THURSDAY, 14 SEPTEMBER 1995

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 10 a.m.

PETITIONS

The Clerk announced the receipt of the following petitions—

Giant Steps Program

From **Mr Briskey** (1,785 signatories) praying that the Parliament of Queensland will urgently provide a Giant Steps program for Queensland children with significant autism and associated developmental delays.

Students with Disabilities

From **Mr Carroll** (1,200 signatories) praying for an increase in the projected disability package for 1996-97 to facilitate the establishment of post-school options for students with disabilities.

Burke Shire, Road Funding

From **Mr McGrady** (1,428 signatories) praying for a review of road funding in the Burke Shire with a view to commencing a road improvement program to be completed by the year 2005.

Gold Coast City Council Election

From **Mrs Rose** (18,550 signatories) praying that action be taken to ensure that the next Gold Coast City Council election is held in March 1997 to coincide with local government elections.

Renaming of Palmerston National Park and Bellenden Ker National Park

From **Mr Rowell** (2,468 signatories) requesting that the decision to change the name of the Palmerston National Park and Bellenden Ker National Park to Wooroonooran National Park be reversed and that the original names be retained.

Cardwell, Boating Facilities

From **Mr Rowell** (436 signatories) requesting the urgent provision of all-weather, all-tide boat launching and retrieval facilities at Cardwell.

Heritage Listed Churches

From **Miss Simpson** (1,043 signatories) requesting that (a) legislation be enacted to provide for compensation payments to heritage listed churches where the market value of the property is adversely affected by listing restrictions and (b) ensuring that churches have freedom to use, furnish and alter the interior of all listed buildings while preserving the main structure.

Cannabis

From **Mr T. B. Sullivan** (19 signatories) praying that the statutory prohibition on the production and usage of cannabis be continued.

Teachers' Superannuation

From **Mr T. B. Sullivan** (17 signatories) praying that the Parliament of Queensland will urgently reconsider a buy-back proposal for teachers with broken patterns of service who have been financially disadvantaged in terms of superannuation retirement expectations.

Petitions received.

MINISTERIAL STATEMENT

Drought

Hon. R. J. GIBBS (Bundamba—Minister for Primary Industries and Minister for Racing) (10.04 a.m.), by leave: A record five-year drought has depleted the water supplies in many of the State's dams. The present water storage situation in Queensland is critical in a number of areas and shows little sign of improving. If rainfall is not received in the coming summer months, many rural-based industries will be facing a desperate situation.

My department is doing everything possible to assist irrigators during this drought. DPI is liaising with water-user groups to distribute the available supplies fairly. The State Labor Government has always understood the importance of water to the State's growth. New water projects form a substantial part of From Strength to Strength. However, I need to say that droughts of the severity of this one are very difficult to withstand.

Forty shires, five part-shires and 1,009 individual properties are currently drought declared. This represents 35 per cent of the State's area or some 19,000 farms. Of the 23 major storages managed by the State, eight

are now empty or virtually empty and another seven are less than a quarter full. The remaining eight are generally less than half full. Only the Burdekin Dam and Kinchant Dam are holding 80 per cent. This year, water use has been restricted in many schemes, and low allocations have been announced in a number of areas. This year, all available surface water in Bundaberg has been allocated out to the irrigators. Sugarcane growers in that area are approaching a critical stage if there is no inflow into the storages during early 1996. Canegrowers are expecting a 30 per cent decrease in production this year.

Without rain later this year or early next year, the cotton industry will also suffer badly. Water storages at Emerald and St George will soon hold nothing more than reserves for urban and industrial use. Next season's cotton is being planted now. The citrus industry is already in a critical stage in the Upper Burnett, as many growers are battling to save trees and are experiencing heavy crop losses.

In relation to town water supplies—the Labor State Government has a number of strategies for minimising the impact of drought on urban water supplies. The drought stricken local governments urban water supply assistance scheme ensures that existing town water supplies are secure and of an acceptable quality. To date, 25 Queensland towns enjoy a more secure supply, and a further 10 towns have improved quality. Some $11.6m has been spent on the scheme over the past three years. An amount of $410,000 has also been allocated under the drought stricken urban water supply assistance scheme to cart water or provide capital works. Thirteen country towns have received assistance under this scheme.

I advise the House that I do not think there is an appreciation by some members of this House and the public generally of the severity of the situation facing this State. We are facing a situation in which, in the next couple of weeks, the people in towns such as Mount Morgan, which has a population of 4,000, will have to physically cart water because the water supply simply will not be there. Probably within about three weeks of that, there will be another six country towns in this State that will also be in this situation unless there is good rainfall.

What I am getting at is simply this: an operation of this size is going to require cooperation and non-political antics from a lot of people throughout this State. It will require a degree of cooperation between the Federal Government, State Government and local authorities that has never before been seen. It is alarming because in terms of weather patterns and predictability, this country is still infant. Two hundred years of weather predictions and drought is not enough time—the scientific community will make honourable members aware of this—to accurately assess what is going to happen. This could be a 5-year drought in 100 years, it could be a 10-year drought in 200 years—nobody knows. So I stress upon all honourable members the importance of a community approach to what will be a serious problem.

The State Government has also contributed $7m to foster good planning by local governments through the total management planning initiative and has helped over 120 local governments to improve their water planning and management practices. In 1994-95, we had doubled the number of planning investigations undertaken by local governments. During the election campaign, the Government promised $100m to continue rebuilding rural Queensland. At the centre of the package is $44m for restocking, replanting and recharging primary production. This is on top of the $30m pledged in the Budget for water infrastructure development and maintenance.

As I have said, the drought has meant that many small rural communities are suffering severe financial hardship and are simply struggling to survive. Since its onset in 1991, the Government has provided more than $92m in assistance targeted at communities and farmers. Around $32m has been spent on freight subsidies for movement of stock and fodder. More than $121m has been paid to some 2,000 rural producers under the Federal/State Rural Adjustment Scheme.

We have stuck by and will continue to stick by rural Queensland, and I consider that to be a proud achievement of this Government. Over the past couple of weeks, I have been able to meet with members of the peak rural organisations throughout this State. As many members on the other side of the House would be aware, many of the people involved in those organisations support the politics of the members opposite—that is their right and I do not question that in any shape or form—but it has been heartening to me to discover when I have sat down with those people that they are not interested in a political agenda and that they are happy with the support that they have received from Governments of all political colours in this

country. That is something of which we, as a Government, are very proud. Today, I simply reiterate that, for whatever time this drought may continue, this Government will be supporting rural Queensland as much as it possibly can.

MINISTERIAL STATEMENT

SEQ 2001

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning, Minister for Rural Communities and Minister for Provision of Infrastructure for Aboriginal and Torres Strait Islander Communities) (10.12 a.m.), by leave: Last Friday, the South East Queensland Regional Coordination Committee endorsed the SEQ 2001 regional framework for growth management, in what is a significant decision in terms of managing the immense growth of the region that is to occur over the next 20 years and beyond. Over the past five years, the population of south-east Queensland has grown by over one quarter of a million, primarily as a result of migration from interstate and overseas. It is forecast that, by 2011, there will be another one million people living in the region—increasing the total population to over three million.

Whereas the task of developing a blueprint for guiding this growth has been challenging, the cooperative spirit with which State, Commonwealth and 18 local governments have worked together alongside the community sector to develop the framework for progressing the region's future could be cited as one of the project's major achievements. With myriad differing agendas and a wide range of perceptions on the best outcome for south-east Queensland, SEQ 2001 could have easily faltered. But by any standards, the process has been a success, and last Friday's endorsement is testament to that. It is now time for tangible results to begin to be felt by the people of south-east Queensland.

Many State departments as well as local governments in the region are well advanced in their preparations for implementation of the initiatives recommended in the framework. One of the important initiatives of the regional framework is the development of a major centres policy for south-east Queensland. This policy provides a long-term strategy that is aimed at bringing people, jobs and community facilities closer together in order to reduce travel demand, improve environmental quality and provide a focus for significant infrastructure and investment decisions.

The Regional Coordination Committee endorsed an agreed hierarchy for major centres in south-east Queensland, with Brisbane and its frame area to continue as the dominant centre for the seat of Government, national and regional headquarters of large private firms, and cultural and recreational facilities of State importance. Beenleigh, Ipswich and Caboolture are nominated as key metropolitan centres, owing to their existing high level of accessibility to the regional population by public transport, particularly rail. In addition, Beenleigh and Caboolture are located in the centre of major urban growth corridors recognised in the regional framework. Key regional centres have been nominated at Southport, Robina, Toowoomba and Maroochydore, and these will serve similar functions to the key metropolitan centres.

Key metropolitan and regional centres will be the preferred location for major employment growth through office, retail, community services, recreation and cultural facilities and other significant infrastructure. Centre development plans will be prepared for each of the key centres in order to guide their long-term development. Those plans will address a range of issues, including public transport, pedestrian and cyclist accessibility, urban design, open space, residential mix, community facility planning, employment targets and environmental issues.

The framework also contains a wide range of principles and priority actions to achieve our desired social and environmental objectives for the region—in short, to preserve the quality of life currently enjoyed in south-east Queensland. A Regional Open Space System is also being implemented to provide a network of green open spaces for our growing population to breathe in, and to provide green links between our expanding urban areas. Funds of $35m over five years have been provided to ensure that those areas that are especially vulnerable are preserved as open space for our future generations.

The provision of infrastructure to urban development areas is aimed at ensuring that new communities are properly served by the timely provision of schools, public transport and other essential services. The framework proposes a future urban settlement pattern for the region that will assist agencies in their forward planning. A key objective is to provide tertiary-level services, such as hospitals,

universities and TAFE colleges, in close proximity to where people live. The framework also aims to protect the environmental assets that residents and visitors enjoy and which continue to attract new residents.

Although these examples are by no means an exhaustive list of the recommendations of the regional framework, they provide a very positive indication of the many initiatives that will guide our growth and ensure that our quality of life is enriched, rather than degraded, by our increased population. Now that it has been endorsed by the Regional Coordination Committee, the regional framework needs to be owned by all the stakeholders, and responsibility for implementation lies with all the region's residents as well as Government. The wider community needs to make a commitment to the outcomes of the framework to ensure that the objectives become reality—to ensure that there are tangible benefits for the people of that region.

MINISTERIAL STATEMENT

Shaping the Future

Hon. D. J. HAMILL (Ipswich—Minister for Education) (10.17 a.m.), by leave: The Goss Government has embarked on the biggest reform of Queensland's education system in this State's history. The three core objectives of our reforms will be: firstly, to better inform parents of how their children are progressing; secondly, to ensure that students who are not coping receive the support that they need to succeed in the future; and, thirdly, to deliver a comprehensive and relevant education to students that provides them with real opportunities. Moreover, the key objectives of Shaping the Future—uniformity in curriculum and assessment standards, increased accountability through quality assurance measures, and improvements in literacy and numeracy skills—are all being achieved.

Shaping the Future is a long-term commitment to the future of this State, and one in which we will not shirk the enormous responsibilities involved. As we strive for excellence, we believe that, in education, second-best can never be good enough. We have initiated the most extensive and best-resourced curriculum initiative through an investment of more than $300m and the creation of thousands of jobs over the next six years to implement those reforms. Shaping the Future will see Queensland take the leading edge in delivering a first-class education system to our children for generations to come. Implementation of major reforms has reached some important milestones, and I take this opportunity to report to honourable members on our progress to date. I can report to the House today that, by the end of 1995-96, the Government will have spent $52m on the Wiltshire package of reforms. With a back-to-basics philosophy, innovations in curriculum have delivered major job opportunities to our teacher graduates in Queensland to the extent that 5,000 new teaching jobs will have been created by the end of this three-year term of Government.

The detail of our reforms is worth stating. This year alone, the Department of Education has appointed and trained 600 key teachers, 110 education advisers in key learning areas such as literacy and numeracy, 77 key learning area regional coordinators, 90 education advisers in mathematics, 45 education advisers in English and 23 quality assurance officers for curriculum development. At the moment, we are advertising to fill 81 deputy principal positions by the end of November. Those deputy principals will assist in behaviour management services. In round figures, 1,000 additional curriculum support staff will be in place for the beginning of the 1996 school year—an equivalent of 500 full-time positions. We are delivering a quality learning experience that will allow students to achieve the maximum benefits from our schools.

Another key aspect of the reforms, assessment of students, ensures that parents, teachers, the Education Department and non-Government school authorities are aware of how curriculum reforms are progressing. I would like to underline that Year 2 and Year 6 reforms are intersystemic initiatives and I have strongly encouraged participation by non-Government schools. The Year 6 test was administered on 29 and 30 August to over 35,000 students in State schools and to over 5,000 students in non-State schools. The Year 2 diagnostic net is currently under way involving over 11,500 children in State schools and 3,000 children in participating non-State schools. I will report on the outcomes when the information becomes available later this year.

These diagnostic measures will give the people of Queensland an up-to-date assessment of how our children are progressing, provide a benchmark for future results and enable us to direct our resources to the children in our schools who need more

assistance to develop their skills in literacy and numeracy. I assure the House that this huge investment in our young people will see Queensland students reap the benefits of what the best education in this country can offer.

APPROPRIATION BILL

Public Bill

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (10.21 a.m.), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended to enable an Appropriation Bill to be introduced as a public Bill at this day's sitting."

Motion agreed to.

LOCAL GOVERNMENT AMENDMENT BILL

Remaining Stages; Abridgment of Time

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (10.21 a.m.), by leave, without notice: I move—

> "That so much of the Standing Orders and Sessional Orders be suspended to enable the Local Government Amendment Bill to pass through all its remaining stages at this day's sitting."

Hon. K. E. De LACY (Cairns—Treasurer) (10.22 a.m.): I second the motion.

Mr FITZGERALD (Lockyer) (10.22 a.m.): The Opposition recognises the importance of this Bill. The matter has to be expedited. The Opposition has received a briefing on it. It is unusual for us to concede that we need to suspend Standing Orders to put a Bill through all stages, but the Opposition is happy on this occasion to comply with the request from the Minister.

Motion agreed to.

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (10.23 a.m.): I am still trying to work out what they are up to.

Opposition members interjected.

Mr W. K. GOSS: It was a joke.

Mr Cooper interjected.

Mr SPEAKER: Order! I remind the member for Crows Nest that I am on my feet. I think we are doing really well. I call the Premier.

MOTION OF CONDOLENCE

Death of Hon. F. A. Campbell, MLA

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (10.23 a.m.), by leave, without notice: I move—

> "1. That this House desires to place on record its appreciation of the services rendered to this State by the late Honourable Frederick Alexander Campbell, a former member of the Parliament of Queensland and Minister of the Crown; and
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> 2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland in the loss they have sustained."

Fred Campbell was born on 17 January 1911 in Brisbane, the son of Matthew, an industrial chemist and poultry farmer, and his wife, Annie. Fred was educated in Brisbane. Upon completion of his education he was employed within the insurance industry, before becoming a partner in a family poultry farm at Albany Creek. He and his wife, Ellen, were married in 1936 and together they had two daughters, Margaret and Barbara, and a son, Bruce. Fred Campbell managed the family poultry business for some 25 years, acquiring a formidable knowledge of the poultry industry.

Fred Campbell was a firm believer in the importance of the poultry industry to our primary sector. He had significant input into the development and regulation of egg marketing within Queensland, which was a significant issue for poultry farmers in the context of fierce competition from southern States. He was the vice president of both the State's poultry industry organisations of the time, and represented the industry on the Egg Marketing Board.

It was this background, knowledge and experience that caused him to be labelled, somewhat affectionately, as "Chooky" Campbell by members of the then Labor Opposition, following his election as the Liberal member for the new seat of Aspley on 28 May 1960. He represented Aspley during the dramatic development of the area from a semi-rural setting on the outskirts of Brisbane to a metropolitan suburb in every sense of the word. By all accounts, he represented his constituents ably in this place and worked hard to ensure that facilities and essential services

were provided in his rapidly developing electorate.

Fred Campbell was an eminent member of the Queensland Liberals, with 15 years as a member of the State Executive, serving as State President from 1956 to 1960. It was as State President that he played a key role in facilitating the first coalition between the Liberals and the then Country Party, enabling them to form Government in 1957. It was as a part of this coalition that Mr Campbell made perhaps his most significant contributions to the development of this State, as Minister for Industrial Development from 1967 to 1974; Minister for Industrial Development, Labour Relations and Consumer Affairs from 1974 to 1977; Minister for Transport for four months in 1977; and Minister for Labour Relations from 1977 until 1980. During his time in these ministries he oversaw the introduction of the Industry and Commerce Training Commission, the forerunner to the current Vocational Education, Training and Employment Commission. He also played an important part as Minister for Industrial Development in supervising the development of industrial areas within regional Queensland. It is widely acknowledged, however, that his most significant contributions to this State were made within the area of industrial relations, where he was held in high esteem by both employers and trade unionists alike.

He continued to serve as a Minister until his resignation in 1980. The circumstances surrounding his resignation over issues of principle reflect credit both on his integrity as an individual and his devotion to the Liberal Party.

In conclusion, Fred is survived by his wife and children and their families. On behalf of the Parliament, I extend to them my sympathy and that of this House.

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (10.27 a.m.): On behalf of the Opposition, I second the Premier's condolence motion for the late Frederick Alexander Campbell. Born in Brisbane on 17 January 1911, Fred Campbell's infancy to early adulthood was spent witnessing the cause and effect of worldwide political disruption, tumult and war on Australian society. He was educated at Brisbane primary and high schools before becoming an insurance officer with Fire and General Insurance and a participant in his family's poultry business, from which he extended his interests and involvement as a local and international industry representative.

His early association with the Queensland People's Party, a moderate political organisation which predated the Liberal Party of today, was characterised by an unwavering commitment to furthering the conservative cause in the rapidly developing satellite suburb and new electoral seat of Aspley. His 10-year affiliation with the then Country Party from 1940 marked his first formal political involvement, but he was to make his mark ultimately as a respected and longstanding administrator of the Queensland Liberal Party and then, of course, as Liberal member for Aspley in this place from 1960 to 1980.

