisbane to take on the case. Not only did this system result in high costs to the State but also the client had to basically start again. The whole sorry saga had to be played out once more for the benefit of a new group of solicitors and barristers. Having to appear in a court of law as a defendant must be a harrowing experience at the best of times. To have to cover the same ground twice and, as it were, familiarise oneself with a new set of players in the legal game can only add to the distress felt by the individual. As I said earlier, the citizens of Queensland will welcome this initiative. The amalgamation of the two offices will result in the establishment of a better delivery of service. The joint organisation will provide the client with a streamlined and accessible instrumentality. One office can undertake the full procedure within its own confines. Thus, a sense of confidence can be achieved by the client whose defence is handled in-house by officers who are intimately involved through all stages of the proceedings.

It surprises me that this amalgamation has not taken place well before this point. There appears to have been no real rationale for the continued maintenance of separate organisations. No obvious justification comes to mind for the maintenance of two premises and two staff structures, each with its own equipment requirements. I congratulate the Attorney-General for his prompt reply to the outcomes of the Commonwealth/State agreement relating to the funding of the Legal Aid Office. The bottom line is that it will be a plus for taxpayers. The legal aid dollar will now go further.

In conclusion, I wish to comment briefly on the sensitive manner in which the Minister has handled, through this legislation, the bringing together of two distinct groups of legal professionals. The ham-fisted approach is entirely absent and has been replaced by a methodology that protects the rights of the individual and pays that individual the compliment of free choice. Some problems revolved around the status of the employees in the amalgamated structure because those people drawn from the Office of the Public Defender are public servants. The Public Defender's Office is a section that exists within the Department of the Attorney-General. The status of their new colleagues from the Legal Aid Commission reflects the autonomy of that commission. They have never been

employed as public servants. To ensure that those persons who are employed at a future date by the expanded, merged organisation are able to maintain their independence, they will not be employed as public servants. However, those officers who are currently employed as public servants will be permitted to maintain that status unless they choose to do otherwise. The legislation before the House makes good sense. It makes good sense economically. It makes good sense as a vehicle for better delivery of legal services. I am therefore pleased to support the Bill.

Hon. D. M. WELLS (Murrumba—Attorney-General) (8.44 p.m.), in reply: I thank all honourable members for their participation in the debate. I thank particularly honourable members who have expressed their support for this, as the honourable member for Mulgrave just said, overdue initiative. I thank particularly the honourable members for Yeronga, Redlands, Stafford, Brisbane Central and Mulgrave for their contribution and also for their assistance to me in the process of negotiating and finalising the proposal for the amalgamation of these two branches of the legal delivery service.

I will refer briefly to some of the concerns raised by honourable members opposite. The honourable member for Hinchinbrook raised the problem of the lack of legal aid available in certain country areas. He made the point that, if a person engages a firm of solicitors in Ingham, it is very difficult for the other party to get another solicitor in Ingham who will take on the case. It is a matter for some regret—indeed, a matter for some remorse—that there are not in all country areas solicitors who are prepared to do legal aid work. Legal aid does involve a small element of public service on behalf of the lawyers. Some lawyers are prepared to spend their days making money out of more lucrative matters and are not prepared to put their nose to the grindstone and their shoulder to the wheel and do a bit of legal aid work to assist the community. I suggest that on some occasion the honourable member might like to tactfully take up with some of the other firms in his area the desirability of making themselves more available for legal aid work.

Mr Rowell: There are only four of them there, though. That is the problem.

Mr WELLS: I do understand the particular problems of country areas. Because the Legal Aid Commission cannot establish an office in every country area, we do have some difficulties. We understand the honourable member's problems and we are very sensitive to them. Might I say that the amalgamation itself will be of some benefit to country areas because, with the amalgamation, some members of the Public Defender's Office who are now all located in Brisbane, as the honourable member for Mulgrave pointed out, would welcome the opportunity to be posted to a provincial area. So access to the Public Defender, the services that will be provided by the Criminal Division of the Legal Aid Commission, will be easier for the honourable member's constituents in the future.

Mr Rowell: What about the outreach prospect that I mentioned?

Mr WELLS: All these things can be worked on. We are determined to make sure that people in the honourable member's electorate, as in the whole of Queensland, receive the best assistance possible from the Legal Aid Commission. But these things take time.

I thank the honourable member for Warwick for his contribution. I note particularly his point that it is necessary that guidelines should be made clear and easy to read so that people will not be alienated from the delivery of legal aid services. I am very pleased to advise the honourable member for Warwick—and it gives me great pleasure to announce—that the Legal Aid Commission will be publishing a plain English policy manual. That manual will be made available in April and I will take great pleasure in giving the honourable member for Warwick a copy of it. I will take great pleasure in launching that initiative in April. I take on board the wisdom of the honourable member's words. It is essential that the law should not be distanced by language or by arcane verbiage from ordinary people, because the ordinary people of Queensland—the rank

and file of our community—own the law. It is their possession. It is not something from which they should be alienated by the use of unnecessary technical language that will prevent them from easily understanding it.

I have been reminded by the Minister for Justice that there is an intention of the Legal Aid Office to set up a 008 information number which will make the access to the law even easier for people in remote areas such as those referred to by the honourable member for Hinchinbrook.

I now come to the honourable member for Auburn, who made another interesting and self-serving speech. Actually, what we got was the 53rd remake of "How I Once Used to be Attorney-General". I remember that the honourable member for Auburn ran that particular remake outside the District Court recently. I was watching him on television, and he was standing outside the District Court. I think that he had been there to observe the trial of one of his colleagues. As he stood outside the District Court, he said, "I used to be Attorney-General, but I have never been inside the District Court before." I am very glad that now he has. He will be able to dine out on yet another story about how he once used to be Attorney-General. However, the honourable member insists on the necessity of solicitor of choice. He says that if somebody goes to the Legal Aid Commission and wants legal aid, that person ought to be able to choose——

Mr Harper: Public Defender.

Mr WELLS: I pause for the honourable member to allow his words to seep into history.

Mr Harper: Can't you take an interjection without stopping speaking?

Mr WELLS: I am sorry, that is not an interjection; that is a meta-interjection. A meta-interjection is an interjection about an interjection. What I want to get at is the honourable member's interjection. What is the point relating to the Legal Aid Commission that the honourable member was trying to make? The honourable member is stunned; he is lost for words. I will tell honourable members what his words were, because I can enunciate them much better than he can. He was saying that it is desirable that we should have unbridled solicitor of choice, so that somebody should be able to go to the Legal Aid Commission and say, "I want this particular solicitor to represent me." It does not matter who the solicitor is, he wants to allow that solicitor to represent that person whatever the cause might be. That will not do. It will not work. The honourable member ought to recognise that a person has to have a solicitor of proven competence in the area. As the honourable member for Brisbane Central said, solicitors and barristers are frequently specialists. No-one can be a generalist and cover every area. A person needs to have somebody who is competent to take the case.

Mr Harper: You don't believe in giving advice; you insist.

Mr WELLS: The honourable member for Auburn is the sort of person who would be so impressed by his brain surgeon that he would get him to take out his prostate.

I would like to refer to the remarks of the honourable member for Toowong. He said that what was needed—and he suggested that I should do something about this—was a considerable injection of funds into legal aid. I am not entirely without sympathy to that point of view, and I will certainly pass on to the Treasurer the ideas of the honourable member for Toowong. The last time I raised with the Treasurer a suggestion that involved the payment of more money to lawyers, the waves of sympathy and empathy which he evinced welled around the room like cyclone Kelvin welled around far-north Queensland. Nevertheless, I will take on board the ideas of the honourable member for Toowong, and I will pass them on to the Honourable the Treasurer.

Mr Stephan: Didn't the member for Yeronga make the same comment?

Mr WELLS: I do not know to which comment the honourable member is referring.

Mr Stephan: About solicitors and lawyers demanding more money.

Mr WELLS: The honourable member for Yeronga made a number of incisive comments. If I were to repeat them, the honourable member for Gympie would have about as much chance of understanding them as he did when the honourable member for Yeronga initially made the comments. If he is really interested, I suggest that the honourable member for Gympie get a copy of *Hansard* and have somebody read it to him slowly. Then he might be able to grasp it.

Finally, I would like to refer to the remarks of the honourable member for Condamine. This is his debut as Opposition spokesperson for the portfolio of Attorney-General. I welcome the honourable member to that role. He is in fact the sixth National Party opposite number that I have had since I became Labor spokesman for this portfolio in this place some three years ago. I believe that the National Party has now achieved stability in terms of this portfolio, and I wish the honourable member a long and happy tenure as shadow Attorney-General. The honourable member made a number of points, and I want to treat those points seriously. I suggest to him that it might be useful if he were to take up those specific points at the Committee stage, when they can be dealt with individually and in isolation. I will be happy to respond to him point by point at that time.

In conclusion, I thank honourable members for their interest in the amalgamation of the Legal Aid Commission and the Public Defender's Office. I thank honourable members for the time and trouble that they have taken to research this matter. I particularly thank honourable members on my own side of the House, whom I have consulted constantly about this initiative. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. D. M. Wells (Murrumba—Attorney-General) in charge of the Bill.

Clauses 1.1 to 2.7, as read, agreed to.

Clause 2.8—

Mr LITTLEPROUD (8.57 p.m.): I would like some clarification—and I think this is the appropriate clause—with regard to access to legal assistance of one's choice. During the second-reading debate the honourable member for Auburn interjected and was responded to in part by the member for Brisbane Central, but it is best if it is clarified by the Attorney-General. The Attorney-General says that the person's choice of legal adviser will be taken into account. The Opposition wants to make the point that there is a lot of difference between giving advice and just giving a direction after listening to what a person's preference might be and saying, "You will have such-and-such a lawyer." If it can be seen that a client has in mind that he wants to get advice from a person who is not skilled in a particular area, it would best serve the interests of the client if the legal aid officer were to say, "No, I am sorry, that person is not skilled in that particular area. I would advise you to choose from among these people." That person could then go away, make some inquiries, and make a choice rather than have the legal aid office say, "The lawyer you have chosen is not skilled in that area. We want you to have this lawyer." The Attorney-General understands the point that I am making.