Fred was an astute and powerful force in the Liberal Party. His personal, political and religious convictions made for pertinent challenges and debate with those in his own ranks on our side of politics, as well as the Opposition. His trademark ministerial accomplishments in the Bjelke-Petersen led coalition Government came most notably in the portfolio of industrial relations. His belief in a system of consultation over confrontation in the work force predicated the modern-day edict of enterprise bargaining.

Fred's introduction to Queensland Parliament as member for Aspley in 1960 came at a time when the "lucky country" label was definitively Australian. The sociopolitical landscape of the nation was stable, productive and prosperous, and he wanted to help keep it that way through his responsibilities across a wide area of public administration, but particularly industrial development, labour relations and consumer affairs. He was equally well-respected by those from Trades Hall to top management levels for his absolute and total integrity, and this augured well for a robust Queensland workplace. His diligence as a parliamentary representative and his tireless work as a Minister and as a Deputy Leader of the Liberal Party secured Fred a seat in the House for two decades before his retirement in November 1980.

On behalf of the coalition, I extend my condolences to Mrs Campbell and to the family.

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (10.30 a.m.): I also rise to offer my condolences to the family and friends of a great figure in the history of the Queensland Liberal Party, Fred Campbell.

In 1960, Fred Campbell was elected as the Liberal member for Aspley after a distinguished period as State Party President for four years from 1956 to 1960. Those were turbulent years in Queensland politics, with the disintegration of the Labor Party and the

vicious State election campaign of 1957, after which the Labor Party was thrown out of office for 32 years.

In 1957, Fred Campbell steered the Liberal Party through to power in the first Country/Liberal coalition Government. He was then preselected for the State seat of Aspley, which he won in 1960 and held until his retirement in 1980. Fred Campbell was an active and influential member of the Liberal Party during the period when the Liberals were an integral part of Government in this State.

His business background in the insurance industry and in running the family poultry business for 25 years made Fred Campbell a natural for the Cabinet, which he entered in 1967 and remained in until his retirement. In 1967, Fred Campbell became the Minister for Industrial Development before moving on to become the Minister for Development and Industrial Affairs. In 1974, he took over the responsibility for the Department of Industrial Development, Labour Relations and Consumer Affairs. He was also Transport Minister for several months in 1977 before becoming Minister for Labour Relations in December 1977 until his retirement in 1980. Fred Campbell was also Deputy Leader of the Liberal Party from 1976 to 1980.

During his career as a Minister, Fred Campbell gained respect from both the unions and the business sector for his even-handed and fair treatment of issues and his willingness to listen to all sides of an argument. In days of often open confrontation between unions and the then coalition Government, Fred Campbell was always a voice of reason. Upon his retirement, Fred Campbell noted his greatest ministerial achievement as the creation of the Industry and Commerce Training Act, which replaced the former Apprenticeship Act. When it was introduced, it was considered the leading legislation in the areas of training and employment conditions in Australia.

Fred Campbell was often called the quiet man of Queensland politics, or "Chooky" by the Labor Opposition. He was a man who achieved much during his life without making a song and dance about it. He got things done and then moved on—surely a model for all of us in public office.

However, politics was only part of his life. Throughout his life, Fred Campbell was also the Vice President of the Poultry Breeders' Association, a member of the World Poultry Science Association, a representative on the Queensland Egg Marketing Board, a member of Rotary and an active member of the Aspley Progress Association. In fact, Fred Campbell had achieved much for his electorate of Aspley before he was even elected to Parliament through various local community organisations in which he was active. However, politics was his love, and he even described himself of having a romance with politics which lasted for many years. Upon his retirement, Fred Campbell also spoke of his concerns for the then tough anti-street march and essential service laws, which he believed would cause upheaval in the community.

Fred Campbell has left a legacy of community and Government service that should never be forgotten. On behalf of the Liberal Party, I offer my condolences and best wishes to Mrs Campbell and family, and their friends.

Hon. M. J. FOLEY (Yeronga—Minister for Justice and Attorney-General, Minister for Industrial Relations and Minister for the Arts) (10.34 a.m.): I rise to pay tribute to the late Honourable Fred Campbell and to add my remarks to those of other speakers. In particular, I pay tribute to his contribution in the area of industrial relations. No State can have a flourishing economy without a sound industrial relations base. The late Honourable Fred Campbell realised this and, in so doing, built bridges of understanding and cooperation between employers and trade unionists.

Fred Campbell's other contribution, which has been acknowledged by previous speakers and also in respect of which I wish to pay tribute, was to the area of training, which is itself so important in ensuring a sound employment base. The late Fred Campbell appreciated the need to move beyond the structured training arrangements in apprenticeships into more wide-ranging structured training arrangements. In so doing, he made an important contribution through the establishment of the Industry and Commerce Training Commission.

Previous speakers have outlined to this House Fred Campbell's career, so I shall not repeat that. However, I pay tribute to his courage in speaking out with respect to the essential services legislation and contributing his views as a member of Parliament on a most important topic. He was one of the people who helped build bridges between those who would otherwise be divided in our society.

Mr BEANLAND (Indooroopilly—Deputy Leader of the Liberal Party) (10.36 a.m.): The late Fred Campbell gave long and distinguished service to this Parliament and to the people of Queensland. He also served in the highest offices of the Liberal Party for

more than a quarter of a century, and did so with singular commitment and loyalty.

Fred's death at the age of 84 severs another link with one of the most momentous periods in the political history of Queensland. He was State President of the Liberal Party from 1956 to 1960—a period which included the great Labor split of 1957 and the election of the first Country/Liberal coalition Government in August of that year. As State President, Fred played a key role in the formulation of the coalition agreement for the first Nicklin/Morris Government—an agreement which led to a long period of good, stable Government for Queensland.

In 1960, Fred was elected as the member for the newly created seat of Aspley. That move was seen in some circles as unusual, as a number of previous State presidents and senior office holders of the Liberal Party had chosen a career in Federal Parliament rather than in this House. Given Fred's background in agriculture, especially egg production, and his interests in the basics of Government, it came as no great surprise to those who knew him well. Even after his election to this place, Fred continued to serve the Liberal Party as State Treasurer from 1960 to 1967, when he resigned on his appointment to the Nicklin/Chalk Government as Minister for Industrial Development.

In August 1976, when Sir William Knox was elected as the Leader of the Liberal Party, Fred Campbell was elected Deputy Leader of the parliamentary party—a position he held under Sir William and Sir Llew Edwards until he retired from Parliament in 1980. Even in retirement, Fred continued to give active support to the Liberal Party, as I am sure the member for Aspley will confirm.

Even though Fred held the highest offices in both the organisation and the Parliament and Government, I am sure that he always preferred the politics of cooperation and consultation to confrontation. That is one reason why he was so well liked here and in the community. As Minister for Industrial Affairs and Labour Relations for some eight years, he established an excellent rapport with the leaders of the union movement—something of which he was very proud. In those days, the union movement was ruled by tough men such as Sir Jack Egerton and Fred Whitby, but Fred got on well with them all, often over a drink or two, and this rapport with the unions and the employers served the State well.

Fred Campbell was also very popular on both sides of the House, as no doubt the Deputy Premier and one or two others will readily confirm. He took part in the parliamentary interstate bowls carnivals and saw those events as an opportunity to bring members from all parties together in a friendly, totally non-political environment.

In my early days in the Liberal Party, I can recall attending branch meetings, dances and other fundraising functions at Campbell's Barn at Albany Creek. The barn used to be part of the Campbell family poultry farm. Today, the whole area is part of the first-class residential suburb of Albany Creek. Fred's nephew, Peter Campbell, served as Young Liberal State President and as a councillor of the Pine Rivers Shire Council for some years.

Throughout his career, Fred enjoyed the wonderful support and assistance of his wife, Mac, whom he married 59 years ago. They had a great life together. They were the life of any party, and they were both proud of their membership of the Liberal Party. Tragically, in recent years Fred was in very poor health. During this difficult period, Mac gave him wonderful support and care. Our thoughts are with Mac and her son and daughters and grandchildren and Fred's many friends and admirers.

Fred was a very good Liberal, a first-class representative of his electorate and a very committed, genuine Minister in important portfolios for 13 years. Above all else, he was a very decent man, popular with all who knew him, regardless of politics. I regret his passing and I join in expressing sympathy to his widow, Mac, and to his family and friends.

Hon. P. D. BEATTIE (Brisbane Central—Minister for Health) (10.40 a.m.): I wish to speak briefly in support of this condolence motion. I knew Fred Campbell well. As has been indicated, Fred was the Minister for Industrial Development and Labour Relations between 23 December 1974 and 18 December 1980. For part of that time, I was the State Secretary of the Queensland Railway Station Officers Union and a delegate to the Trades and Labor Council. Fred Campbell was well regarded by the trade union movement. He was seen as a moderating influence in the Bjelke-Petersen years. He was also seen as supporting reasonable consensus positions in industrial relations and opposing legislation such as the Essential Services Act, which was of major concern to the trade union movement at that time. As the Honourable Minister for Primary Industries just said, Fred was seen as a reformer in industrial relations.

Fred Campbell was a very decent man. He was regarded as a person of dignity. He had tolerance and understanding. As I said, he was widely respected by the trade union movement. It was clearly the view of the trade union movement that he had been the best Industrial Relations Minister from the conservative side since the Labor Party had lost office. I pass on my best wishes and sympathies to the Campbell family.

Mr J. N. GOSS (Aspley) (10.41 a.m.): I rise to pay tribute to the late Fred Campbell and endorse the remarks of the previous speakers. As other speakers have said, Fred was the member for Aspley for 20 years and spent 13 of those as a Minister in this House. He was a statesman amongst politicians. He was dedicated to his family and committed to his electorate. He served in the days when there were no electorate offices, secretaries, faxes or mobile phones. In those days, a member's wife had to contribute greatly to running an office from home.

As a Minister, Fred would get up early in the morning. Being a farmer, I suppose he was used to getting up early. Before going to his ministerial office, he would call in on the electors in the area who had problems. It was not unusual for people to tell me, "Fred Campbell came so early this morning that he caught me in my pyjamas." As the member for Indooroopilly said, the Campbell home was the centre of activity for the Liberal Party on the north side of Brisbane. The "barn", as it was called, which was part of Fred's poultry business, was always a favourite meeting place and venue for functions.

Fred had time for everybody, and he contributed so much to encouraging and assisting hundreds of industries to come to this State and set up business here. His contribution is probably reflected in the number of people from all walks of life who attended his funeral yesterday. People from both sides of politics attended, as did people from industry, including those who have since retired. Also in attendance were the people in the community who still remembered that Fred had assisted them.

According to an article in my possession, in the mid-1960s Fred worked hard to improve road safety outside the Aspley State School. To this day there is still a problem with road safety outside the Aspley State School. Some problems just never go away. During the flood of 1974, Fred picked me up and we went out to Sherwood and Chelmer. He had asked me to bring along a long-handled shovel. All day, Fred shovelled mud and cleaned houses. That was the sort of Minister he was. We had our rubber boots on, and I must admit that the ministerial car did not look too good after we climbed back into it with our boots on.

I wish to relate another brief story. The Australian and Italian Bowling Club at Carseldine could not obtain a liquor licence because its members played bocce and not lawn bowls. Therefore, it could not be associated with the Royal Queensland Bowls Association and was not entitled to a liquor licence. After having no success, on a free night Fred took the then Justice Minister Delamothe out to the club. Delamothe bought some drinks from the bar. On the way home, Fred asked Delamothe, "Do you realise that you have just done something wrong there? It is an illegal bar." That was the way Fred got some legislation changed—and had it changed quickly.

Fred had the respect of his electorate, and that was reflected in the number of times that he was re-elected. He went from strength to strength. He was always dedicated to the task at hand, and he always had the love and loyal support of his wife Mac and the family. After his retirement, he was still involved with the Liberal Party. I acknowledge the support that he always gave to me. Fred made a great contribution to this State, and he will be greatly missed.

Mr D'ARCY (Woodridge) (10.45 a.m.): I would like to associate myself with the condolence motion for the late Fred Campbell. Fred was a gentleman. He was a quiet achiever in this House. Fred achieved a tremendous amount for Queensland, yet he was one of the people who was never angry in this place. At times, it would have been easy to get angry with some people.

I wish to relate a joke that Fred and I shared. When I was young and a bit more fiery, the Housing Commissioner at the time was George Campbell. My relationships with George were never very good, given the type of electorate that I represent. One day, I asked a girl to get Mr Campbell on the phone. I do not think I drew breath for about five minutes until I heard Fred on the other end of the phone saying, "Bill, it's Fred, not George." He said, "He is not even related." Around the Chamber he used to say to me, "It's Fred, Bill, Fred." He was one of those people with whom one could get on particularly well. Fred did achieve a lot.

I was very friendly with the late Fred Whitby, Jack Egerton and people from the union movement. Fred was a consultative person, not an abrasive one. He achieved a

tremendous amount in industrial relations through consultation and his approach to that work. Fred will be sadly missed by his family. I was sad to see his health deteriorate in recent years. I always saw Fred when he visited this Parliament. I wish to be associated with the motion of condolence to his wife and family.

Mr SANTORO (Clayfield) (10.47 a.m.): I wish to be associated very closely with this motion of condolence. I remember meeting Fred Campbell for the first time prior to joining the Young Liberal movement of Queensland. At that stage, Fred Campbell was one of the people who influenced me to make the decision to become a member of the Liberal Party. Shortly after I became Young Liberal State President in 1985, quite turbulent events occurred within the Liberal Party. At that stage, I sought advice as to who would be able to pour oil over very troubled waters. The advice that came overwhelmingly from the party elders was, "Go and talk to Fred Campbell."

I remember sitting down with Fred Campbell, the other leaders of the Young Liberals and other influential people from the Liberal Party. In his usual customary style, which has been referred to in this condolence motion, Fred provided some very good and useful advice which led to the resolution of much conflict. Fred was always an essentially quintessential Liberal. People who have perused the record of his achievement would have read that he was a member of the Country Party for 10 years prior to joining the Liberal Party. However, as soon as the Liberal Party formed a branch at Aspley, Fred was the first to join. His words—"I was their first member"—were often spoken in discussions with me; that was something of which he was immensely proud.

I will not read the list of Liberal Party offices that Fred Campbell held, because they have been canvassed extensively by other speakers. However, if the records of the Liberal Party are checked closely, particularly by the newer members in this place, they will reveal that very few other office-bearers within the Liberal Party have held the range of distinguished, high-level offices that Fred held within the Liberal Party.

The major aspect that I wish to raise relates to Fred's contributions to industrial relations. Only three or four weeks ago, I attended a major employer industry organisation function. At that function, one of the very senior players within the industrial relations system of Queensland came up to me and made a very definite attempt to find out the state of health of Fred Campbell. When I told him that Fred was not in good health, he expressed great sadness and went on to reiterate the respect and high esteem in which he, as somebody on the other side of the political fence, held Fred Campbell because of his past dealings and very conciliatory style in terms of industrial relations.

As other members have said, during his long and distinguished ministerial career Fred achieved much for many of the industrial relations institutions and players. Many of those institutions owe their existence to him. It is interesting to note that on his retirement Fred claimed that the Industry and Commerce Training Act, which revamped the former Apprenticeship Act, was his most notable achievement. When talking to some of his former colleagues recently, I was told of Fred's love for young people and particularly of his desire to provide them with an opportunity to take their place in the work force in a highly educated and trained manner. Fred was always extremely concerned to create real job opportunities for young people, particularly within the private sector.

After his retirement from politics, my major contact with the Honourable Fred Campbell was through our joint association with the English Speaking Union, which is a tremendous institution brought into existence by Fred's joint efforts with the late Sir Gordon Chalk. After he retired from politics, Fred did an enormous amount to keep that institution going and to sustain it in a very tangible manner.

I join other members in expressing my condolences to Fred's wife, Mac, and to the rest of his family.

Motion agreed to, honourable members standing in silence.

PRIVILEGE

Alleged Misleading of House by Minister for Transport

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (10.52 a.m.): I rise on a matter of privilege. I refer to comments made by the Minister for Transport to this Parliament yesterday concerning the caucus decision on the south coast tollway, in which he claimed that the decision was unanimous. I refer also to the public comments by the member for Woodridge, Mr D'Arcy, which appear in this morning's *Courier-Mail*, namely—

> " 'Jim Elder can say what he likes, but that claim is rubbish' . . .

Earlier, after Mr Elder had told Parliament the decision was unanimous, Mr D'Arcy walked over to him and they had a heated exchange. "

In the absence of a Privileges Committee, I move—

"That the Minister for Transport apologise to the House for misrepresenting the position of the member for Woodridge and for misleading the Parliament."

Mr MACKENROTH: I rise to a point of order. The Leader of the Opposition cannot move a motion without seeking the leave of the House.

Mr BORBIDGE: I rise to a point of order. The House can determine a matter of privilege by a motion of the House.

Mr SPEAKER: That is the situation under the Standing Orders. Normally, matters of privilege are referred to the Speaker and the Speaker considers whether they ought to be referred to the Privileges Committee, which I am sure will be formed tomorrow. It is a provision of the Standing Orders—but it is not the preferred way to go—that a member may move a matter of privilege suddenly arising. What is the member's motion?

Mr BORBIDGE: I move—

"That the Minister for Transport apologise to the House for misrepresenting the position of the honourable member for Woodridge and for misleading the Parliament."

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

AYES, 44—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

NOES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

The numbers being equal, Mr Speaker cast his vote with the Noes.

Resolved in the **negative**.

PRIVILEGE

Alleged Misleading of House by Member for Nerang

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning, Minister for Rural Communities and Minister for Provision of Infrastructure for Aboriginal and Torres Strait Islander Communities) (11.01 a.m.): I rise on a matter of privilege. Yesterday in the House, the member for Nerang said—

"Over recent months, property values have declined by 30 per cent and more."

I then challenged the member on that, and he responded—

"I said some have."

The member for Nerang misled the House yesterday; however, I will not take the matter any further.

QUESTIONS WITHOUT NOTICE

Eastern Tollway

Mr BORBIDGE (11.05 a.m.): I refer the Minister for Transport to an altercation that occurred yesterday afternoon on the floor of this House—and it was quite audible—between himself and the member for Woodridge following the Minister's claim that the caucus decision not to proceed with the eastern tollway was unanimous. I refer also to public comments by the member for Woodridge that "that claim is rubbish". I ask the Minister—when the enforcer beside him has finished briefing him—whether he has deliberately misled the Parliament, or has the member for Woodridge misrepresented the caucus decision?