Mr WELLS: I think that the honourable member would probably be satisfied if he saw the matter in operation. It is not usually a matter of people delivering ultimatums. It is usually a case of the matter being talked through and advice being given in exactly the terms that the honourable member would wish. However, we have to have recourse to the basic fact that what we are talking about here is the expenditure of public funds. It would be grossly irresponsible if the honourable member, or I, or anybody were to say, "Here is carte blanche for expenditure of public funds", and the funds could be spent at the whim of somebody on the retaining of the services of somebody who is not competent to deliver the particular service. So, behind that capacity to negotiate and to argue for a modification of the position, there also has to be a capacity to say, "No, we

are not prepared to spend public funds in these circumstances unless you accept this particular competent legal adviser."

Mr LITTLEPROUD: The Attorney-General mentioned a publication that will be released in the near future setting out in plain English the role of the Legal Aid Commission. I suggest that he ensures that that publication includes an explanation about those processes so that the people of Queensland understand what might happen, rather than leave it to the cold language that appears in the Bill.

Mr WELLS: I thank the honourable member for the suggestion and we will take it up and act on it.

Clause 2.8, as read, agreed to.

Clauses 2.9 to 2.15, as read, agreed to.

Clause 2.16—

Mr LITTLEPROUD (9.01 p.m.): During my speech in the second-reading debate, I referred to the matter of assistance being granted on merit and I sought clarification as to what the criteria would be for deciding whether aid should be given on merit. I was aware that previously the first criterion was a means test. I seek clarification from the Minister as to what other matters will be considered.

Mr WELLS: The merit test also involves consideration as to whether or not, if the case was taken on, the money would be thrown away. Again, we are dealing with public moneys, and when a decision has to be made to expend those moneys, it is a serious decision. Consequently, if somebody goes to legal aid with a case which they have got absolutely no chance of winning, then the merit test would suggest that it would be undesirable to expend public moneys in those circumstances. The Public Defender, however, does not have any merit test. The honourable member will note that the Public Defender is dealing with more serious cases in the criminal arena than is the Legal Aid Commission. The absence of a merit test in the area of the Public Defender will be preserved in respect of the Criminal Division of the amalgamated Legal Aid Commission.

Mr LITTLEPROUD: On the same issue, I remind the Attorney-General that I also asked whether he would take into consideration whether the party, other than the one receiving legal aid, may in fact have an injustice done to him or her if legal aid is granted to the other party. One example was cited to me by a member in today's party meeting. Tonight, I spoke also with some legal people who said that the same thing can occur. The example cited to me was of a person driving a car that is not worth much and who crashes into a solicitor's Jaguar. The person in the cheap car receives legal aid and pursues legal proceedings. It reaches the stage where the other person can see that he cannot afford to defend himself and, therefore, the party in the wrong actually has a win because the other person decides that he cannot afford to defend the matter.

Mr WELLS: The honourable member has quite insightfully put his finger on a significant problem. There has to be a cut-off point somewhere. Some people have got to be classified as capable of receiving legal aid by virtue of their means, whereas others have to be classified as having too many means to be able to qualify for legal aid. Wherever one draws the line, there will be some people on one side of it and other people on the other side of it. If one then has a situation where somebody, who is sufficiently short of means to attract legal aid, is able to bring an action against somebody else in a civil arena when that other person is only a little bit better off than that person, but sufficiently better off to be unable to attract legal aid, then one has an action which, apart from the existence of the Legal Aid Commission, would never have occurred. This obviously is going to happen sometime, and it is going to happen wherever you draw the line, unless you have got a situation where you have got complete equity and total access to law and justice for the social system. Of course, total access to law and justice for the social system is something that we are working towards, but we have only had a short time in which to do it. This amalgamation Bill is one small step in a plethora

of steps which are going to be taken to facilitate access to justice for the people of Queensland. It has got to be a multifaceted approach. In the meantime, the honourable member pointed to a logically unavoidable difficulty which is always going to occur as long as there are some people who are eligible for benefits and other people who are not. I do not know if the honourable member has noticed that the argument that he has been putting forward leads to a form of radical egalitarianism in which everybody would have the same resources in society.

Mr LITTLEPROUD: I am only asking for consideration on merit. I am only asking that the Minister take into consideration that he could be doing an injustice to the other party.

Mr WELLS: In that case, I notice that the honourable member has managed to preserve a philosophical position which allows him to continue to support inequities and inequalities in society, but I do take his point. He would like us to take into consideration whether or not an action will bring about an inequity. That is being done at the moment. I can assure the honourable member that the Legal Aid Commission takes that into account.