Mr ELDER: Fancy this question coming from the Leader of the Opposition—of all people! Unlike the debates entered into by members opposite, the Labor Party conducts robust, energetic debates. The Labor Party is a broad party with myriad views. Within our debates in caucus meetings, our conferences and our councils, we exchange views far more than would members opposite, and we express those views far more robustly than those opposite ever would.

Yes, the debate on the motorway was energetic. A number of views, which at times were differing views, were put forward by members of caucus. At times, members' views did differ, and some amendments were discussed. However, those amendments were defeated, and the views of those members were recorded. It is my understanding—and

that of a number of other people—that the final decision was without dissent and, in my view, unanimous. However, subsequent to that, the member for Logan did raise the issue with me.

Mr Braddy: Woodridge.

Mr ELDER: I apologise to the Premier; the member for Woodridge did raise the issue with me and said that he dissented. I have spoken to the caucus secretary about the recording of that, and I accept that from him.

Eastern Tollway

Mr BORBIDGE: I refer the Premier to the Minister for Transport's assurance to this Parliament—yesterday at least—that the caucus decision not to proceed with the eastern tollway was unanimous. I refer also to claims by the member for Woodridge that "that claim is rubbish". I ask: was the caucus vote unanimous, or was it closer to the 26 to 16 reported in the media this morning? Who is telling the truth, and when did they tell the truth—the Minister for Transport, yesterday and today, or one of either, or the member for Woodridge?

Mr W. K. GOSS: I thank the Leader of the Opposition for his seven questions; I cannot remember them all. In relation to the 26 to 16 figure, or whatever it was——

Mr Borbidge: You can't remember.

Mr W. K. GOSS: It does not matter whether or not I can remember. If that is the best second question that the member can come up with, the Government will not have much trouble during this term.

Mr FitzGerald interjected.

Mr W. K. GOSS: I assure the member for Lockyer that it will not be long for the Government, because time flies when you are having fun, but it will be a very long time for those opposite. I assure the member that it will be as long as 1992 to 1995 and as long as 1989 to 1992.

I wish to make two points. As I recall it, the vote to which the Leader of the Opposition refers was in relation to one particular aspect of the resolution put yesterday by the Minister for Transport to the media, and that was in relation to the community consultative committee. As to the balance of the member's question—I endorse the remarks made by the Minister for Transport in his previous answer.

Firefighters March, Fax

Mr LIVINGSTONE: I refer the Minister for Emergency Services to a comment made yesterday by the member for Western Downs, who accused the member for Rockhampton of sending a fraudulent fax cancelling the United Firefighters Union march, and I ask: what is the Minister's response to the insinuation by the member for Western Downs that the faxed letter was sent under the instructions of the Minister?

Mr DAVIES: My attention has been drawn to what I regard as the honourable member's ridiculous insinuation last night and his claim that I owe this House an explanation. Normally, I would not bother with the honourable member's demands. However, when he makes allegations which both cut across the truth and directly affect the beliefs of workers within my portfolio, then such nonsense cannot be left unanswered. In response to the question asked of me by the member for Western Downs in the Adjournment debate last night, that is, "Was the faxed letter sent under the instruction of the Minister?"—the answer is simply: no. If the member for Western Downs has questions to ask of me, this House accommodates such a desire by having what is called a question time.

What is sad about these allegations is the method by which the honourable member chose to make them. The honourable member did not elect to take the option which would have answered his queries; rather, he chose to mislead this House in the Adjournment debate and to grandstand. I repeat that he misled this House, the public of Queensland and the workers in my portfolio. If the member actually did have the courage of his convictions, his devious curiosity could have been resolved yesterday morning in question time.

This morning, I had the opportunity to have a look at part of the documents tabled by Mr Littleproud. One of the documents is on United Firefighters Union of Australia letterhead, with the heading "March Cancelled" and so on. The fourth paragraph of that document states—

> "Our actions went within 16 votes of bringing down the discredited, so-called Goss workers' Government and we can get rid of Skerritt and Keliher too. The fattest cat of them all is currently sharpening his claws on the new Minister's ultra-thin hide, talking his PSMC mumbo-jumbo to a Minister clinging to office by a few votes."

If the honourable member for Western Downs really does think that I would be part of distributing something like that, which is

operating against me, I have to say, "Wake up, Brian. It's spring. Get out. Sniff the breeze and see what it is that you have obviously been sniffing to make such ridiculous claims."

South Coast Motorway

Mrs SHELDON: In directing a question to the Minister for Transport, I refer to his answers to questions in this House yesterday that he did not know how much compensation was owed by the Government to companies already contracted to work on the south coast motorway, and I ask: will he now confirm that both the Cabinet and the caucus made their so-called informed decisions to scrap the motorway despite having no idea of the cost to the Queensland taxpayer of the compensation?

Mr ELDER: At least the Deputy Leader of the Opposition has a different question for the third question. I was thinking for a second that we would be straight down the caucus line. At least the honourable member changed tack, indicating that she is a little bit smarter than her leader. It appears to me that the honourable member opposite does not support the decision. That has been her position from day one. As I said yesterday, the honourable member has had more identities on this issue than Helen Demidenko. Firstly, it is, "Build it"—and she was actually out there building it—secondly, it is, "No, we will not build it"; and, thirdly, it is, "We will come up with an eight-lane super freeway that will reduce the number of exits from 120 down to 12." The honourable members representing Gold Coast electorates would be okay driving up to Brisbane but the rest of the people in south-east Queensland, such as in the electorates of Springwood, Redlands and Mansfield, would not be using the road. The honourable member has been dishonest on this issue right from day one. She has been duplicitous on this issue right from day one.

Yesterday, in response to questions from the Opposition Transport spokesperson, I said that I would get back to him in relation to a number of contracts. In fact, in terms of the northern and southern sections of the motorway, there are no major construction contracts. The contract that has been let is to Rust/PPK, on which to date $750,000 has been spent. It is a baseline planning contract—a project management planning contract that looks at the preparation of resumption plans, some geotechnical work and some baseline environmental work. It is the only contract current. In terms of other contracts, they are basically property acquisitions.

Victorian Minister for Education

Mr T. B. SULLIVAN: I ask the Minister for Education: is he aware of the pending resignation of the Victorian Education Minister? Could he compare this Government's record on education with that of the Kennett Government?

Mr HAMILL: I am aware——

Opposition members interjected.

Mr HAMILL: I was going to say some nice things about him, so give me a go. I am aware that Mr Don Hayward, the Education Minister in Victoria, intends to resign at the end of this parliamentary term.

Mr Foley: He just got in with the wrong crowd.

Mr HAMILL: I take the interjection from the Attorney-General, who sat with Mr Hayward at ministerial council meetings. Mr Hayward is a nice man who probably got in with the wrong crowd—but he is getting out. I am sure all members would wish Mr Hayward a long and happy retirement. Certainly, I think the education unions and the education community of Victoria would join me in that wish.

Opposition members: You've got the wrong one.

Mr HAMILL: The Kennett Government in Victoria certainly has a very chequered history when it comes to education. Mr Don Hayward, the Education Minister in Victoria, has the custodianship of schools in that State. Even though honourable members opposite do not seem to know who their interstate colleagues are, I am going to talk a little about the track record of the Kennett Government with respect to education. Mr Kennett's Government has been in power only since 1992, but in that time it has managed to close down 300 schools.

Mr Rowell interjected.

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

Mr HAMILL: Not only has the Victorian Government closed down 300 schools but also it has put 8,200 teachers out of a job. That is in stark contrast to what we have done in our time in Government. Indeed, compared with when we first were in power, some 3,000 additional teachers are now employed on the Queensland payroll.

Mr FITZGERALD: I rise to a point of order. This is a matter of clarity for the benefit of the Minister. The Minister for Higher Education is the one who is retiring, not the Minister for Education.

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

Mr HAMILL: If that is the quality of the information from honourable members opposite, it is little wonder that they are in Opposition. As I said, some 3,000 additional teachers are on the payroll in Queensland, and no doubt those 8,000 teachers who have been displaced in Victoria look enviously at the employment prospects for teachers in this State.

It seems that school closures are really the hallmark of conservative Governments in this State. Certainly, the closure by Mr Kennett of 300 schools is in the great tradition of coalition Governments here in Queensland. I was actually having a look at the track record of this lot when they were in power, and it is interesting to note that when the Liberal and National Party Governments held office in this State, from 1957 to 1989, no fewer than 787 schools were closed in Queensland. That is not a bad record. That is about two dozen a year. The member for Western Downs was the last champion of the school closing tradition of the conservatives. In 1988, Mr Littleproud managed 18 closures. It is useful to know that in its last term—in those glory days of National Party Government—no fewer than 23 special schools were closed. We have been increasing our Education budgets successively, year after year, since we came to office. In fact, we have raised Education spending in this State from $1.8 billion to $2.6 billion. In a shorter period than we have been in office, the Victorians have managed to slash Education budgets by $350m.

The other point I make is in relation to class sizes. From time to time in this place we hear the Opposition bleat about oversized classes in Queensland schools. I am pleased to report yet again that fewer than 5 per cent of students in Queensland are in oversized classes. If there is an oversized class, it is usually by about one or two students. In Victoria, 54 per cent of students are in classes of between 26 and 30 students. Seven and-a-half per cent of students in Victoria are in classes of between 31 and 35 students.

If the Opposition were the Government in this State, it would be going down the Kennett road again. Last week, we heard that the 1 per cent cut in the Education budget in this State that would have occurred had the Opposition won Government would have slashed $26m from the Education budget. As I table the Opposition's record of school closures, I point out that, had Government changed in this State this year, there would be a few more schools to add to the hit list of the Liberal and National Parties.

Penalties and Sentences Act

Mr BEANLAND: I refer the Minister for Justice and Attorney-General to the fact that in November last year the Premier promised that the Penalties and Sentences Act would be amended so that gaol would no longer be the last resort for serious violent offenders. I ask: how many more Queenslanders are to fall victim to serious violent offences before this Government amends the legislation?

Mr FOLEY: Yet again the Opposition seeks to make something out of the Penalties and Sentences Act which, as has been made plain by the Court of Appeal, effectively restates the common law. As the Premier indicated previously, that amendment will be forthcoming and it will be brought before the House.

What is disappointing in this debate is the attitude shown by the honourable member and by the other members opposite who seek to portray the Penalties and Sentences Act as in some manner, shape or form indicating some softening of the approach to the criminal law, whereas in fact one saw in the Criminal Code that was passed by this Parliament an increase in the available penalties that the courts can impose for serious offences. That allows the court to make the punishment fit the crime and that, of course, is the law as it should be.

Metropolitan Greyhound Racing Club Inc. (Lawnton)

Mr HOLLIS: I ask the Minister for Primary Industries and Racing: can he advise the House of the true position surrounding the closure of the Lawnton greyhounds?

Mr GIBBS: I am delighted to be able to advise the House of the true position and the facts surrounding the closure of Lawnton, particularly after the hypocritical performance this morning by the member for Crows Nest, who tried to draw a red herring across the trail. That is typical of him. Before I cite the facts regarding Lawnton, I will acquaint the House with that member's hypocrisy. I will quote from a letter that he sent recently to all club control bodies in Queensland. That letter states—

> "I have already begun to assemble a team of industry-experienced advisers and to inform myself of all aspects of the industry. I don't pretend for a moment to be an 'instant expert' despite my life-long interest. Mr Graham Healy MLA, Member for Toowoomba North, will be my Policy Committee Chairman."

And this is the important part—

> "Fundamentally, I believe the role of Government in the racing industry is to encourage, nurture, and protect and let the industry get on with the business of doing what it does so well. My basic policy thrust will be to ensure the creation of a positive environment for the industry and that means as little Government and bureaucratic control as possible."

The closure was an industry-based decision. Allow me to make that point very clear. It was an industry-based decision made by the Greyhound Racing Authority after full consultation with the industry. I will quote from a report of an independent review of the club—

> "On 20 July 1994 the Greyhound Racing Authority appointed an administrator to the Metropolitan Greyhound Racing Club.
>
> The club had operated at a loss for the last 3 years . . ."

In late 1994, after already commissioning one independent audit, the Greyhound Racing Authority commissioned a second independent audit. The report continues—

> "In late 1994 the GRA commissioned a second independent audit report on the financial viability of the MGRC. The report's conclusions were as follows:
>
> > Our overall conclusion as to the long-term viability of the club has not changed. The club has operated at a loss for the last three years and although a surplus is forecast for the year ended 30 June 1995 we anticipate the club will revert back to a loss situation in 1996 due to the cancellation of the Lawnton $100,000 series.
> >
> > If these losses continue, as appears likely, the club will not be able to sustain its operations. Most avenues of cost reductions have been explored and it is likely that unless there is a significant change to the income being generated, the club will find itself insolvent in the next two to three years."

Insolvent it is indeed—it was, it is and it would have continued to be. For the honourable member's information, I point out that the reality is and the facts are that although the financial statements revealed an operating profit of $99,159 for the 1994-95 year, the way in which that was achieved is an important point. We are talking about people in the greyhound industry who are battling.

Mr Cooper: You bet they are.

Mr GIBBS: They are people in whom the honourable member does not take much of an interest, nor did he when he was in Government.

Mr Cooper: You don't give a damn about them, either.

Mr GIBBS: Do honourable members recall when the honourable member was known as Gary Cooper, the gunfighter? In 1989, he was shot down on the street; he was outdrawn. The honourable member was shot and he has been firing blanks ever since. That is the reality.

The financial statements revealed an operating profit, but that was achieved by raising revenue from owners and/or trainers through nomination fees which amounted to $148,100. In other words, the profit was made by charging excessive fees to owners and trainers to race dogs at that particular venue.

Mr SPEAKER: Order! I ask the Minister to conclude. He is debating the question.

Mr GIBBS: I am concluding. However, for the sake of the industry, it is important that I make these points.

Mr Cooper: They are lies. That is all you tell us.

Mr GIBBS: I ask for an unequivocal withdrawal of that remark.

Mr SPEAKER: Order! I ask the member for Crows Nest to withdraw that remark.

Mr Cooper: I withdraw.

Mr GIBBS: The member will not get away with it. He is a lightweight; he is a flyweight.

Mr Cooper: I'll take you on any day.

Mr SPEAKER: Order! I have been indulgent. I suggest that the Minister makes his comments through the Chair and concludes his answer to the question.

Mr GIBBS: Certainly, Mr Speaker. When the Greyhound Racing Authority asked my permission for that closure, I gave that authority on the proviso that the money—the TAB distribution—stayed within the greyhound industry.

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest! My patience is wearing very thin with the honourable member's interjections.

Mr GIBBS: This closure is important for a number of reasons. They include: the retention of the race dates; Sky Channel coverage of Queensland greyhound racing will finally be extended to cover those meetings on a Wednesday night, which have now been transferred to the Ipswich Club, at no cost to that club; racing will occur two nights a week at Ipswich, Wednesday and Saturday, with the additional prize money; licensees will not be required to contribute any nomination, starting or acceptance fees so that free racing can occur on Wednesday nights at Ipswich; the distribution formerly paid to the Metropolitan Greyhound Racing Club will be paid to the Ipswich Greyhound Racing Club; industry overheads will be reduced with the use of the one complex more often; and all owners and trainers will be catered for with races being conducted over 431 metres, 512 metres, 630 metres and 732 metres, which cannot be done at the other track. Quite frankly, more flies than patrons were attracted to that particular venue. That will not happen at Ipswich.

Townsville General Hospital

Mr HORAN: I refer the Minister for Health to the quiet week—or minimal activity week—that will take place at Townsville General Hospital from 16 September as part of four quiet weeks at that hospital which have been announced for this financial year, and I ask: how many patients will be added to the massive elective surgery waiting lists at Townsville by the reduction in surgery during the quiet week, and does the Minister accept that the financial stress that necessitates those quiet weeks is a direct result of the failed regional health system——

Mr De Lacy interjected.

Mr SPEAKER: Order! I have warned honourable members, and I now warn the Treasurer, that I will not allow members to interject while questions are being asked.

Mr HORAN: I repeat: how many patients will be added to the massive elective surgery waiting lists at Townsville by the reduction in surgery during the quiet week, and does the Minister accept that the financial stress that necessitates those quiet weeks is a direct result of the failed regional health system absorbing millions of Health dollars?

Mr BEATTIE: I have been waiting for this question all week! Let me start by being very clear about the position in Townsville. Yesterday, I announced a package which will bring about long-term financial planning in that region. In common with many people in the health system, the people of Townsville are sick of the Opposition spokesman going around denigrating Queensland Health. We have the best health system in the world. If the Opposition member talks to doctors, nurses or indeed anyone who works in the health system, he will learn that we have the best health system in the world. The honourable member was going to introduce an efficiency dividend by stealth, and he did not even have the honesty——

Mr Horan: Ask the staff.

Mr SPEAKER: Order! The Minister will address his comments through the Chair. The member for Toowoomba South has asked his question; he will now give the Minister a chance to answer it.

Mr BEATTIE: The Opposition was going to introduce a tax by stealth, which would have taken $27m and 148 nursing jobs out of the health system. Did the member tell the nurses that they were going to lose their jobs? He did not. He was going to tax the health system; the Opposition was going to take out $27m.

The position is very simple. The Opposition spokesman has sought to denigrate the health system for cheap political gains; that is all he has sought to do. Every doctor and nurse in this State is sick of it. I look forward to his one day saying something positive about the health system. Let him say something positive about it; we have never heard anything like that.

Mr Horan: $51m extra.

Mr BEATTIE: The member has come out of the 1950s. He probably sits at home with a black and white television; or he sits at home waiting for his radio to warm up.

Dealing specifically with the situation in Townsville—yesterday, I went to Townsville. I was concerned about the financial arrangements in that region. I had previously set up an investigative committee to report to me on the operations of that region. We have some fine people in Townsville and that region, and they are working very hard. I appointed for two months an acting regional director to sort out the region's long-term financial planning. That was designed to guarantee the future of the oncology and cardiac units; to guarantee that the people of

north Queensland will get the best tertiary health services that the system can provide and to which they are entitled. I will continue to do that and will not tolerate any financial inefficiency in any part of the health system anywhere in this State.