Clause 2.16, as read, agreed to.

Clauses 2.17 to 5.2, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ADJOURNMENT

Hon. G. R. MILLINER (Everton—Minister for Justice and Corrective Services) (9.08 p.m.): I move—

"That the House do now adjourn."

Referendum on Four-year Parliamentary Term

Mr BOOTH (Warwick) (9.08 p.m.): Mr Deputy Speaker——

Mr Welford: Tell us a yarn.

Mr BOOTH: I do not have a yarn for the start of this speech. I wish I did. The one I told earlier was appreciated by everyone on the other side of the Chamber except the honourable member for Brisbane Central.

I want to talk about the referendum on the question of a four-year parliamentary term. If the people of Queensland want to tell the Government that they are not satisfied with its performance, they have an excellent opportunity to do so on 23 March. If the referendum is soundly defeated, they will rock this Government, which is already rocking pretty badly with its handling of the Queensland economy.

Mr Foley: EARC will fix it up.

Mr BOOTH: I will leave EARC till another night. I do not think EARC is as confident as it was. A three-year term gives the people of this fair State of Queensland the opportunity to assess what a Government is doing and to approve or disapprove of its actions.

Mr Dollin: I thought you wanted a four-year term.

Mr BOOTH: No, we do not want a four-year term. A four-year term is a ridiculous idea. Unlike the other States of Australia, Queensland does not have an Upper House. We want a four-year term like a hole in the head.

Mr Schwarten: It won't affect your retirement one bit.

Mr BOOTH: I inform the member who interjected that if I were the people of Queensland I would not let his Government stay in power a day longer than necessary, let alone an extra 12 months.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Campbell): Order! The honourable member is a very experienced speaker and he really does not need any help.

Mr BOOTH: I thought they were doing me a good turn. Two years ago, the Federal Government tried to introduce a four-year term for the Federal Parliament and the people soundly rejected it. I believe they will reject it just as soundly on this occasion. I notice that the Premier does not seem to be tying the four-year term to the mast of policy for his Government. He has found out something. In the back of his head, he knows that he is likely to be soundly defeated, so he is not saying too much. Today, he claimed he was going to go on a trip to the gulf and tell the people up there about the referendum. However, I do not think he will stick his neck out too much. In a letter in this morning's *Courier-Mail*, the Attorney-General, Mr Wells, said that people should vote for a four-year term because fewer elections mean less cost. I point out that it would cost a lot less to have a 10-year term and it would cost much, much less if there was never an election at all. I believe that the price we pay is the price we have to pay to protect democracy. That is what it is all about.

This whole matter relates to accountability. Every three years the Government has to give an account of itself. Three-year terms safeguard the people of this State against a Government that is performing very badly. But the Attorney-General was saying that the Government did not want to report to the people every three years—that it was not game to report. It was not only the Attorney-General who was saying that but also the Premier. However, I was surprised when I saw the Attorney-General's letter. To me, it appeared as though Mr Goss does not want to be tied too closely to the referendum, so he has dumped it on poor old Dean.

I will now dispel the other myth, that a four-year term will stop a Government calling an early election. It will not. I do not know how that can be safeguarded against. In any case, it would be very difficult because, if a Government were defeated on the floor of the House, an early election would have to be called. Under the system that will exist if the referendum is passed, the Government can do as Hawke did and call an election whenever it likes. Mr Hawke came out and said, "We have just received some reports that our stocks are up a bit so we will have an election."

Mr Milliner: The Government did that in 1974 under Bjelke-Petersen.

Mr BOOTH: That happened on very few occasions. I am saying to the people of Queensland tonight: reject the four-year term and keep Government's accountable every three years.

Time expired.

Brisbane City Council Garbage Contracts

Mr ARDILL (Salisbury) (9.13 p.m.): In its handling of the new garbage contracts for Brisbane, which will shackle the city well into the twenty-first century, the Liberal Brisbane City Council has again shown itself as a facade—a body with no structure behind it. Far from being an example to the rest of the world, as claimed by our peripatetic Lord Mayor, it is an example of the most outdated technology which even Aristotle would not and could not promote.

Seven years ago, I took a major role in negotiating—reluctantly, I might add—the conditions of the last garbage contracts, which also eventually involved the company now being granted such undeserved largess from the ratepayers of Brisbane. At that

stage, Waste Management, an American company, tendered very low to obtain a bridgehead in Australia. It was eventually granted one of the three contracts. The council could have divided up the present contract instead of handing it to only one company. At that time, the aldermen of Brisbane would have much preferred to have introduced incineration of garbage instead of using land fill. However, the technology was not right, with emissions being unsatisfactory. Today, the technology is right for turning garbage into building blocks per the medium of neutralysis. The only problem is in obtaining a suitable site, a problem which could be overcome without much difficulty, as long as it is far enough away from residences. Australia is noted for great inventiveness and brilliant inventions that always seem to be exported overseas. That appears to be the future of neutralysis.