House and Land Packages, Aldershot

Mr DOLLIN: I refer the Minister for Emergency Services and Consumer Affairs to the land rort operating in Aldershot, which I first raised with Consumer Affairs in May 1995, and I ask: what progress has been made to deliver some justice to those families?

Mr DAVIES I thank the honourable member for Maryborough for his question and the way in which he has pursued this matter so diligently. For the benefit of the House, I point out that in May this year, the honourable member asked the Office of Consumer Affairs to look into some house and land packages being sold at Aldershot, outside Maryborough. The honourable member had some suspicions that all was not well, and I inform the House that our investigation proved that the honourable member hit the spot. As a result of the concerns that the honourable member raised, Consumer Affairs began investigations immediately. What we have discovered is a sorry tale of houses built in a flood-prone gully, shoddy building work and financial arrangements which saw those home owners paying back more than the value of their properties.

The central figure behind this scam is a Peter Clement Coombes of Bli Bli, whose company, Queensland Housing and Finance, advertised no-deposit finance and an all-inclusive house and land package for $65,000. Those loans were advanced in dubious circumstances by relying on misleading information as to the prospective borrowers' assets and liabilities, inadequate searches, invalidation of the loan applications and jacked-up valuations. The people who bought those house and land packages have been ripped off, and I have instructed my office to pursue every avenue available that will provide redress for the affected families.

Firstly, we have sought Crown law advice to determine whether the people behind the scheme have breached the Land (Fair Dealings) Act or any other statutory provision. Secondly, we have asked the Hervey Bay City Council to implement a stormwater strategy and alleviate drainage problems. I have to say that the council has been disappointingly slow in its response. I am advised that it still has not contacted all of the residents to discuss the problems and options for solutions. Thirdly, residents have been advised of their rights to submit claims about shoddy workmanship with the Queensland Building Services Authority. Fourthly, the Queensland Office of Financial Supervision will be informed of the results of our investigations so that it can determine whether it needs to make inquiries into the lending institutions or their management. Fifthly, at our request, the Valuers Registration Board is investigating the valuations in that area. That last sector is where we really have to point the finger, because a scam such as that would not eventuate without jacked-up valuations. I should add that the great majority of valuers in Maryborough want to do the right thing by potential customers. However, it is clear that not everyone in Maryborough is prepared to play by the rules.

The accepted risk in the lending industry is 90 per cent of valuation. What is happening in that scheme is that valuations are provided which—surprise, surprise—are a bit more than 10 per cent over the purchase price of $65,000. In one case of which I am aware, one of those no deposit house and land packages was sold for $65,000 but valued at $76,150. In other words, 90 per cent of $76,150 allows for a loan of over $65,000. Allegations have been raised that the valuations were given site unseen.

The honourable member for Maryborough is to be acknowledged for his keen pursuit of justice for the people in that area. Without his attention, the scam may never have come to light. Now we are exploring every avenue available to bring to task the people behind that rort and to provide avenues for redress to the affected home owners.

Local Government Amalgamations

Mrs McCAULEY: I refer the Minister for Local Government to the forced amalgamations which the Goss Labor Government has implemented in the super cities of Ipswich/Moreton, Gold Coast/Albert and Cairns/Mulgrave. This has resulted in enormous rate rises in the new Ipswich local authority area, which the mayor says have been caused by the cost of amalgamation of more than $3m. I ask: given that it was the Minister's Government which forced those amalgamations, which were opposed by the majority of the population in the affected areas, will he now offer financial assistance to cover the costs of amalgamation so that defenceless ratepayers are not forced to pay

for something that they did not want in the first place?

Mr MACKENROTH: I understand that in some areas of Ipswich there have been large rate increases. That was as a result of the policies of the Ipswich City Council, not the amalgamation; the Ipswich City Council may choose to paint it that way, but that is not true. In relation to the costs associated with amalgamation—those costs can be spread over a number of years, and there is no need whatsoever for the Ipswich City Council to offset all of those costs in one year, as I understand it is attempting to do. The basis for the amalgamation, which was spelt out in the report of the commissioner, was that it would save a considerable amount of money. Taking into account that there were some up-front costs, there would still be considerable savings. Recently, the Mayor of the Gold Coast said that his council had identified about $2m a year more than the commissioner did.

Mrs McCauley interjected.

Mr MACKENROTH: That is their decision. Councils decide the rates that they charge in their particular areas. I understand that the Ipswich City Council did not choose to offset those costs over a period, or to have any sort of policy whereby that could happen, even though the Local Government Act allows it to do so. That is its decision. It is not the fault of the State Government; it is a decision of the local government. I know that in some of those areas the simplest thing to do is blame the State Government for local policies and decisions; but that does not reflect the true situation.

Moura Mine Disaster

Mr PEARCE: I ask the Minister for Minerals and Energy: is he aware that there is increasing community concern as to the time being taken for the handing down of the report into the 1994 Moura mine disaster? If so, will the Minister please inform the House why it is taking so long for the report to be finalised and when the report is likely to be handed down?

Mr McGRADY: I thank the member for Fitzroy for the question. When the disaster occurred at the Moura mine, immediately I set up an open and independent inquiry. I then withdrew from the whole matter and made no comment as I believed there should be no ministerial interference whatsoever.

The inquiry finished in April this year and the panel is now working long and hard in preparing recommendations. I am aware that there is some community concern about the delay. I, too, would like to see those recommendations handed down as soon as possible because I want to introduce some health and safety legislation. However, I also want to ensure that the report is comprehensive and carries a full set of recommendations to be implemented by both my department and the industry.

Recently, I met with the Mining Warden. I explained my concerns and he has assured me that meetings are still taking place. However, it is expected that the recommendations will be handed down in October.

Eastern Tollway

Mr JOHNSON: I refer the Minister for Transport to the fact that both the 1993-94 and 1994-95 Budgets refer to significant sums of expenditure planned for those years on the eastern tollway, namely $21.m in 1993-94 and $16.6m in 1994-95, making a total of some $38.4m to have been spent on the project by 30 June this year, and I ask: how many tens of millions of taxpayers' dollars have been wasted on this project because of his Government's actions?

Mr ELDER: Earlier, I answered a number of questions that were asked in relation to contracts and issues of compensation. At the time, I said that the only current contract that we have is with Rust/PPK. I also said at that time that that contract related to base planning—confirmation planning. Previously, some consultancies were undertaken. There will be no compensation payable in relation to them. The moneys that were allocated for the tollway in the Budgets go towards groundworks and property resumptions. Those resumed properties can be sold.

Daintree Rescue Package

Honourable members interjected.

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

Mr BREDHAUER: Mr Speaker, my question is to the Minister——

Mr Borbidge interjected.

Mr SPEAKER: Order! I am not going to allow interjections while members are asking questions. I warn the Leader of the Opposition. Honourable members, this is frustrating.

Mr BREDHAUER: I ask the Minister for Environment and Heritage: can he update

progress on the Daintree rescue program and explain to the House how the program is fulfilling its objectives?

Mr BARTON: Firstly, I thank the member for Cook for the question because he is well known for his support of the Daintree rescue package and also for his support for the entire conservation and environmental movement in his electorate of Cook, which has some of the most important environmentally significant land in Queensland. The Daintree rescue program has received equal funding from this State Government and from the Federal Government totalling $23m for the entire program. The program has the dual objectives of seeking to protect important heritage conservation values and to ensure that the use of the Daintree as a tourist facility is ecological sustainable. Of course, ensuring the ecologically sustainability of the Daintree as a tourist facility will also provide jobs.

Land acquisition is certainly a key component of this rescue package, and I stress that that will be done on the basis of negotiated settlements with the owners of those properties. Tourism infrastructure is the second focus of the program. Already, the Daintree is one of Australia's most loved national parks and conservation areas, and certainly the most loved in Queensland.

Under the program, to date 65 properties have been selected for acquisition. Of those, 20 properties have been valued and 19 properties have been purchased or are under contract for purchase. Almost $2m has been expended on purchasing 74 hectares of high-priority land. World heritage values protected by those purchases include the highest percentage of rare and threatened plant species in the lowland Daintree. Of the listed 120 rare and threatened plant species in the Daintree, up to 40 species can be found on each of the residential blocks, with an average of 12 to 17 species found on each block. Very rare vegetation types are associated with the beach sands. Sections of that area are the most intact lowland rainforest in the Daintree region.

Some of those land purchases will be used to provide passive tourism facilities. Recently, we have acquired a parcel of land at Cape Tribulation, which will prove extremely important for providing day-visitor facilities in the Daintree area. Stage 1 of the Alexandra Range lookout and associated car park has been completed at a cost of $142,000. That lookout provides magnificent views over the Daintree River mouth and the Low Isles and south to Port Douglas. Currently, the feasibility of constructing a further lookout to the north is being assessed. Tenders are being prepared for improvements to existing beachside picnic grounds and car parks at Thornton Beach. Construction is expected to be able to take place this year.

A most important feature is the community information and resource centre, which is being developed by the Douglas Shire. Funded by the Daintree rescue program, it will provide the base for staff. It will be used by visiting Wet Tropics Management Authority staff and it will also be a resource for community groups participating in Daintree rescue program activities. Construction is expected to begin in two weeks. To date, the Daintree rescue program has contributed $46,000 for that project.

Opposition members interjected.

Mr BARTON: It is pretty obvious that Opposition members are showing their lack of concern for environmental issues in the Daintree. I think that it is absolutely atrocious that they adopt that attitude.

Other infrastructure plans include toilets, new signage, boardwalks and tracks, and scenic viewing spots. The program is progressing well and we expect that to continue. Finally, I want to say simply that it is a real shame that the former National Party Government, of which many members opposite were a part, sold the land in the Daintree in the first place. It left a mess that this Government, in conjunction with the Federal Government, is now cleaning up.

Workers' Compensation

Mr SANTORO: I refer the Premier to his recent public statements that one of his top priorities is to engender employment generation, and I ask: does he believe that this priority will be assisted by proposed massive increases in workers' compensation premiums of as high as 40 per cent, which is one of the scenarios contained within the Cabinet submission that was leaked to the Opposition, and the host of proposed anti-business measures before his Cabinet, including increases in employer excess payments, the introduction of increased penalties for offences and the application of a system of on-the-spot fines? Does the Premier believe that all of those proposed measures will increase employment generation in Queensland.

Mr W. K. GOSS: The policies of this Government have been proven by the employment statistics for Queensland and

Australia that have been released regularly during the course of this Government. Those statistics have shown that the Government's policies are delivering in terms of making Queensland the State with the best record for job creation of any State in the country. As a Government, we will ensure that our policies continue to pursue that goal, and I have no doubt that they will be successful in achieving that goal.

The member glosses over, or fails to remember, that when the National and Liberal Party coalition was in power, the unemployment figures for this State were consistently 1 per cent or so above the national average. Under this Government, they have been consistently at the lower end of the spectrum.

In terms of the other side of the coin, which is job creation notwithstanding the fluctuations of unemployment from month to month, this Government has had an outstanding record on job creation and an outstanding record on support for the business community and the sorts of policies that will foster economic development and job creation. Part of that record has been a policy that has kept our workers' compensation premiums among the lowest in the country.

We will continue to strive to achieve that sort of outcome for the business community. At the same time, in relation to workers' compensation, employers have a responsibility, which some have failed to fulfil, to ensure proper safety standards for their employees. Under the new set of arrangements that will come into place in the coming months in relation to workers' compensation, we will seek to strike an appropriate balance with respect to the interests of stakeholders. But employers will have to play their part.

In conclusion this is an issue in relation to which we again see the policy void on the other side of the House. Again, we see members opposite pining for a policy. If we listen to the questions asked by the Leader of the Opposition—a person who has a complaint for every situation but no positive solution, which is why he is consistently rejected by the people of this State—we notice that he implies——

Mr Cooper: Forty six per cent.

Mr W. K. GOSS: No, I am not talking about the party vote. The honourable member has got me there. I am talking about the vote for leadership. The recent result has confirmed the Leader of the Opposition in his position, and we could not be happier. The icing on the cake is that his deputy has been confirmed in her position. To conclude the point that I was trying to make——

Mr Mackenroth: Not her deputy?

Mr W. K. GOSS: No, not her deputy; his deputy.

Mrs Edmond: He got dumped; Santo got dumped.

Mr W. K. GOSS: The honourable member should leave him alone. Let us not be too tough on him.

The point I was trying to make is this: if we listen to the questions asked in this place by the Leader of the Opposition, the clear implication is that he is suggesting that there should be no premium increases and no changes to common law. That is typical; the Leader of the Opposition has a complaint for every situation but no solution. That is why he is going nowhere.

Info Express

Mr Gilmore interjected.

Mr SPEAKER: Order! The member for Tablelands! How many times in one day do I have to ask for silence to hear a question being asked by a member? I am getting exasperated.

Mr WELFORD: I refer the Minister for Administrative Services to the forthcoming information technology and telecommunications exhibition, the Info Express, and I ask: what benefits will this exhibition bring to the people of regional Queensland?

Mr MILLINER: I thank the honourable member for the question, and I acknowledge his very keen interest in the IT&T industry. It is an exciting industry that is going ahead in leaps and bounds. The member for Everton is acknowledged as having a very keen interest in this industry.

The Info Express is a travelling information technology and telecommunications exhibition that will be touring through regional centres along the Queensland coast from 8 October to 19 October.

Mr De Lacy: Is it coming to Cairns?

Mr MILLINER: It will be in Cairns towards the middle of October.

As its name would suggest, the Info Express is a train that consists of eight carriages of displays ranging from the Worldwide Web to new three-dimensional

multimedia technology, which is very exciting. The so-called information super highway is opening up a world of information and new ideas in regional Queensland. This will improve the services in those areas—for example, education and health services—and will even have a major impact in the fight against crime.

The project is a joint venture between the public and private sectors. I am very pleased that private sector exhibitors include some of the most prominent multinational and national companies and even very prominent local companies. I am delighted that multinational companies such as Microsoft and Digital are taking part, as well as national companies such as Telstra. I am also absolutely delighted that some well-known and very successful Queensland companies are involved, including the Sunshine Coast's Future, a company that is really going ahead in leaps and bounds and one of which we can all be very proud. The aim of the exhibition is to give to regional and provincial Queensland the opportunity to have a first-hand look at developments in the IT&T industry. The exhibition will be very successful in doing that.

This Government has a very proud record of bringing to regional and provincial Queensland many of the services that traditionally have been confined to the south-east corner. The State Purchasing Council is a very good example of a body encouraging provincial businesses to do business with the Government. This is a very exciting project. I am very pleased that we are associated with it. I have no doubt that it will be an outstanding success and will bring many benefits to the people of regional Queensland.

Hospital Waiting Lists

Mr RADKE: I direct a question to the Minister for Health, whose Government has consistently indicated that waiting lists are not a major problem.

Mr Gibbs: Can you slow it down a bit?

Mr SPEAKER: Order! I warn the Minister for Primary Industries.

Mr RADKE: I ask: why are people in the Greenslopes electorate having to wait two years for elective surgery—and that is slow—at the PA Hospital, with still no hope in sight of having their operations?

Mr BEATTIE: I thank the honourable member for his first question. The Government has a clear four-point strategy to deal with waiting lists. This is the first time that there has been a strategy. Under the former Government of members opposite, people on waiting lists just waited, and that is all that happened.

Let us deal with the reality of the situation. It is estimated that this year Queensland Health will treat 565,000 public patients. That is 25,000 more than were treated last year.

Mr Horan interjected.

Mr BEATTIE: Members opposite are still in the 1950s, like Elvis sitting up the back on the opposite side of the Chamber.

Mr Horan interjected.

Mr SPEAKER: Order! I warn the member for Toowoomba South under Standing Order 123A. Every time a question is asked about health, the member for Toowoomba South wants to answer it. I inform the member for Toowoomba South that the Minister for Health sits on the Government side of the Chamber. I ask the member for Toowoomba South to stop interjecting during answers to questions about health.

Mr BEATTIE: Mr Speaker, you can see how seriously the Opposition takes health. The honourable member is eighteenth in the pecking order. If the honourable member falls any further down the seniority list, he will end up in John Goss' lap.

As I was saying, this year we will be treating 565,000 patients in Queensland. That is 25,000 more patients than were treated last year. If honourable members look at the position, they will see that in just six years this Government has dramatically increased the capacity of our public hospital system. From treating fewer than 380,000 public hospital patients a year, which was the case when the Opposition was in Government, we are now treating 565,000 patients. There has been a 50 per cent increase in the number of people receiving public hospital treatment each year. We are refurbishing the hospital system across the State, including hospitals in the member's electorate. We have a four-point plan to target waiting lists. Not only are we doing all of this, but we are also providing quality health services. When the Opposition was in Government, it counted wrought-iron beds on hospital verandahs that were not in use.

Mr T. B. Sullivan: They were in storage rooms.

Mr BEATTIE: I take that interjection; their beds were in storage rooms and some of them were on verandahs. In fact, the PSMC review found that under the former Government there was scurvy in some hospital

facilities. That is the legacy we inherited from the Opposition. We will do something about the problem. We are supporting the public hospital system. I am sick and tired of the Opposition attacking the high-quality, dedicated people who work in the Queensland hospital system. How about giving them a fair go?

Automated Titling System

Mrs ROSE: I direct a question to the Minister for Lands. The new computerised land titling system has been the subject of some ill-informed criticism. I ask: can the Minister explain the improvements and progress which are of benefit to the public that have been achieved by the introduction of the new system?

Mr McELLIGOTT: The question gives me the opportunity to outline to the House what has been a very good news story for the Government and for the people of Queensland. The new automated titling system—or ATS, as it is commonly referred to—is a world-class system. No titles system anywhere in the world is as comprehensive as the one operating in Queensland. At the outset, I compliment the staff of the Titles Office. The loading onto or capture of all of the relevant titles on computer is expected to be completed next month. It has been a mammoth task for the Titles Office to capture 1.6 million titles, and it represents an amazing performance by the staff involved.

The member who asked the question is correct. There has been some ill-informed criticism of the new system. I want to offer some responses to that criticism. One of the frequent complaints about the new system is that a duplicate title is no longer issued when a title is transacted. Many people hold the view that under the old system they actually held in their hand a certificate of title. That has never been the case. The title itself has always been retained in the Titles Office. Previously, people were issued with a duplicate. Under the new arrangements, for every registration a registration confirmation statement is issued. That statement contains the name of the current owners, the legal description of the land, reservations to the State and details of all current encumbrances affecting the land—that is, mortgages, easements, etc.—references of any unregistered dealings, administrative advices and references to the instruments registered. If people wish to have their own certificate of title on a title which is not mortgaged, then for the princely sum of one dollar they can request a certificate from the Titles Office.

I am proud to say that under the new system the time for processing of documents has been virtually halved. For simple documents, processing has been averaging about five days. It is not all that long ago that the backlog of work in the Titles Office as a result of the conversion to the new system was over 70,000 documents. As of Monday this week, it was down to 18,000, which represents about a week and a half's work. So there has been a massive impact on the workload and the processing of documents through the Titles Office. Staffing costs have been substantially reduced, with overtime no longer being necessary. For example, in January last year under the old system $108,000 was spent on overtime. In July this year, there was the same volume of work but no overtime was necessary.

Importantly, the new system is more secure, with back-up computers with different power supplies and back-up tapes. The second computer holds a copy of the information stored on the working computer and, in addition, all information is copied each night onto back-up tapes so that there are three copies of all data. Under the old system, all the files were held in the Titles Office and, if a fire occurred, all of the records would have been wiped out forever.

The new system represents a substantial improvement to the way in which the Titles Office operates. As I said previously, the titling system operating in Queensland is better than any other system in the world. I cannot personally take any credit for the new system. I take this opportunity to compliment my predecessor, the Honourable Geoff Smith, for presiding over what has been a very worthwhile exercise. Mr Speaker, through you I want to make an offer to members of this Parliament. The new process is very interesting. If any member wishes to have a detailed briefing on the operations of the Titles Office or inspect the Titles Office and be run through the way in which it now operates, they should contact my office and I can arrange for that to occur.

There has been quite a remarkable change to the Titles Office. Under the previous system, documents were stored from floor to ceiling. That is no longer the case. All of those documents have now been archived, and that information is now held on computer. That is an extraordinary result.

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

APPROPRIATION BILL (No. 2)

Hon. K. E. De LACY (Cairns—Treasurer) (12.05 p.m.), by leave, without notice: I move—

> "That the House will, at its present sitting, grant leave to bring in a Bill for an Act to appropriate certain amounts to services for the financial year 1994-95."

Motion agreed to.

Mr SPEAKER read a message from Her Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr De Lacy, read a first time.

Second Reading

Hon. K. E. De LACY (Cairns—Treasurer) (12.06 p.m.): I move—

> "That the Bill be now read a second time."

With the passage of the 1995-96 State Budget in May, before the end of the 1994-95 financial year, there is a need for the introduction of a further Appropriation Bill in order to finalise the application and appropriation of moneys from the public accounts for 1994-95. The need for supplementary appropriation exists because additional expenditure requirements arise throughout the year that were not anticipated at the time of the original 1994-95 Budget. Section 25A of the Financial Administration and Audit Act makes specific allowance for this inevitability. This Bill is therefore technical in nature.

The appropriation sought in this Bill has been previously approved by Executive Council and is based on the *Statement of Unforeseen Expenditure to be Appropriated 1994-95*, a copy of which has been certified by the Auditor-General and tabled. This Bill provides for the supplementary appropriation of $534.107m for the Consolidated Fund and $4,650.764m for Trust and Special Funds. These amounts are in addition to amounts originally authorised by the Appropriation Act (No. 1) 1994 and together provide authority for all expenditure of the Government for the 1994-95 financial year.

The major reasons for the increases in appropriation with respect to the Consolidated Fund are early redemption payments to Queensland Treasury Corporation as part of the restructuring of the public debt which was financed through the sale of financial assets to QTC, increased superannuation benefit payments and increased award payments and superannuation costs in the Department of Health. Over 80 per cent of the supplementary appropriation for Trust and Special Funds arose because investors found Australian dollar debt attractive during the year and were consequently willing to invest at lower than expected rates. Both receipts of borrowings and the level of deposits made by the Government and public sector entities were greater than budgeted. Borrowings and interest income which are not immediately required for funding are invested which resulted in expenditure on account of investments being some $3.9 billion more than budget.

The Treasurer's Annual Statement which contains details of financial transactions and the final outcome for the appropriation accounts of the Consolidated Fund and the Trust and Special Funds for 1994-95 will be tabled in the House next month. In the meantime, I would like to table a document which details the major items of increased appropriation for the 1994-95 financial year and provides a brief explanation of these items. A full explanation of all items of supplementary appropriation will be provided in the Treasurer's Annual Statement.

Overall, the performance of the Budget was broadly in line with the estimated outcome published in the 1995-96 Budget Papers and somewhat better than original Budget expectations. As documented in the latest edition of the *Queensland Economic Review*, to be released today, the Consolidated Fund ended the financial year with an accumulated cash surplus of $51m compared with the estimated outcome of $41m. It is also higher than the 1994-95 Budget-time forecast of a $2m surplus, due primarily to increased receipts from continuing strong economic growth during the year. Both receipts of $11,256m and expenditure of $11,243m were higher than the estimated outcomes for 1994-95 published in the 1995-96 Budget papers. In particular, the underlying growth in receipts was stronger than expected at the time the estimated outcomes were prepared. The increases in both receipts and expenditure also involved offsetting transactions relating to the sale of State financial assets and subsequent repayment of public debt.

The latest edition of the *Queensland Economic Review* will also confirm the continuing strong outlook for the State economy. For the fourth consecutive year,

economic growth in Queensland in 1995-96 will exceed 4 per cent in real terms, demonstrating the ongoing sustainability of higher economic growth in Queensland than in the rest of Australia. Based on Treasury's analysis of recent partial economic indicators, the outlook for 1995-96 remains consistent with the forecasts made at the time of the State Budget.

Queensland's rapid economic and population growth over the last six years has presented a challenge for the Goss Government in providing the necessary infrastructure to maintain and enhance both our lifestyle and the momentum of development. It is a challenge to which the Government is responding in a strategic, effective and fiscally responsible way.

Fundamental to the Goss Government's financial management philosophy is its commitment to the fiscal trilogy. A key element of this trilogy is the Goss Government's commitment to fund social infrastructure such as schools and hospitals from recurrent revenues and borrow only for economic assets which can generate an income stream sufficient to service the debt.

What is particularly disturbing is that, during and since the election, there has been a chorus of advice from a number of commentators suggesting that Queenslanders are somehow being infrastructurally disadvantaged through the Government's fiscal approach of not borrowing for social infrastructure. It seems that some of those commentators want us to throw away our prudent fiscal approach and go down the same road that the other States took in the eighties and early nineties—the road which lead them into spiralling debt, a collapse of their economies and, inevitably, underfunding of infrastructure.

This course of action appears to be based on a belief that, if one uses debt as a way of financing social infrastructure, one gets more in the long run. In fact, in the long run, one ends up with less. I regret to say it, but there are some people out there who still live in a fiscal fairyland—they cannot face up to the fact that if debt is used and it has to be repaid, it has to be repaid from the Budget, and when infrastructure is funded from debt, but repaid from the Budget, the impact of real interest costs on purchasing power needs to be taken into account. Based on current real interest rates of around 5 per cent, borrowings effectively buy 5 per cent less infrastructure.

The next argument they use is that the infrastructure we provide today will be used by the citizens of tomorrow and therefore should be spread evenly over time. This conveniently ignores the fact, of course, that we are using infrastructure today which was provided and paid for by the citizens of yesterday.

The further argument is that infrastructure spending is lumpy and therefore should be spread over time, that is, the family home analogy. This does not hold up, either, from a State Government perspective, because we have an ongoing infrastructure program which in aggregate terms changes very little from year to year—except of course for the annual increase which has characterised our capital spending over the last six years.

Even the argument that debt spreads the cost over the life of the asset is not a funding argument at all. How the cost of an asset is allocated over time, that is, by depreciation or debt service payments, is an accounting argument. So whilst it may be a theoretical proposition to rationalise an addiction to debt, it does not provide a mechanism for increasing infrastructure funding.

The final argument is that more infrastructure leads to more economic activity and, therefore, more revenue, and therefore can be funded from debt. I might say if this was a valid argument, Victoria ought to be the boom State of Australia.

I need to stress that if we choose to use debt to fund our social infrastructure—and I admit that this has long been the case in other States of Australia—we would eventually shift from funding it up-front from the Budget to funding it after the event, but still from the Budget. At the end of the day, there is less infrastructure for the same dollar.

The average debt servicing costs of the other States that choose to debt fund their social infrastructure is 13.4 per cent of their Budget. If we had the same debt servicing costs as those States, we would need to find an additional $1.6 billion to service debt. Instead, these funds are available to go directly into providing infrastructure. Moreover, our financial management policies have given us the fiscal strength and capacity to continue to increase spending in important social areas without increasing debt or raising taxes. Indeed, our policies produce a virtuous cycle in which lower net debt leads to lower debt servicing costs and hence a greater capacity to fund real services, including capital expenditure. Contrary to the calls from local commentators, other State Governments, envious of Queensland's financial strength, are now following Queensland's lead and adopting a more prudent approach to

borrowings. Some have even legislated the requirement to reduce debt to meet certain fiscal targets.

A comprehensive analysis of infrastructure spending in Queensland over the last 30 years is reported in the June quarter *Queensland Economic Review* to which I have already made reference. This analysis shows just how successful Queensland's approach has been in enabling the Goss Government to meet the infrastructure challenge over the last six years. These statistics clearly show that Queensland has outpaced the rest of Australia in terms of infrastructure spending.

The Goss Government has lifted State Government spending on new fixed assets from $691 per capita in 1989-90 to $1,024 per capita in 1994-95. This represents an increase of 47 per cent. Over the same period, infrastructure expenditure in the rest of Australia increased by only 6.4 per cent to an estimated $778 per capita. We now spend 32 per cent more per capita than the other States. This has been made possible largely because our fiscal discipline has given us the capacity to fund a higher level of capital expenditure than would otherwise be the case, without resorting to debt and thereby leaving future generations with a burgeoning debt-servicing legacy. This trend is set to continue and clearly demonstrates that Queensland has the financial capacity to meet future infrastructure challenges and build for the State's long-term economic development, without compromising the integrity of our fiscal strategy.

Finally, I should emphasise that the Government's disciplined approach to financial management is in no way doctrinaire. It is based on the practical, commonsense realisation that the achievement of good fiscal outcomes is fundamental to the achievement of the Government's social objectives. Without a strong financial position, the Government cannot hope to deliver its planned agenda of enhanced social services and infrastructure spending. If the good times are to be sustained, virtue resides in prudence.

I commend the Bill to the House.

Debate, on motion of Mrs Sheldon, adjourned.

STATUTE LAW (MINOR AMENDMENTS) BILL

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (12.19 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to make minor amendments of certain Acts."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (12.20 p.m.): I move—

"That the Bill be now read a second time."

I introduce the Statute Law (Minor Amendments) Bill 1995. Statute law Bills make an important contribution to the maintenance and improvement of Queensland's statute law. They allow minor amendments, and amendments of even less significance, to be made with the minimum of parliamentary time. Taken alone, the amendments would be of insufficient importance to justify separate legislation. However, the cumulative effect of the amendments can have a substantial impact on the overall quality of Queensland law.

Queensland legislation has perhaps not been as well maintained in the past as might have been desirable. It has, therefore, been a major task to bring the Queensland statute book up to contemporary standards. This is reflected in the size and number of statute law Bills in recent years.

The Government has consistently maintained the position that amendments may be included in statute law Bills only if they are concise, and of a minor nature, and non-controversial. These standards are maintained in the statute law Bills I am introducing today. Because of their size and the range of their amendments, statute law Bills present two potential difficulties.

The first of these is to ensure that adequate information is available to honourable members to scrutinise the amendments they make. To assist honourable members, in statute law Bills, different types of amendments and repeals have always been divided among different schedules. Statute law Bills have also included detailed Explanatory Notes in the Bill itself. Statute law Bills are unique in this regard. These practices have been continued, and are further

enhanced, by the statute law Bills I am introducing today. In addition, I should mention that the Government has always made the Parliamentary Counsel available to answer any queries that honourable members may have on statute law Bills. This opportunity is, of course, open with today's Bills.

The second potential difficulty with statute law Bills is the possibility of misuse, or even the perceived possibility of misuse. Honourable members may be aware of the story about the town clerk for a certain local council in England during the last century. It is claimed that, in a long and boring private member's Bill, the town clerk inserted a provision divorcing himself from his wife. I can assure honourable members that the Bills do not include such provisions.

Nevertheless, there is always the perceived temptation to include amendments in statute law Bills that are not minor and non-controversial, but substantial and contentious. In addition, what is minor or substantial, non-controversial or contentious, can be a matter of value judgment about which, in some cases, people can honestly disagree. For these reasons, the Government has insisted on a rigorous scrutiny within Government of amendments included in statute law Bills. The Government has also sought to maintain the integrity of statute law revision processes by ensuring that a high standard of information about amendments is available to honourable members.

However, I do not believe that these are sufficient. Accordingly, as an additional safeguard, the Government has decided that statute law (miscellaneous provisions) Bills should in future be divided into two Bills: one to be called the Statute Law (Minor Amendments) Bill and the other the Statute Law Revision Bill. The title of the first Bill could be adjusted if the Bill included repeals as well as amendments.

The Statute Law Revision Bill will include amendments and repeals that are made for statute law revision purposes only. Most statute law revision amendments are initiated by the Office of the Queensland Parliamentary Counsel as part of its statutory obligation to ensure that the Queensland statute book is of the highest standard.

Amendments to give effect to individual, minor policy changes unconnected with the overall state of the Queensland statute book will be included in the Statute Law (Minor Amendments) Bill. These amendments are initiated by Ministers and their departments. This Bill will also include any statute law revision amendments that could be seen as sensitive because of the subject matter with which they deal, for example, search warrants. I should stress that these changes will in no way diminish the high standard the Government has already set for statute law Bills. In particular, amendments will be included in statute law Bills only if they are minor and non-controversial.

This Bill is the first Statute Law (Minor Amendments) Bill to be introduced into this Parliament. The purpose of the Bill is to improve the quality of the statute law of Queensland by making amendments that otherwise would not justify separate legislation, but the cumulative effect of which may have a substantial impact. All amendments take effect from the date of assent.

The Bill's format is similar to, but simpler than, the format used in recent statute law Bills. It contains five clauses and a single schedule of amendments. The more significant of the amendments are briefly outlined in the Explanatory Note. More detailed Explanatory Notes for the amendments are placed at the end of the amendments for each amended Act. Each amendment is numbered and can be identified readily by reference to the number. The notes are not part of the Bill.

I commend the Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

STATUTE LAW REVISION BILL

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (12.26 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend or repeal certain Acts for the purpose of statute law revision."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (12.27 p.m.): I move—

"That the Bill be now read a second time."

In my speech on the introduction of the Statute Law (Minor Amendments) Bill, I outlined the purpose of statute law Bills and the Government's decision to divide future statute law (miscellaneous provisions) Bills into two Bills. I do not propose to repeat my remarks.

This Bill is the first Statute Law Revision Bill to be introduced into this Parliament for over 80 years. The purpose of the Bill is to improve the quality of the statute law of Queensland by amending or repealing Acts for the purpose of statute law revision. All amendments are required to be concise, of a minor nature and non-controversial. All amendments take effect from the date of assent unless the contrary is expressly provided.

In some cases amendments are declared to operate retrospectively. In each case the amendments correct minor errors or are technical or mechanical adjustments. The Bill continues the process of improving the Queensland statute book by statute revision in five principal ways. First, the Bill rationalises the types of statutory instruments used in Acts and regulation-making powers. Amendments concerned with these matters appear in Schedule 1.

Second, the Bill includes a number of amendments to facilitate the reprinting of particular Acts and enable the reprinting of subordinate legislation. The Office of the Queensland Parliamentary Counsel is endeavouring to have all current Acts reprinted by early next year and all subordinate legislation reprinted by mid-1996. These amendments are included in Schedules I and 2.

Third, forms are removed from legislation in amendments included in Schedule 1. Fourth, the process of identifying and repealing spent and obsolete Acts. Many of these Acts have long been redundant but have never been repealed. Repeal of the Acts mentioned in Schedules 3 to 8 will improve the Queensland statute book by removing "dead wood". Schedules 9 and 10 contain transitional provisions for repealed Acts. Finally, the Bill includes a range of minor amendments made for statute revision purposes only. The amendments are included in Schedules 1 and 2.

The Bill's format is similar to that used in recent omnibus Bills. It contains 7 clauses and 10 schedules. Each schedule serves a particular purpose. For example, Schedule I deals with minor amendments for statute law revision. The Explanatory Notes for each amended Act are placed at the end of its amendments. Each amendment to an Act is numbered and the note explaining the nature of the amendment can be identified readily by reference to the number. The notes are not part of the Bill.

I commend the Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

JURY BILL

Hon. M. J. FOLEY (Yeronga—Minister for Justice and Attorney-General, Minister for Industrial Relations and Minister for the Arts) (12.30 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act about juries."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Foley, read a first time.

Second Reading

Hon. M. J. FOLEY (Yeronga—Minister for Justice and Attorney-General, Minister for Industrial Relations and Minister for the Arts) (12.31 p.m.): I move—

"That the Bill be now read a second time."

Ever since the time of Magna Carta the right to trial by jury has been a foundation of our rights and liberties. When that fateful gathering met on the Isle of Runnymede to extract concessions from King John in 1215, the right to trial by one's peers was regarded as so fundamental as to be included in the great charter. The institution of the jury is ancient in origin but we have a duty to ensure that its place in today's world is respected amidst the sea of change in our modern social and legal systems. If we are to keep that which is rich and valuable about our legal tradition we must necessarily ensure that it responds to the challenges of modern times. Hence the need for this Bill, which deals, among other things, with the vetting of juries, the polling of prospective jurors and protecting jurors from the intrusion of powerful media interests.