We also live in the age of recycling. Why has it taken six years for the Atkinson council to begin a pilot recycling scheme, mainly in politically expedient areas and just before an election? During an election campaign, the Harvey council was placed in the position of bringing in a radical new system of the wheelie bins which had started to appear on the Australian scene. That caused the ultimate in industrial disruption because of the fear of the unknown in the minds of the garbage-collectors. That council insisted that a crew of three operate each truck to conform to transport legislation. Despite the council's careful concern that no job losses would occur and that no unsafe practices would be introduced, the garbage-collectors caused untold disruption to the system during the change-over period. That had a major effect—helped by the PR proclivities of the present Lord Mayor—on the fall of that Labor council and the election of Alderman Atkinson as Lord Mayor. I predict that the new contract will lead to the demise of this regime. The simple fact is that the new contract stinks. Why for the first time did seven Liberal aldermen oppose the Lord Mayor? The Lord Mayor is forcing an insupportable contract onto this city and the ratepayers, who will pay the bill for the next 30 years. Why is the Lord Mayor so vehement in forcing that insupportable system onto us? I ask honourable members to consider the record of Waste Management Inc as reported in the *Courier-Mail*—"Convictions for bribery and price fixing in the USA", "$17m in fines for environmental breaches since 1983" and "Several million dollars in fines for price fixing and anti-trust violations." One county authority in the United States was sued for assisting that company in trying to put its only competitor out of business.

Many things are wrong at City Hall, including a town plan which, according to most competent town-planners, will bring about the demise of the central city area as a viable, vibrant business centre. All competent town-planners agree that the CBD and its head office facilities should not be allowed to spill over into adjacent areas but should be kept tight. The Lord Mayor does not understand these issues. However, many American cities that have suffered that blight do understand them. The Lord Mayor has caused total chaos in the rating system. Her aldermen are now dishonestly trying to blame the Valuer-General. The Lord Mayor has replaced competent professionalism in the Brisbane City Council with an airy-fairy attitude to important matters and has advanced the trappings of office to an importance that has severely disadvantaged residents and the council. The Lord Mayor is the most successful and consistent reinventor of the wheel that I have met in my life in the public arena. However, on this occasion her inventiveness will be her undoing. The electors will not have the incubus of that dump imposed upon them. Because of the introduction of the environmental levy, all Brisbane ratepayers are paying into a fund to purchase land on Mount Coot-tha. The council is ignoring the demands of important environmental areas on the south side of Brisbane. The Lord Mayor is now promoting the development of Karawatha, which is Brisbane's best remaining natural forest.

Time expired.

Land Tenure, Government Submission to Fraser Island Inquiry

Mr HOBBS (Warrego) (9.18 p.m.): Last Wednesday during the Adjournment debate, I outlined the position of land tenure and its future in Queensland. Honourable members

have not seen a greater threat to land ownership in Queensland and Australia since the battle of the Coral Sea in May 1942. During that Adjournment debate, I pointed out that the Government handling of the Fitzgerald environmental inquiry into Fraser Island was throwing out the window any security of tenure of land ownership, whether it be a title in fee simple—which is freehold—or Crown land or any mineral rights that may be associated with either of those tenures. Everyone should have equal land rights. This is not an issue of race, it is an issue of justice, and we must not be deterred from the debate.

Through its Department of Family Services and Aboriginal and Islander Affairs, the Government suggests ways in which the inquiry can deliver on the desire for leasehold and freehold lands. It uses United States and Canadian cases to argue that the Aboriginal people have "possessory title from which they have been forcefully and wrongfully deprived". The submission states that the alternative is pre-existing Aboriginal title that has neither been surrendered nor validly extinguished by legislation. On page 71 of the Labor Government's departmental submission is a claim that is "arguable" that the grant of fee simple title, which is freehold, might not extinguish an underlying Aboriginal interest in the land. It goes on to say that overseas authorities and academic opinion are divided on that point. As to leasehold—the Government submission claims that it is "unclear" whether grants of general or special leases under the Land Act are sufficient to extinguish Aboriginal title. There are two telling sentences in the conclusion to the Government's submission. The first sentence states—

> "The decisions of the Supreme Courts of the United States and Canada and the Court of Appeal of New Zealand emphasise that the European claim of sovereignty over the land now forming their nations did not of itself abolish or otherwise extinguish the underlying Aboriginal possessory title in the land."

The conclusion states—

> "Any model recommended by the commission may well serve as a basis for resolving the outstanding claims for Aboriginal and Torres Strait Islander people throughout Australia."

That is the Queensland Labor Government's agenda—the Government submission to the inquiry which it appointed to make its tough decisions for it.

Mr BREDHAUER: I rise to a point of order. The submission to which the member refers is not the Labor Government's submission, it is a submission by the Department of Family Services and Aboriginal and Islander Affairs to the Fitzgerald inquiry into Fraser Island. It was written in response to particular questions that were asked by Mr Fitzgerald. The member for Warrego is misleading the House by continuing to refer to it as the Government's submission.