This Bill is the result of the deliberations of a number of bodies over the last few years, namely, the Nolan Committee report in January 1992, the Litigation Reform Commission report in August 1993, and the report of the Criminal Justice Commission. The Criminal Justice Commission investigated the empanelling of the jury in the Bjelke-Petersen trial. Members would remember that retired Supreme Court judge Mr W. J. Carter, QC, delivered a 500-page report on the Bjelke-Petersen trial in which he made many recommendations to ensure that jury selection in Queensland would be free from corruption. This Bill includes his recommendations.

Firstly, and most importantly, the Bill provides that neither the prosecution nor the defence will be able in future to engage in large-scale jury vetting as was done in the Herscu and Bjelke-Petersen cases. The Bill provides that after the sheriff of the Supreme Court arranges for jurors to be called into jury service, which is done by random selection made by a computer from names on the electoral roll, the list of jurors due to be called for a particular trial can only be given to the lawyers representing the parties in the trial at 4 p.m. on the business day before the start of the trial.

The Bill provides that as soon as the jury is empanelled on the day a trial begins the list must be given back to the sheriff and the sheriff must destroy the list. This will prevent a practice which has existed whereby jury lists are circulated amongst defence counsel and solicitors and Crown prosecutors showing the make-up of juries in particular trials and the verdicts delivered by those juries from continuing. The practice enabled counsel for the parties to try to select jurors favourable to their case.

The Bill also outlaws polling of persons summoned for jury service endeavouring to find out their views on issues that may arise in a trial. The penalty for conducting pre-trial polling will be a maximum of two years' imprisonment. Prospective jurors should be entitled to approach jury service free from the concern that they will be subject to intrusive vetting and polling. The Bill represents an endeavour to establish a fair and just system of jury selection in accordance with Mr Carter's recommendations. It has created a new right of jury challenge, whereby in a trial that involves some notoriety, the parties' representatives may approach the trial judge before the trial begins to ask the judge to draw up a list of questions to be put to all members of a jury panel before the jury selection process actually begins. This will allow parties' representatives to choose those persons who are strictly impartial. The Bill also provides that, after a jury has been empanelled, the judge may discharge it if the judge believes that the use of challenges by the prosecution and/or the defence has led to the formation of a jury that appears to be not impartial.

The Bill also provides for a number of other matters that I shall now mention. The Bill provides that verdicts in criminal cases will remain unanimous. The Government believes that unanimous verdicts are more likely to be publicly accepted than majority verdicts. Public confidence in the jury system could be eroded where an accused person was convicted by a majority of jurors only as it might be said that the verdict could not have been one beyond all reasonable doubt since the minority of jurors obviously entertained a reasonable doubt. It is interesting to note that, in Queensland, the figures for disagreements compared to total trials over the years 1986 to 1991 were 1.83 per cent in the Supreme Court, and 2.77 per cent in the District Court. Hung juries are not perceived to be a major problem in this State.

The Bill follows the lead of jurisdictions such as the United Kingdom, Canada and Victoria by preventing jurors from breaching the sanctity of the jury room by revealing deliberations to the media. The secrecy provision is necessary for a number of reasons. There is a reasonable fear that if jurors knew their views about issues were to be exposed, social pressure would discourage unpopular verdicts, especially in small communities. There may even be situations in which jurors' livelihoods could be threatened if it were revealed that they held views contrary to those held by their employers or their customers, depending on their circumstances. Where the reasons for a decision are not known, unpopular verdicts cannot be effectively challenged. Jurors strongly advocating a finding of guilt need to be assured that their views will not be discovered by a defendant who has become vengeful after having been found guilty.

The thought that something said by a juror in the course of discussions could later be released in the media for debate would undoubtedly have a seriously inhibiting effect on discussions. In fact, the whole deliberation process would be undermined if a juror had to proceed with the onus of thinking half the time about the evidence and the other half on how what is said may be treated by the media. This may even extend to thinking about what profit

may exist in talking to the media about the case—as I understand has happened in America. Without protection from unwanted scrutiny there could be a reluctance to serve on juries.

It should always be remembered that jurors do not volunteer to serve; they are conscripted. Many are not used to speaking in public. Speaking out in front of 11 other people may be a daunting enough prospect and challenge for some people, without the added pressure of worrying about being besieged by the media.

The Bill does contain a safeguard in the event that a juror suspects another member of bias, fraud or some other offence in connection with the jury's duties. The juror may take his or her concerns to the Attorney-General or to the independent Director of Public Prosecutions.

This Bill addresses deep public disquiet that came about in Queensland as a result of attempts by certain people before the Bjelke-Petersen perjury trial to pervert the composition of the jury in that case. The full extent of the disturbing activities engaged in by those people is extensively catalogued in Mr Carter's 500-page report. That report discloses a sorry saga of attempted jury tampering. The measures contained in this Bill will make sure the methods used in that case can never be repeated.

The Bill is the latest in a long and impressive list of reforms introduced by Labor Governments since the end of National Party Government to deal with the excesses and corruption that flourished because of National Party Government. This Bill protects one of the foundations of a truly democratic system of government—the jury. I hope all members will support these necessary changes. I commend the Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

ENVIRONMENTAL LEGISLATION AMENDMENT BILL

Hon. T. A. BARTON (Waterford—Minister for Environment and Heritage) (12.38 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend legislation about the environment."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Barton, read a first time.

Second Reading

Hon. T. A. BARTON (Waterford—Minister for Environment and Heritage) (12.39 p.m.): I move—

> "That the Bill be now read a second time."

The objective of this Bill is to amend various pieces of legislation that govern the built and natural environments. This Bill has been drafted to overcome minor errors and implementation difficulties and to clarify the requirements for the preparation of the Wet Tropics Management Plan.

The Environmental Protection Act 1994 is amended to correct a number of drafting errors relating to cross references within sections and to clarify the interpretation of a number of sections. The Bill also clarifies the distinction between the powers of authorised persons and the powers of police officers regarding the abatement of excessive noise.

The Marine Parks Act 1982 and the Recreation Areas Management Act 1988 are similarly amended by the insertion of a standard clause which takes account of a decision by the courts regarding the interpretation of the word "fee". Minor amendments are also proposed for the Nature Conservation Act 1992 which clarify the interpretation of a number of sections and overcome minor operational anomalies.

The proposed amendments to the Queensland Heritage Act 1992 are intended to solve problems in the application of the Act which became apparent during an appeal in the Planning and Environment Court against the permanent entry of a place in the Heritage Register by the Heritage Council.

One amendment provides clarification of the term "aesthetic significance". The Planning and Environment Court in Advance Bank v. the Queensland Heritage Council held that "aesthetic" referred only to matters of beauty. The amendment will broaden the definition of "aesthetic significance", ensuring that places can be listed on the Heritage Register for other reasons, including visual merit or visual interest. The criteria for entry in the register have been altered to accommodate the addition of a definition of "aesthetic significance" and to remove ambiguity associated with the previous linkage in the Act between "particular aesthetic characteristics"

and "the community or particular cultural group".

The definition of the term "cultural heritage significance" is being amended to include architectural and technological values which had previously not been deemed by the term. The definition of "cultural heritage significance" will also relate to past, present and future generations to avoid any ambiguity in legal arguments that heritage significance cannot be judged in reference to either the past or the future. Further, the term "historic" has been replaced by the more general term "historical". In the Advance Bank case, the court held that the term "historic" related to a particular event in history, such as the Battle of Waterloo, whereas the term "historical" related to the general thread of history.

On its introduction, the Queensland Heritage Act 1992 established the Heritage Council, a community-based body representing a range of expertise and community viewpoints to administer the Heritage Register. The amendment proposed removes any limitation on the number of terms for which a person can be appointed to the Heritage Council. In this way, the wisdom and knowledge of members of the council can continue to be utilised and the Governor in Council is able to ensure that the best expertise possible is available for the Heritage Council at all times.

The Wet Tropics World Heritage Protection and Management Act 1993 amendments predominantly relate to management plans under that Act. The amendments allow for management plans to deal with the same matters as a regulation. The amendments also recognise that the first Wet Tropics Management Plan is comparable to that of a regulatory impact statement prepared under the Statutory Instruments Act 1992. This amendment reflects the extensive consultation that has already occurred on the draft plan in the last few years and ensures that the plan will be released by the mandatory deadline of 1 November 1995.

This Bill will ensure that Queensland's environment and conservation legislation maintains its leading edge and continues to provide the tough legislative means required to ensure the long-term viability of Queensland's environment for future generations.

I commend this Bill to the House.

Debate, on motion of Mr Slack, adjourned.

PARLIAMENTARY COMMITTEES BILL

Second Reading

Debate resumed from 7 September (see p. 66).

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (12.45 p.m.): The reintroduced Parliamentary Committees Bill is the first piece of legislation from the electorally chastened Goss Labor Government. It shows that, despite its drubbing by the people of Queensland, this minority Labor Government and this minority Labor Premier have learnt nothing. The content of this Bill shows that the very same arrogant style of Government, which was the hallmark of the first and second Goss Governments, is set to continue. That arrogance is demonstrated by the Government's determination to constrain and control information to the Parliament and the people.

This Bill provided the Government, and the member for Logan, with a golden opportunity to show that it had heard the message from the people. That message was a community desire for an honest and open Government that listened and was prepared to have its processes and decisions scrutinised. Instead, we have a Bill which basically revamps and renames the parliamentary committees that exist at present. It falls far short of the "comprehensive system of parliamentary committees to enhance the ability of Parliament to monitor the efficiency of Government" envisaged in the Fitzgerald report. Furthermore, it falls far short of the system proposed by the Leader of the Australian Labor Party in Queensland, the member for Logan, in his 1988 submission to the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct. A key plank of that submission was "a workable committee system". The Premier's own submission stated—

> "The Labor Party believes that there is real benefit to be obtained from introducing a system of parliamentary committees, representative of all parties in the Parliament."

The submission goes on to say—

> "In particular there should be established an effective public accounts committee and an effective public works committee."

As I said before, the current Premier was the author of that document.

The Premier has had five years in which to deliver a "workable committee system" and

an "effective" public accounts committee and an "effective" public works committee. The shame for the member for Logan and the Labor Party is that the Goss Government has done nothing to provide a comprehensive and "effective" parliamentary committee system. This Bill fails to provide the power for the parliamentary committees to be effective and shows this Government's shallow commitment to parliamentary reform. It is about limiting the powers of committees, rather than making them effective parliamentary entities.

The Goss Government has had the best advice to ensure that it got the committee system right. It, however, chose to ignore it. This Government had access to two draft Bills. The vanquished Electoral and Administrative Review Commission submitted its report containing a draft Bill in October 1992, and the defunct Parliamentary Committee for Electoral and Administrative Review—PCEAR—made its recommendation, which also contained a draft Bill, exactly 12 months later in October 1993. Despite this advice and assistance, the Government has procrastinated, and now, almost two years later, we have before us a gutted version of what the Parliamentary Committee for Electoral and Administrative Review proposed.

The *Australian*, in its editorial "Political Reform" of 24 January 1995, stated—

> "It is disappointing that more than five years after Labor was elected there is still no fully-fledged committee system operating in the State's single-House Parliament."

This Bill still does not provide for a "fully-fledged committee system" in our unicameral Parliament. For example, the Public Accounts Committee proposed in this Bill is nothing but a token committee. The Explanatory Notes state—

> "The Public Accounts Committee will have responsibility to ensure that the Legislative Assembly has sufficient information to hold the Government accountable for the management of public resources. The Committee may examine Government financial documents (including annual financial statements and annual reports of agencies) and the reports of the Auditor-General, and may ask the Auditor-General to consider issues which come to the Committee's attention through its work."

In other words, the Public Accounts Committee has equivalent access to Government documents to that of a backbencher. It has no access to internal accounts. Quite clearly, it is impossible to ensure accountability when the Government limits documents to what is available to the public. In the best traditions of the member for Logan, the Government is doing a snow job on the Public Accounts Committee.

Mr Santoro: Another one.

Mr BORBIDGE: It is another snow job. He is setting records. The Government is doing the same snow job on the Estimates committees by restricting questioning to limited program outlays and enforcing strict format procedures. The farce continues with the Estimates committees with Government members being given written dorothy dix questions to which the Minister can reply from a prepared script.

It is instructive to look at the Goss Government's Fitzgerald reform process record. On Sunday, 19 November 1989, the then Leader of the Opposition, the member for Logan, said—

> "In Parliament I pledge my commitment to implement Fitzgerald and today I reaffirm that commitment."

He went on to say—

> "We will move to restore democracy to our parliamentary system. Labor will reform and maintain the Public Accounts Committee and the Public Works Committee as effective watchdogs of the public interest. I intend for open Government to be more than just a slogan. Freedom of information legislation will be introduced so that, for the first time, Queenslanders will be able to break down the wall of secrecy surrounding the process of Government decision making. And the office of the Auditor-General—the caretaker of the public purse—will be reformed and properly resourced so that taxpayers' money is spent properly and accountably."

What does the record show? To determine that, the starting place is the Bill before the House, the Parliamentary Committees Bill. The Goss Government's intent for this Bill is signalled by the name. EARC suggested, and the parliamentary committee recommended, that there should be a Queensland Parliament Bill. For the benefit of the House and for the parliamentary record, in summary, I point out that the comprehensive Queensland Parliament Bill, rejected by this Premier and discarded by this

Government, in Chapter 2 provided for the powers, privileges, immunities, contempt and parliamentary papers; and in Chapter 3 provided for the statutory committees of the Parliament, which were the Legal and Constitutional Committee, the Members' Ethics Committee, the Public Accounts Committee, the Public Sector Review Committee, the Public Works Committee, the Scrutiny of Legislation Committee and the Standing Orders Committee.

That Bill then went on to provide for procedures for the membership of statutory committees. The Bill then continued with Chapter 4, which provided for the officers of the Legislative Assembly, from the Speaker through to the powers of the Acting Clerk. Chapter 5 of the Bill referred to the Parliamentary Service Commission and provided for the commission's establishment, status and related matters, and for commission staff. But that is not all. Chapter 6 of that Bill set out the members' salary and allowances and the salaries for office holders. Chapter 7 provided for a separate appropriation for the Legislation Assembly. Chapter 8 dealt with repeals, amendments and transitional matters. As all honourable members would understand, it was a comprehensive Bill that was designed particularly to suit our unicameral Parliament.

On the other hand, the Bill before the House, the Parliamentary Committees Bill, is a mere shadow of the Bill proposed by the Parliamentary Committee for Electoral and Administrative Review. The Bill before the House today provides for the Legal, Constitutional and Administrative Review Committee, the Members' Ethics and Parliamentary Privileges Committee, the Public Accounts Committee, the Public Works Committee, the Scrutiny of Legislation Committee and the Standing Orders Committee.

The Goss Government has made the Legal, Constitutional and Administrative Review Committee responsible for issues related to administrative review reform, the Constitution of the State, the electoral system and legal reform. The committee also takes over the responsibility of the Parliamentary Committee for Electoral and Administrative Review to review the reports of EARC that the parliamentary committee had not reviewed.

On top of this workload, the Goss Government decided that this committee, just in case it felt that it was having a light day, should also have the responsibility for overseeing the Criminal Justice Commission. That committee, which was three times busier than any other committee, has just been made at least twice as busy again. Under this Bill, the Legal, Constitutional and Administrative Review Committee has all the functions and responsibilities of the Parliamentary Criminal Justice Committee. It should be noted that the axing of the Parliamentary Criminal Justice Committee is a decision made by this Government following its drubbing at the polls when it limped back into office. The pre-election Parliamentary Committees Bill did not provide for the abolition of the Parliamentary Criminal Justice Committee.

Mr Lester: It was very deceitful, wasn't it.

Mr BORBIDGE: As my friend the member for Keppel reminds me, it was very deceitful.

Mr W. K. Goss: Fancy you taking your lines from Vince.

Mr BORBIDGE: That is so typical of the total and absolute deceit of the member for Logan.

Mr W. K. Goss: What sort of a leader is it who takes lines from Vince Lester?

Mr BORBIDGE: The member for Logan might like to compare the swing against the Labor Party in the electorate of Logan with the swing to the coalition in the electorate of Keppel. If the member for Logan had a bit more respect for the good sense of the honourable member for Keppel, we would have a bit more commonsense in this place. Time and time again, the member for Keppel has made the member for Logan look like a fool.

The decision to abolish the Parliamentary Criminal Justice Committee flies in the face of the Fitzgerald report, which recommended that the Parliamentary Criminal Justice Committee remain a separate, specialist body. The coalition does not support the abolition of the Parliamentary Criminal Justice Committee and, I add, nor does the Queensland Council for Civil Liberties.

It is fair to say that the people of Queensland would not support this move. This Government has effectively diminished the people's oversighting of this very powerful body. Quite rightly, the people of Queensland would not like this and would not approve of it. For that reason, we saw the deception in regard to the change to this legislation after the member for Logan limped back into Government by 16 votes in Mundingburra which, of course, are now subject to dispute. It

has been noticed that the Government did not raise the abolition of the PCJC during the election campaign.

The Opposition is in this place with the knowledge and the comfort that 53 per cent of Queenslanders wanted it to be in Government compared with 47 per cent who wanted the honourable members opposite. That is, 110,000 more Queenslanders voted for the Opposition side—the equivalent of five State electorates—than voted for that ramshackle, broken-down, deceitful mob opposite. The abolition——

Mr W. K. Goss interjected.

Mr BORBIDGE: The member for Logan will never hurt me. The abolition of the Parliamentary Criminal Justice Committee comes after some public rows between——

Mr T. B. Sullivan: The majority of votes in the majority of seats; is that how it works?

Mr BORBIDGE: For the benefit of the honourable member, I point out that, since the reintroduction of preferential voting in this State, this Government is the first Government to be returned with less than 50 per cent of the two-party preferred vote. So the member should not talk to me about honest or fair electoral boundaries.

Mr W. K. Goss: You voted for it.

Mr BORBIDGE: I remember the whingeing and the complaining of the member for Logan. In 1989, when for the first time his party received more than 50 per cent of the two-party preferred vote under the old electoral boundary system, he won office.

Mr W. K. Goss: And we're still here.

Mr BORBIDGE: The member for Logan will not be there for long. He should talk to the member for Woodridge. Last night in the bar, he was doing over the member for Logan to anyone who would listen.

Sitting suspended from 1 to 2.30 p.m.