Mr DEPUTY SPEAKER (Mr Campbell): Order! This point was made also during the Adjournment debate last Wednesday. The member for Warrego will not refer to it as the State Government's submission.

Mr HOBBS: Mr Deputy Speaker, I believe that you and the member for Cook are wrong. However, I am happy to accept your ruling.

The Labor Government wants Mr Fitzgerald to recommend the handing over of Crown land, which we all own collectively. The Government also wants Mr Fitzgerald to recommend a process that will allow the Government to negotiate away the land that we own privately. The Government wants him to give it a model that it can sell to the rest of Australia. Labor wants to plunder the most basic asset of this country and its people—the land. It wants to destroy our capacity to turn the land to productive use and to dispossess the people who make this great land productive. It wants people to queue up at the board of management to see if they can plant a crop, build a factory, open a motel or drill for oil. The Labor Government places great public store on its allegiance to Mr Fitzgerald. After all, without the cynical use that it made of his last report, the Labor Government would not be in power.

Very early on, the Labor Government was faced with the problem of Fraser Island, but it ran away from it. The Premier announced that Mr Fitzgerald would solve the problem. To hammer the point home, the Premier told us that the findings in regard to Fraser Island would be a model for solving all other such problems. What a great way to avoid making unpopular decisions! The Labor Government seeks to have Mr Fitzgerald give respectability to a fundamental change to Australian society. It needs his prestige to hide behind if it is to have any chance of selling anything so outrageous. Mr Fitzgerald's original charter must be remembered.

Time expired.

Councillors Knell and Griffiths, Mulgrave Shire Council

Dr CLARK (Barron River) (9.24 p.m.): Last night, the member for Currumbin leapt to the defence of Councillors Knell and Griffiths of the Mulgrave Shire Council. He accused me of making a cowardly attack and using the privilege of Parliament to dishonestly allege corruption and misconduct. The word "corruption" never appeared in my speech, and one can only wonder why the member thought that I alleged it. I would certainly not object if the member were to use that word to describe the activities of Councillors Knell and Griffiths, but I personally have only ever used the term "official misconduct". As for dishonestly alleging misconduct—it is difficult for me to see how I could be said to be dishonestly alleging something when, in fact, it is true.

Since I tabled my legal opinion yesterday, which concluded that Councillors Knell and Griffiths failed to properly disclose their pecuniary interests in writing, both councillors have made statements which confirm the accuracy of my research. I am grateful to both gentlemen for their frank and honest admissions. Thus, on ABC radio this morning, Councillor Griffiths said that, for as long as he had been a member of the council, no individual had ever put any statement of pecuniary interests in writing. That is clear. Both councillors have since blamed the shire clerk for the position in which they find themselves because he did not tell them what they had to do. I consider that quite shameful. The responsibility for declaring an interest lies fairly and squarely with the councillor. Ignorance of the law is no defence at all, as Councillor Knell, being a solicitor, knows full well.

There seem to be no limits to the lengths to which those councillors are prepared to go to blame anyone but themselves. The matter is deteriorating rapidly into a farce—or perhaps comic opera is more accurate. Councillors Knell and Griffiths appear to have confused themselves with the Mikado in Gilbert and Sullivan's opera *The Mikado*. As honourable members may recall, Koko says to the Mikado, "When Your Majesty says that a thing should be done, it is as good as done, and if it is as good as done, why not say it is done?" Perhaps we should rename Councillors Knell and Griffiths the "Mikado Councillors".

However, there is a very serious side to this issue. Allegations are being made by Councillors Knell and Griffiths about council maladministration—the same allegations that were parroted yesterday by the member for Currumbin. On the ABC, Councillor Griffiths said that he wants to open up council meetings so that people can see what is going on. What would they see? They would see that Councillors Knell and Griffiths had voted for all of the things about which they now complain, including Peter Robinson's subdivision and, only last month, the bridge about which the member for Currumbin complained and talked last night, for which no money has been paid. The estimated cost of the detailed design work for the bridge is $23,000—just about what the member said last night that it would cost. The extra costs relate to survey, geotechnical and hydrological studies and preliminary design—all required under the Government quality assurance guidelines. I will table those documents so that the member for Currumbin can inform himself accurately.

As for Peter Robinson's subdivision—local authorities are entitled to exercise their discretion in approving subdivision applications. Although the Mulgrave Shire Council

has contested the conclusion of the Ombudsman, it has introduced a new subdivision policy that is more appropriate for the rural parts of the shire. Finally, council meetings show that the draft town plan was adopted at a full council meeting on 14 March last year. So much for maladministration! The latest development in the comic opera, however, is that Councillor Bob Griffiths had now called for an administrator to be called in to take over the Mulgrave Shire Council. These "Mikado Councillors" obviously do not dare face the people on 23 March. In their quest to cover up their own misconduct, they are more than willing to sacrifice the democratic rights of the electors of the Mulgrave Shire to remove them from office.

I am astounded that, with his record, the member for Currumbin should talk as he did last night about keeping party politics out of local government. In 1982, Mr Coomber was elected to the Gold Coast City Council. Since then, he lost preselection for the seat.

Mr Bredhauer: Wasn't he a failed National Party candidate?

Dr CLARK: That is right. He subsequently stood and lost the election as an independent candidate. In 1989, he finally won as a Liberal—all whilst serving as an alderman in local government.

Mr Bredhauer: Keep party politics out of local government.

Dr CLARK: That is the only conclusion one can draw. By contrast, the Mulgrave Unity team opposing Councillors Knell and Griffiths, which I am supposedly supporting, has members from across the political spectrum. One of the candidates had his nomination signed by a previous member for Barron River, the Honourable Martin Tenni. It is hardly a Labor team. I think that I have laid a few of those misconceptions to rest.

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

Waste Disposal

Mr ELLIOTT (Cunningham) (9.29 p.m.): A previous speaker spoke about neutralysis. I wish to touch upon the same subject but in a slightly different way. I wish to address the failure of the State ALP to embrace its environmental responsibility to the future well-being of all Queenslanders. The Government offers no practical alternative methods of waste disposal. It is very easy to come in here and talk about neutralysis and so on, but what is the Government doing about it? The Government is playing politics with the health and well-being of the people of Rochedale.

The ALP Government should be using this opportunity to transform years of rhetoric from Mr Comben, who is now Minister for Environment, and other Ministers when in Opposition who strutted the stage, posed and talked about how the Government would make a financial commitment to the recycling of waste, into affirmative action by adopting a visionary strategy for future waste management. Instead, this Government is playing politics with the Liberal Party, because the Government thinks that this might get the Labor Party the lord mayoralty and get it into power in the council. This Government has failed to utilise the collective responsibilities of the Ministers for Local Government, Environment, Health and Transport to ensure that a futuristic approach is taken towards Brisbane's waste disposal problems, thereby showing the lead to the rest of the country. When the Labor Party was in Opposition it strutted the stage and advocated financial commitments of all kinds for the recycling program. Now that the opportunity is presented to the Government, it has been found wanting. The Government should be offering financial assistance and support to the city council to start recycling garbage in this city. Now is the time for consultation, not confrontation. This Government is simply confronting the council.

When I was overseas on an American exchange program I saw two different types of recycling. I saw a totally mechanical program at Rhode Island, where all the garbage was taken up conveyor belts and separated. All the plastics, PETs, polypropylenes, vinyls, resins, different coloured glasses, metals and ferrous and non-ferrous materials were

separated. This is the State Government's opportunity. It is in control and all those Ministers have the responsibility to go ahead with recycling. Instead, the Government is running away from the problem. It is not prepared to sit down and talk to Sallyanne Atkinson or the council. It is not prepared to do anything about it or provide financial assistance. It is simply trying to win the mayoralty. The neutralisis program is fantastic. Building blocks can be made by mixing both industrial garbage and domestic garbage with clay. I table a magazine article for the information of members. I would like to get the magazine back afterwards, but I will table it for the information of honourable members. In addition, I have a program that I would like to table. I was there on the day when the Cincinnatti council put their recycling program into practice. It is a kerbside program. Every ratepayer and householder was given different coloured boxes into which they sorted their garbage and plastics. There is nothing to stop this Government putting its money where its mouth is and doing something practical about recycling.

Mr Elder: That's all a load of garbage!

Mr ELLIOTT: I ask the honourable member: why is it a load of garbage? Can he tell me? The honourable member should go back to the ark where he came from. He is a troglodyte. One cannot believe that these attitudes could still prevail in this House in this day and age. Problems have occurred in other countries where land fill has leached into underground water systems, aquifers, rivers and streams and destroyed the fish. It is absolutely unbelievable.

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

Time expired.

Independent Candidates for Redcliffe City Council

Mr HOLLIS (Redcliffe) (9.34 p.m.): Tonight I wish to refer to the scurrilous attacks on the mayoral candidate for Redcliffe, Mr Brian Dobinson. These petty attacks by the opposition parties is a clear demonstration of the usual election nonsense that they get up to. The remarkable aspect of these attacks is that they are being made on behalf of the conservatives contesting the Redcliffe council elections as so-called independents. They try to suggest that they are not political. The Liberal Party and National Party members in this House know very well that their party members are in danger of a complete rout at the 23 March election in Redcliffe. This sense of defeat by these council candidates has prompted them to appeal to their mates in this House to come to their aid. In doing so they have completely blown their cover and stand stripped of their facade of independence.

Mr SANTORO: I rise to a point of order. My point of order is that the honourable member for Redcliffe is suggesting that I have consulted with mayoral candidates because I am one of the members who has raised the matter. I hope that the member for Redcliffe will withdraw that remark because I have certainly not had any communication whatsoever with any of the mayoral candidates. I ask him to withdraw that comment.