Mr BORBIDGE: Prior to the luncheon adjournment, I was making the point that the abolition of the Parliamentary Criminal Justice Committee comes after some public rows between the PCJC and the CJC and criticism of the Criminal Justice Commission by the Government. It has been reported that the Government is considering reducing divisions of the CJC, such as its research and education functions. It is clear to all that the Goss Government wants a tame CJC and threats to cut its functions, coupled with the abolition of the Parliamentary Criminal Justice Committee, are designed to curb its influence.

The House will recall that the Government did not like the Criminal Justice Commission's role in law reform, such as its reports into the decriminalisation of marijuana, brothels and prostitution. Ironically, the axing of the PCJC coincides with the Government's consideration of the parliamentary committee's report on the CJC, which contained some 30 recommendations. These included that the Parliamentary Criminal Justice Committee should have the power to give directions to the CJC. It will be interesting to see whether the Government approves that particular recommendation. The Government's determination to abolish the PCJC was foreshadowed by its refusal to resource it adequately. I remind the House that the former Deputy Chairman of the Parliamentary Criminal Justice Committee, the member for Nicklin, the Honourable Neil Turner, resigned from the committee because it was inadequately resourced to properly monitor the commission.

Mr Terry O'Gorman, the vice-president of the Queensland Council for Civil Liberties, was reported in the *Australian* of 9 August as saying that the move would be—

> " 'totally contrary' to the Fitzgerald Report and the new committee would be unable to perform its watchdog function.
>
> 'We are opposed to the dilution of the role of the PCJC by incorporating it in a committee that had such significant other functions . . .
>
> We are concerned that the monitoring role is going to be swamped in the welter of work that's going to fall to the committee.' "

Mr O'Gorman said that he was going to write to the Premier and the Attorney-General asking them to reconsider replacing it. Obviously, that request fell on deaf ears. The reality is that the Legal, Constitutional and Administrative Review Committee has a very solid workload, but with the added responsibilities of the PCJC it will be absolutely horrendous. The new committee will not have the time to perform the watchdog role of the former Parliamentary Criminal Justice Committee.

It must be remembered that the CJC has very strong powers with which to fight organised crime and corruption. Therefore, it is imperative that there be a separate watchdog committee to ensure its accountability. Every crime-fighting body in this nation—and I refer to bodies such as ICAC, ASIO and the NCA—has a parliamentary committee

specifically for the purpose of overseeing its activities. It would make the CJC unique among similar organisations interstate and federally if it had its own overseeing body. One can only wonder at the true reason for axing the PCJC and loading up the Legal, Constitutional and Administrative Review Committee with such a large workload. One can assume only that the Government must have in mind the limiting of the responsibilities of the CJC.

The Opposition will oppose any reduction in the role and functions of the CJC. As with so many decisions of the Goss Government, its reason would include some aspect of political expediency. In Committee we will be moving to reinstate the Parliamentary Criminal Justice Committee. As well, we will be proposing amendments to those parts of the Bill relating to the establishment of statutory committees, ethical conduct, powers to call for persons and so on, and privilege against self-incrimination.

There is a noticeable omission from the statutory committees nominated in this Bill and that is the public sector review committee, which was proposed by both EARC and the Parliamentary Committee for Electoral and Administrative Review. For the benefit of the House, I point out that its proposed area of responsibility included the following: the public administration of the State, including assessing the probity, economy and efficiency of a department, local authority, statutory body or statutory office; the structure, organisation and efficiency of a department, local authority, statutory body or statutory office—for example, the Parliamentary Commissioner for Administrative Investigations, the Information Commissioner and the PSMC; and legislation providing for the review of decisions, access to information, equal employment opportunity and anti-discrimination. The Bill established the specific area of responsibility and included the following: annual and other reports to the Parliament, and so on; resources and performance of a department, and so on; standards, guidelines and other instruments issued by the Public Sector Management Commission.

Quite clearly, the Goss Government did not want this committee looking into the public sector, even though its stipulated responsibilities are harmless. It can only be assumed that the reason for the deletion of the public sector review committee was that it would have been a bother—an intrusion into Government affairs and in particular into the affairs of the Executive. The deletion of this committee once again raises questions of integrity, accountability and openness of the style of this Labor Government. Actions speak louder than words. It is the omission of the public sector review committee, with its ability to look at what is very basic material, that highlights the Goss Government's paranoia about public scrutiny. As I said before in this House when speaking to other parliamentary reform measures, this Government is obsessively secretive; it is paranoid.

The Goss Government has not only gutted a number of committees; it has also limited the responsibilities of the same compared with the Parliamentary Committee for Electoral and Administrative Review's parliamentary Bill. For example, the legal and constitutional committee was to have as one of its responsibilities parliamentary reform which, of course, has been removed. Instead it has been given administrative review reform, which includes taking over the responsibility of the Parliamentary Committee for Electoral and Administrative Review to review the reports of EARC which the parliamentary committee had not reviewed and legislation dealing with freedom of information, the review of administrative decisions, anti-discrimination, and equal employment opportunity.

I now refer to the Public Works Committee, which once again under this Bill has had limitations applied to it—limitations that I believe are most inappropriate. In the Committee stage, we will be seeking to amend the Bill so that the Public Works Committee can have some of its investigatory powers restored through certain deletions. It is recognised that, when the Queensland parliamentary legislation was framed by the Parliamentary Committee for Electoral and Administrative Review, the Government owned corporations had not quite reached the level of sophistication they have now. However, the extent to which the Government goes to prevent scrutiny of GOCs and any public works in which they may be involved is really quite remarkable and speaks volumes about the member for Logan.

Quite clearly, GOCs are untouchable. They are exempted from scrutiny by the Public Works Committee, except if the Legislative Assembly approves it—in other words, if the Government approves. And it is obvious to all that the Government does not want any committee inquiring into the works and operations of GOCs. The Bill states—

> "The Public Works Committee's areas of responsibility are—
>
> (a) works . . . undertaken by an entity that is a constructing authority for the

work if the committee decides to consider the work; and

(b) major GOC works referred to the committee by the Legislative Assembly."

In other words, the Public Works Committee cannot consider any major GOC works unless the Government approves it. As the *Australian* editorial of 24 January 1995 stated when a draft Bill fell off the back of a truck—

> "This is an unnecessary intrusion into the independence of the committees."

This means that GOC works are off limits without any accountability to the Parliament. With this restrictive provision, there is not the openness promised by the member for Logan in his 1989 election policy speech. It is another broken promise, another political fraud and another political sham.

I take the opportunity to draw to the attention of the House a significant Public Works Committee responsibility rejected by the Government of the member for Logan. The relevant clause from the Queensland Parliament Bill proposed by the Parliamentary Committee for Electoral and Administrative Review states—

> "Committee to consider environmental matters. The Public Works Committee is to consider all environmental implications of a matter dealt by it."

Where is that provision in this Bill? It has been rejected—it has been tossed out by the Goss Labor Government. The omission of that provision from this legislation underscores the Goss Government's poor environmental record and lack of genuine concern for the environment. The rejection of that clause by the Goss Government is another nail in its appalling environmental credentials. I remind the House that, according to an independent audit of the Goss Government's environmental election promises from 1989 by this State's peak conservation body, the Queensland Conservation Council, the Government had fully met only 16 per cent of those promises. On the other hand, the Goss Government, using the self-assessment process, gave itself a good mark—59 per cent achieved.

A distinction can be drawn between the Goss Government's environmental record and its Fitzgerald reform record. Fitzgerald reform measures which would have opened Government processes to scrutiny have either been watered down—and watered down significantly—or ignored. The record is as follows: Office of the Parliamentary Counsel recommendations—gutted; freedom of information—neutered to the extent that it is useless; protection of whistleblowers—gutted; local authorities external boundaries review—gutted; public sector auditing—partly gutted; review of information and resource needs of non-Government members of the Legislative Assembly of Queensland—gutted; codes of conduct for public officials—partly gutted; review of Government media and services—little or no action.

Mr Lester: Absolutely scandalous—scandalous!

Mr BORBIDGE: It is absolutely unacceptable, but that is the record of the member for Logan and his Government.

As stated earlier, the reforms that allow people to scrutinise the Government—the reforms that provide for open and accountable government—have been gutted. The tragedy for the people of Queensland is that they do not know the extent of the Goss Government's hypocrisy with respect to the parliamentary reform process. The Goss Government has failed the people of Queensland on parliamentary reform.

To hammer home the point, once again I refer to the *Australian* editorial, which states—

> "It is perhaps not surprising that as it (the Goss Government) becomes used to the comforts of Government benches, the Goss Government may be less willing to surrender to Parliament the breadth of powers necessary to properly scrutinise it.
>
> The Government has already shown lack of grace and judgment in its serious under-resourcing of the Opposition, ensuring it remains hamstrung in attempts to keep the Government on its toes.
>
> Equally important is the need to give Parliament the ability to play its role in scrutinising the actions of Executive Government. A unicameral parliamentary system needs adequate review processes."

I turn now to the Scrutiny of Legislation Committee. Once again, it is a mere shadow compared with that proposed by the Parliamentary Committee for Electoral and Administrative Review. For the Goss Government, the Scrutiny of Legislation Committee's responsibilities have been very nicely contained. It will not be able to cause much trouble; its wings have been well and truly clipped. The Bill also provides that the Public Accounts Committee and Public Works Committee have the power to call for persons,

documents and other things. Other committees, including the Scrutiny of Legislation Committee, do not have those powers and can do so only by resolution of the Parliament. We will be seeking to change that by moving an amendment during the Committee stage.

The Goss Government through this legislation has applied the maximum control over the committees so that Executive Government and GOCs can go unscrutinised, except for a few frills on the margin—except for a bit of embroidery around the edges. If the people of Queensland knew the limitations of this Government's parliamentary reform process, they would be left with no other conclusion than that the Goss Labor Government has failed its central promise to the electorate. The Goss Labor Government overall has failed the Fitzgerald reform agenda through limiting or culling out those provisions that would provide open and accountable government. Seven years on from the delivery of the report to former Premier Ahern, we have a secret Government that is not just afraid of scrutiny but is paranoid about it. The Goss Government's proposed parliamentary committees hardly fit EARC's proposals for committees "empowered to examine all that Government does or proposes to do where the particular committee considers it necessary or desirable".

I will conclude by quoting the Speaker of the Forty-sixth Queensland Parliament—and this Parliament—the Honourable Jim Fouras, MLA, in an address to the Royal Australian Institute of Public Administration on 15 November 1990 on the subject "The Speaker's perception of change". Mr Speaker stated—

> "The most serious criticism of the Westminster system, particularly in the twentieth century, has been the development of a situation where the real power inherent in Parliament has been moved on further, past the main body of members and into the hands of either the Executive or the hierarchy of political parties or both."

The Speaker went on to state—

> "This situation is further exacerbated in small Parliaments where there are proportionally fewer members who are not also Ministers of State, and the tendency is for the size of ministries to keep on expanding.
>
> All this in turn is putting a new twist onto the parliamentary system which makes it somewhat difficult, any longer, to hold the view that Parliament is still the supreme authority in the land."

Those are the words of the then and the present Speaker. That observation, I submit, is more relevant today than it ever was.

This Bill demonstrates that the Goss Government has no zeal for genuine parliamentary reform, no zeal for an effective parliamentary committee system and a questionable commitment to parliamentary democracy. What is needed is a select committee on procedural reforms to consider the workings of all the parliamentary committees. Such a select committee should provide for a review of the Estimates committees, which we on this side of the House have been advocating for some time. Any fair assessment of the functioning of the Estimates committees is that the process and outcomes fall far short of what was envisaged by the Opposition and even, I suggest, Government members. Such a select committee would also be able to determine where GOCs fit into the scrutiny process. The Government has failed to provide for an effective parliamentary system; such a select committee would provide committees with the teeth to be effective.

The overall theme of the proposed Queensland Parliament Bill was to provide a comprehensive parliamentary committee system and to give those committees real, genuine power. What we have before us are fewer committees with no real increase in the powers they have currently. It is to be wondered whether the gutting of the parliamentary committees was inspired by the all-powerful but now almost totally discredited Office of the Cabinet.

The coalition supports the amendments in Schedule 1, with the exception of the changes to the Criminal Justice Act. As to the amendments to the Electoral Act—the coalition will be proposing additional changes to ensure that the Minister continues—and I emphasise "continues"—to consult the leader of each political party in the Parliament, as well as the parliamentary committee, with respect to the appointment of the chairperson of the Electoral Commission and the senior electoral officer. As to the amendments to the Parliamentary Service Act—it is noted that the Speaker may establish an advisory committee to advise on issues pertaining to the Act. It would be to the advantage of the Parliament if that committee was to be established promptly.

I draw the attention of the House to what appears to be an oversight in proposed new section 8. I invite the Premier to respond to this matter during his reply. There appears to be no provision for the unexpected absence of the Speaker when the Parliament is not sitting such as through prolonged illness or resignation or death. I suggest that the Bill should provide for such contingency, with the Deputy Speaker or the Clerk automatically becoming the head of the Parliamentary Service, should for some reason Mr Speaker be indisposed.

The coalition supports the Bill in principle—the principle of the Bill is sound—but we have very severe reservations about the end product that has been submitted to the Parliament. We will therefore be proposing amendments in the Committee stage in a bid to make this Parliament's committee system a real benefit to all, rather than a sideshow to Executive Government. I make the point that those of us outside of the Executive, whether we be on the Government side or the Opposition side, have a deep and a real responsibility in respect of the relevance and the supremacy of Parliament. What is wrong with having a parliamentary committee system that works properly? A parliamentary committee system that works properly that has the powers that it should have at the end of the day will lead to greater accountability by the Executive, more effective Parliament and therefore, I would suggest, greater respect in the community for both.

The Government's response to the coalition's amendments will determine how we shall vote on the third reading because, at this stage, the Opposition has serious doubts about supporting this legislation in its current form. If the Government is prepared to consider the amendments that we will be putting forward, or at least some of them, then obviously we will be considering our position later during the debate.

In closing, there is much that is wrong and unpalatable and an affront to the parliamentary process in the legislation that has been presented to this House by the member for Logan. In its present censored form, it is designed to protect the excesses of Executive Government and to muzzle accountability and the proper functioning and sovereignty of this Parliament and its parliamentary committees.

Mr J. H. SULLIVAN (Caboolture) (2.53 p.m.): It is with pleasure that I rise to support the Bill before the House today. I begin my contribution to this debate with quotes from two sources. Firstly, I quote the well-known Dr Peter Coaldrake who, in 1989, wrote—

> ". . . throughout this century the parliament has been regarded as having no role other than that of legitimating government activity."

Secondly, Justice Kirby, who was also quoted earlier in the nineties, said—

> "Unless we are able to give up the notion of democratic Government as nothing more than a triennial vote for the people, we should all be concerned to arrest the declining fortunes of the institution which reflects our diverse democracy."

That institution, of course, is the Parliament. It is quite clear that for some time there has been a concern that, as the Queensland Parliament is presently and was then constituted, it does not function effectively.

The report of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct, the Fitzgerald report, identified Parliament's need to look at its ability to review or scrutinise Government activities, culminating in a recommendation concerning the establishment of a comprehensive system of parliamentary committees. The Bill before the House is the Government's response to a lengthy process begun in December 1991 by the release by the Electoral and Administrative Review Commission of its issues paper on a review of parliamentary committees.

Since then, there has been a report from EARC and a subsequent consideration of that report by the Parliamentary Committee for Electoral and Administrative Review, a committee on which I served. The EARC report and the parliamentary committee report also recommended that a comprehensive system of parliamentary committees be established but, significantly, each offered an essentially different set of committees to satisfy that recommendation.

This Bill has not given expression to either of those competing sets of committees, but I do not believe that that weakens what is being achieved. Neither the Electoral and Administrative Review Commission nor the parliamentary committee was established to take the place of Government.

Earlier, we heard the Leader of the Opposition give a lengthy list of what he claims were actions by this Government that did not accord with recommendations given to it by EARC. Governments are required to source information from a variety of sources before

making decisions. I would be disappointed if our Governments were to slavishly follow the recommendations of any one of those sources to the extent that others are eliminated from consideration. Having said that, though, I do admit that I have some attachment to the recommendations of the parliamentary committee in the formation of which I played a part. I am particularly pleased to see that this Bill gives effect to the most important aspects of the system envisaged by that committee.

I speak now of the Public Accounts Committee, the Public Works Committee and the Scrutiny of Legislation Committee. More than anything, these three committees provide Parliament with the vehicles with which to effectively scrutinise the activities of Government. Public works committees and public accounts committees have been a feature—a particularly well-received feature—of this Parliament since the late 1980s. As the Premier said in his second-reading speech, they have had a distinct and beneficial impact on the Parliament and the process of government.

However, those committees have also provided this Parliament with a connection with other Westminster derived Parliaments. For example, a CPA conference session on parliamentary committees a year or two ago focused almost exclusively on public accounts committees. That is an experience shared by most member Parliaments and one that they hold in high regard.

The third of the committees I have mentioned is the Scrutiny of Legislation Committee, one in which I had a particular interest, having served on its predecessor, the Subordinate Legislation Committee since 1990, the last three years as chairman. It is easy to overlook the importance of this committee, concerned as it is less with outcomes than with the means by which those outcomes are achieved.

In my time in this place, one thing that has been obvious is that debate has rarely, if ever, strayed into the area of statutory interpretations, as members choose to concentrate their attention on the broader policies. As we have seen this week with the issue of the 70-odd councillors whose elections will have to be validated, that lack of attention to detail can have wide ramifications. On occasion, it has been said that members opposite are somewhat hamstrung by the lack of legal expertise among their members. I understand that the new member for Mansfield, Mr Carroll, is a legal practitioner; I think that will be beneficial to members opposite.

The establishment of a committee to subject all Bills to a technical scrutiny brings this Parliament in line with the Commonwealth, the ACT and Victoria, all of which have committees established to carry out this function. The process begun by EARC through its report on the Office of the Parliamentary Counsel, which resulted in the watershed which was the Legislative Standards Act of 1992 and the Statutory Instruments Acts of 1992, is brought to its conclusion with the establishment of the committee.