Mr DEPUTY SPEAKER (Mr Campbell): Order! I do not believe that the member for Redcliffe used the honourable member's name.

Mr SANTORO: No, he has not.

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

Mr HOLLIS: I turn now to look at who the members on the other side of the House are supporting. The darlings of the conservatives are Barry Bolton, Nick Tzimas and John Wimberley. The so-called non-political council——

Mr SANTORO: I rise to a point of order.

Mr DEPUTY SPEAKER: Order! The honourable member's name was not individually given. The honourable member cannot——

Mr SANTORO: The honourable member for Redcliffe——

Mr DEPUTY SPEAKER: Order! I ask the honourable member to sit down.

Mr SANTORO: The honourable member——

Mr DEPUTY SPEAKER: Order! I ask the honourable member to sit down.

Mr HOLLIS: I intend to expose some of the facts about these so-called independents. Mr Bolton is a teacher and is receiving a full teacher's salary while he conducts his mayoral campaign on a full-time basis. Mr Bolton cannot have the allegation of regular and frequent absences from his class room levelled at him because he is never there. He is prosecuting a most vigorous campaign on a full-time basis whilst on sick leave from his school at Pine Rivers. I understand that back problems prevent him climbing the stairs to his class room, but he has no trouble climbing the council stairs to attend council meetings and businessmen's breakfasts. It is strange that Mr Santoro did not mention these matters when attempting to denigrate Mr Dobinson. Perhaps his lunch the day before with a gentleman named Roger Maguire, a former alderman of the Redcliffe City Council——

Mr SANTORO: I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Campbell): Order! Would the member state his point of order.

Mr SANTORO: I take objection to the suggestion made by the honourable member for Redcliffe. I did not in any way denigrate Mr Dobinson. When I asked my question of the Minister, it was not an attack. It was simply a question directed to the Minister. I did not denigrate Mr Dobinson in any way. I asked the member for Redcliffe to withdraw the remark because I find it offensive.

Mr DEPUTY SPEAKER: Order! What remark was that?

Mr SANTORO: My point of order is that I do not believe I denigrated Mr Dobinson. I find the honourable member's remark offensive. I simply asked the Minister a question to which, admittedly, I did not receive a satisfactory reply. I ask the member to withdraw the comment.

Mr DEPUTY SPEAKER: Order! The member for Merthyr finds the comment offensive. I ask the member for Redcliffe to withdraw it.

Mr HOLLIS: If the statement that he denigrated Mr Dobinson is offensive, I withdraw it. I wish to comment on the lunch that was held the day before that question was asked in the House and attended by a former alderman of the Redcliffe City Council, Roger Maguire. He is also the failed Liberal candidate for Murrumba. In a speech at a later stage, I will be having more to say about that gentleman.

Incidentally, the Community Action Team used National Party colours in its signs and in its literature. The leader of the team is Nick Tzimas, the man who has single-handedly destroyed the credibility of the Peninsula Chamber of Commerce. During his term as president, the following people resigned because they were unable to work with him: past president and current vice-president, Ken Oldham; respected legal practitioner and vice-president, John Hutchinson; prominent committee member, Rita Smith; the hard-working secretary, Margaret Gillan; and the treasurer, Jenny Adcock. The chamber's membership is now a poor 21. It is a far weaker chamber than it was before Mr Tzimas began his political campaign—a campaign that used the chamber as a launching platform. Mr Wimberley, who is a regular attender at the Liberal Party's peninsula functions, was a keen supporter of Mr Tzimas and worked long and hard with him to launch the political campaign; but even Mr Wimberley, along with Ken Peters and Brent Wallis, would not work with Mr Tzimas, and the alliance split. Now Mr Wimberley is standing

for mayor and is dedicated to Mr Tzimas' defeat. I suspect the allegations that are abroad—that $5,000 came from each of these gentlemen, which Mr Tzimas refuses, allegedly, to return to his old campaign mates—may have something to do with it. No doubt Mr Tzimas caused major concern to Mr Wimberley when it became known that the recession was placing major strains on Mr Tzimas' two food concession outlets in the Wintergarden complex at the same time that the opening of Sizzler's in Redcliffe diminished severely his restaurant trade at the Golden Ox. These events, coupled with the financial disaster of Mr Tzimas' Fountain Court—a $1m facility in the depressed Redcliffe CBD—is causing not only Mr Wimberley but also all the people in Redcliffe to question why such a supposedly successful and busy businessman such as Mr Tzimas would be prepared to spend $150,000 to gain control of the Redcliffe City Council and its $7m budget surplus.

These are times when the Liberal Party and the National Party in Redcliffe are clearly prepared to use any tactics to prevent the Redcliffe City Council passing to a management team that will focus on all aspects of local government, community needs, economic needs and social needs. Redcliffe does not need more of the same; it does not need the tired old council that is seeking re-election; and it most certainly does not need the commercially based Community Action Team which will obviously follow the line of the present council.

Motion agreed to.

The House adjourned at 9.40 p.m.