The Scrutiny of Legislation Committee is not simply an extension of the Subordinate Legislation Committee, although it does also take on the functions performed by that committee since 1976 in respect of the scrutiny of statutory instruments. Although these are related functions and although subordinate legislation is just as much legislation as an Act of Parliament, the Scrutiny of Legislation Committee will deal with each differently. There is a longstanding methodology by which the Committee of Subordinate Legislation is operated. Briefly, this entails the examination of statutory instruments, the identification of potential problems and the elimination or resolution of those problems in consultation with the appropriate Minister.

In its 19-year history, the committee has had to resort to its ultimate sanction, a motion to disallow an instrument, only twice. In the first instance, in 1978, the issue was resolved after a further meeting with the Minister and his senior officials and the notice of disallowance was withdrawn. The second instance, just last year, occurred simply to allow time for additional public comment on a report tabled by the committee in relation to an issue that had attracted a great deal of publicity. That notice was also withdrawn.

I think it is a tribute to the members of successive committees of subordinate legislation and successive Governments that those are the only examples. Clearly, the spirit of cooperation between the two has contributed to the quality of government in this State. There is no reason to change the way in which these matters are dealt with.

The new function for this committee, the exposure of Bills to the same kind of technical scrutiny that subordinate legislation has had for 19 years, is, to my mind, the most important of the reforms encompassed in this Bill, but, of course, I am biased in that direction. However, the nature of the task is

different, particularly in respect of the requirement of the committee to alert both the Parliament and the Minister to potential problems. In respect of subordinate legislation, as I have said, the committee will, I presume, continue the practice of negotiating outcomes on behalf of the Parliament. In respect of principal legislation, the committee will obviously alert the Parliament to potential difficulties and the Parliament will negotiate its own outcome during the debate on the Bill. In a sense, this is the most desirable way for these matters to be addressed, but clearly, because of the volume of subordinate legislation, it is not practical for those instruments to be dealt with similarly.

I would like to make a couple of general comments in closing. Firstly, if I could refer to some comments made by the Leader of the Opposition in respect of powers of committees. As a person who has served on a number of committees in this place and a person who is looking forward to serving on committees in the current term, I found the Leader of the Opposition's comments about powers somewhat puzzling. It has always been the practice in Parliaments in the Westminster tradition that powers, particularly the power to send for persons, papers and other things to which the Leader of the Opposition referred, have been incorporated in the motion for the appointment of the committee.

Clearly, there are the powers entrenched in this piece of legislation for three committees: the Public Accounts Committee, the Public Works Committee, and the Legal, Constitutional and Administrative Review Committee in respect of its function as the PCJC or the successor to the PCJC. The first two of those, I think it is fair to say, are included in this Bill simply because the Acts of Parliament that will be repealed as those committees are set up under this Bill included the powers of those committees. It would be open to him to say if it did not appear in this Bill that we were gutting their power.

In the third instance, that of the Legal, Constitutional and Administrative Review Committee, the power, I think, is needed only to be stated clearly in respect of any suggestion by the members opposite that there is also a power gutting going on. In effect, all of these committees could be well served by having the power provided through the resolutions of this Parliament, as we will see occur for those committees not named in this Bill as the motions are moved in the next few sitting days.

In February this year, the Commonwealth Parliamentary Association sponsored a conference known as the Wilton Park conference. It was convened to deal with the issue of committees. I would like to read into the record some of the issues that were covered at that conference. I refer to the April edition of *The Parliamentarian* magazine, which we all receive. Firstly, the group that considered committees indicated that it was—

> "Clearly the view of the group that committees are in principle valuable additions to the parliamentary process."

I invite all honourable members to set aside any concern they might have with the words "in principle" that have been raised by the activities of Sir Humphrey Appleby in the program *Yes Minister*. I think we all agree that parliamentary committees are valuable additions to the parliamentary process.

The group also indicated that it believed that—

> "A decision to establish effective committees must be accompanied by a recognition that all sides have to cooperate with each other and respect the role of committees."

As I said a moment ago, I have served on a number of committees with a number of members of the Opposition and it has been my experience that each of those committees has been able to set aside difficulties and work cooperatively.

Another of the issues that the Wilton Park conference canvassed was the—

> ". . . basic premise that committees must operate independently from party discipline."

This also has largely been a hallmark of this Parliament, although I express some moderate regret at the treatment to which members of the National Party were subjected as a consequence of the all-party parliamentary committee report on the review of the Ambulance Service. I thought that that treatment probably was not deserved.

Another thing that the people at this conference agreed on was that—

> ". . . once formed committees must be armed with the facilities and services to conduct their inquiries."

It also spoke of a—

> ". . . widely held theory that committee systems offer Parliaments an effective solution to many perceived deficiencies in the democratic process."

A well-known Brisbane QC, Mr Anthony Morris, has also expressed a view that in the circumstances of the Commonwealth jurisdiction, the operation of two committees, the Legal, Constitutional and Administrative Review Committee and the Scrutiny of Legislation Committee, both of which are established by this Bill, the Senate now exercises a function commensurate with its description as a House of review. I think that that is more than important when we consider our unicameral Parliament.

We have heard a lot in Queensland in the past six years or so of the Fitzgerald commission and its report. I would like to read, if I may, just a few small quotes from another report, another commission in another jurisdiction, the Western Australian royal commission into the commercial activities of Government. In that report, Commissioners Kennedy, Wilson and Brinsden also considered the issue of parliamentary committees. That commission indicated that—

> ". . . if parliamentary committees are to be able to realise their purpose, several conditions require to be satisfied."

Those conditions number three. They are as follows—

> "(a) Their mandate must not be cast in ways which curtail, in any arbitrary or protective way, the matters into which they can inquire.
>
> (b) Their powers must be ample.
>
> (c) They must be provided with the support staff, resources and facilities necessary to enable research, investigation and reporting to be fully and effectively undertaken."

The report then states—

> "We particularly emphasise the last of these. An unsupported committee is a wounded committee."

In conclusion, can I say that the committee system that this Bill anticipates for the Queensland Legislative Assembly and the people of Queensland is not thereby one that we are going to find unmanageable. It is a committee system that is, I think, drawn with consideration of the numbers of members in the Parliament and the amount of work that is required of them in other capacities, be it on the floor of Parliament as we are now or in our electorate offices. Therefore, it is all the more important that we concentrate not on any perceived deficiency in the committees as the Bill is drafted, because the deficiencies simply are not there, but concentrate on ensuring that these committees are able to perform effectively the work that they have been given.

In his second-reading speech, the Premier indicated that there had been changes in the parliamentary horizons and landscape since the Fitzgerald inquiry, and that is true. So, too, will there be changes in the next five or six years. I think that we need to recognise in this Bill before us today not the establishment of the committee system that will serve this Parliament for time immemorial, but rather the establishment of a committee system that is right for the Parliament at this point and one that is always going to be subject to and open to reconsideration by this House at the appropriate time. I have pleasure in supporting this Bill.

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (3.07 p.m.): One of the saddest things to occur in the post-Fitzgerald era under Labor has been the misuse of certain terms—the way the State Labor Government has twisted words and phrases so that they no longer represent the dictionary description. This Government has done that with the phrase "public consultation". Everyone in Queensland now knows that when this Government promises public consultation over an issue it means that the Government is going to organise some meaningless meetings to parade before the media and then go back to the 15th floor and do exactly what it had planned to do in the first place.

The second word that the Labor Government has grossly misused and misrepresented is the word "accountable". Accountability was the Labor Party's catchcry in the 1989 State election. It was the call to arms for the ALP. For the then Opposition Leader, Wayne Goss, it was, in fact, the basis of his entire 1989 election campaign. After all, he and the Labor Party did not have much else to run on, and we have seen that in the six years that have followed. Talk about a policy free zone—this ALP Government has been a policy black hole!

Without the Fitzgerald report and its creations, like EARC and the CJC, the people of Queensland could be forgiven for wondering whether the Premier and his ALP Government have ever had an original thought. "Accountability" is a word that has now lost any real meaning in Queensland, because it has been so badly misused and twisted by the Goss Labor Government. In the past six years, we have seen little of accountability Tony Fitzgerald-style and much of accountability Wayne Goss-style. We have

seen the Premier and the ALP Government ignore recommendations from independent commissions and, when it suited them, even ignore recommendations from parliamentary committees that the Government controlled.

We have seen the word "accountable" used to corrupt important issues, such as freedom of information, the committee system, the reforms of Parliament, the public service, whistleblowers, the politicisation of senior Government positions and the blow-out in ministerial staff numbers while Opposition staff numbers are still stuck in the Dark Ages. In common with the phrase "public consultation", the word "accountable" has now lost all meaning in Queensland under Labor.

The third word that has become twisted due to gross misuse by this State Labor Government is, of course, the word "reform". The fact is that, whenever I hear the Premier use the word "reform" in regard to a new piece of legislation, I immediately wonder just who is going to cop it in the neck this time. Unfortunately, in far too many cases, whenever the Premier has used the word "reform" it has been used to cover up a naked grab for even more power by the Executive arm of Government.

I do not think that anyone could forget the way this Premier "reformed" the freedom of information legislation to prevent the public from obtaining any information. He reformed it so well that the Labor Government has performed midnight plane runs to country Cabinet meetings just to put boxes of information in the Cabinet room so that the information cannot be accessed under the Freedom of Information Act. So freedom of information really has become freedom from information. We also saw this with the parliamentary Estimates committees which, under this Premier's legislation, are little more than expensive charades run and directed by the Executive through Government-weighted committees and the refusal to allow questions to be directed to public servants.

Once again, we are here debating a Bill that the Premier is touting as reform but which the rest of Queensland knows is just another attempt by this Government to hamstring the real reform of the Queensland Parliament. Let us look at the details of this deceitful piece of legislation. The fact is that the word "reform" would suggest that this piece of legislation would allow for a more open and more powerful parliamentary committee system to encourage more scrutiny of Government decisions and spending. Instead, this Bill produces a hamstrung committee system, much the same as the Estimates committees were hamstrung.

The first and major problem with this Bill is that it abolishes the Parliamentary Criminal Justice Committee and throws parliamentary scrutiny of that powerful, independent body into the new Legal, Constitutional and Administrative Review Committee. This new committee seems to be the committee for everything. Parliamentarians serving on this committee will barely have time to turn up to the infrequent sittings of this House. But, of course, the crux of the problem is that this will mean a drop in the parliamentary scrutiny of the CJC. The CJC is the most powerful independent body in Queensland. The only check and balance on its performance is the Parliamentary Criminal Justice Committee. ICAC in New South Wales, which does not have the power or scope of reference of the CJC, has its own parliamentary committee watchdog. Federally both the NCA and ASIO have their own parliamentary committee watchdogs. None of those committees in New South Wales or Canberra is forced to control so many disparate responsibilities. In fact, the parliamentary ICAC committee only has responsibility for ICAC, and the same applies in the Federal Parliament.

In Queensland, the former PCJC was at least three times busier than the other committees, yet the Premier wants to give the new committee an even bigger workload. The questions has to be asked: why? Perhaps in his reply the Premier will tell us why. Why would the Premier go out of his way to ensure that the parliamentary scrutiny of the CJC was reduced? Why would the Premier throw the scrutiny of the CJC onto a committee that will be overworked and unable to properly supervise this important crime fighting body? It is a question to which I do not know the answer.

A Government member: Why don't you say something positive?

Mrs SHELDON: I think that this is very positive for the people of Queensland. They want to know that the CJC has a watchdog, that it is effective and that that watchdog has time to do its job. Effectively, this Bill has sidelined that committee. As I was saying, it is a question to which I do not know the answer—and that concerns me as it should all members on the other side of the Chamber. The inclusion of the CJC in that super committee is flaw number one in this Bill.

Flaw No. 2 is the unbelievable effort by the Premier to ensure that the parliamentary committees have restricted, lame-duck

powers. This lame-duck Premier has forced lame-duck powers on the committees to ensure that they will be unable to fulfil their real duties and responsibilities.

Mr W. K. Goss: Will you take an interjection? If you're a lame-duck Premier, how do you force things onto the committee?

Mrs SHELDON: The Premier is making the committees lame ducks through what he is doing to them through this Bill. If he had listened to what I said, he would realise that that was spelt out very specifically.

Mr W. K. Goss: If you're a lame duck, you can't force anything on anyone.

Mrs SHELDON: There is no doubt that the Premier is a lame duck. What about what happened yesterday, and the debacle over the election of Speaker? If that is not an example of a lame duck, what is?

The Premier has made the committees lame ducks by refusing to give all of them the power to send for people, papers and records—effectively, the power to summon people and records before the committee. In fact, even the super committee, the Legal, Constitutional and Administrative Review Committee, has only limited powers to force people, papers and records to be presented to the committee. This is a power seldom used by committees, but it is essential if these committees are to have any teeth. Without this power, the committees can essentially be snubbed by those who refuse to appear, or refuse to divulge written information that the Parliament requires. That would severely hamper the operations of these committees and, when important investigations are being carried out, leave them at the mercy of the Executive Government, which would have the power through the Parliament to grant or refuse temporary powers to summon for the committees. In the Bill before the House the only two parliamentary committees which retain that power in full are the Public Accounts Committee and the Public Works Committee. I believe that clause 25(1) of the Bill must be amended to cover all parliamentary committees.

Another issue of serious concern in the Parliamentary Committees Bill is covered by clause 26. In it, the State Government has indulged in some tinkering where no tinkering was needed. This is a complicated and, at times, convoluted area of the legislation; nevertheless, it is very important. The political correctness police within the Premier's office have obviously decided to put on their extreme civil rights caps to try to play with an area of the Bill that did not need to be interfered with.

Essentially, this section of the Bill will cause massive problems for the committee system because it blocks the committees from demanding that evidence be given by witnesses if that evidence may incriminate them. Instead, a witness can defy the committee and refuse to give evidence if that evidence may incriminate that witness. Some may say that this is a good thing because it protects witnesses from offering evidence that could get them into trouble. Under this legislation, a witness could defy the committee and refuse to answer questions, and the only recourse for the committee would be to go back to the Parliament and ask the Parliament to give the committee the power to force the witness to give evidence. This would create all sorts of problems. Firstly, any witness who wanted to frustrate a committee investigation and refuse to give evidence could drag out an investigation for months as the committee was forced to run back and forth to the Parliament to get permission to continue questioning. Secondly, this would expose the name of the witness to massive publicity and create massive public scrutiny on an individual when such attention may not have been warranted. Thirdly, there is absolutely no need for this change.

Currently, under the natural justice provisions, evidence given before a parliamentary committee cannot be used in a court of law. Also under the current provisions of natural justice and the current provisions for committees, witnesses who believe that their evidence will incriminate them can request that the committee hear their evidence in camera. The committee can hear the evidence and decide whether it is to be included in the record of the committee's proceedings. This is, and has been, a perfectly workable system which gives the parliamentary committees the ability to properly investigate issues without being unduly frustrated by witnesses who either refuse to attend at all or refuse to give evidence once they do attend. I also believe that the existing system protects civil rights without unduly hamstringing the processes and powers of the committee system. Therefore, I believe that this clause of the Bill should be removed completely.

We heard in the Premier's second-reading speech to this Bill how he praised the work of EARC and the PCEAR in their preparation for the introduction of the parliamentary committee system advocated in the Bill. However, the Premier has, in the past,

been more than happy to ignore EARC reports and the independent umpire—as he calls him—when he decides it does not suit him, such as with the recommendations for an increase in staff and resources for the Opposition parties. Recently, Mr Speaker—and I thank you for it—you have seen fit to give increased office space to the Opposition on level six, which has been sorely needed for the past six years. However, so far we have heard absolutely nothing from the Premier with regard to our critical need for more staff and for resources for that staff. This was highlighted very recently in my own office, where I have four professional staff and only three computers. Therefore, one person has to go without a computer and write things out in longhand; yet this is the day of information technology. Further, two of those computers blew up, so we had four staff with one computer. How can any Opposition act effectively to look after the interests of people who elected it to this House—and elected the Government—with that deplorable system in place?

It must be remembered that the committee structure is still, essentially, an arm of the Government and an arm of the Executive. The committee structure in Queensland is still based on four Government and three non-Government members, always giving the majority to the Government and always giving the Chair to the Government. This opens the door to the problem with the Bill before us today. This Bill not only enforces the Government's control over the parliamentary committee process, it also diminishes the Parliament's control over a very important arm of the Government. The fact is that, instead of improving and increasing the Parliament's supervision of the Criminal Justice Commission, this Bill actually diminishes the role and the power of the Parliament by abolishing the Parliamentary Criminal Justice Committee.

This Bill also diminishes the powers of the committees to be able to summon witnesses and information, and further diminishes the powers of the committees in demanding that those witnesses actually cooperate with the committees and give evidence. So much for the Premier's reforms! So much for the Parliamentary Committees Bill, in which the Premier once again promised so much, yet, as usual, delivered so little!

I believe that a very important and progressive reform which has been ignored by this Bill would be a change in the numbers on the parliamentary committees themselves. Currently, the Government not only has the Chair of each committee but it also has a four/three advantage over non-Government members. This should end, as it has in other places. These committees are committees of the Parliament, not of the Government, and certainly not of the Executive. There is absolutely no reason why these committees could not be made up of three Government and three non-Government members. Not only would this make the committees more representative of the Parliament rather than the Government, it would also ensure that they more accurately represented the current Parliament, because, whether one likes it or not, this Parliament is split on a knife-edge, and the Labor Government can no longer claim the overwhelming majority either in this House or on these committees. I would support any moves to reduce to six the numbers on the parliamentary committees, with the Government still appointing one of its three members as chairman with the casting vote. I believe that this small change would make these committees more representative of the Parliament and less beholden to the Executive on the fifteenth floor of the Executive Building.

While on this note, it would be remiss of me not to mention the farcical status of those other parliamentary committees, namely, the Estimates committees. Anyone witnessing the operation of the Estimates committees over the last two years would realise that he or she was witnessing, by and large, a time-wasting farce. Anyone who has been involved in the Estimates committee process—as I have—would realise that it is basically a charade when it comes to true financial accountability. A true system of Estimates committees would open up questioning to a much wider area of Government expenditure, including GOCs, because, of course, more and more of Government debt is being shifted off budget through the GOCs.

The Estimates committees would also be more effective if committee members could actually question senior public servants, rather than suffer a series of political answers from the Ministers. The carve-up of time spots into 20 minutes for Opposition questions and 20 minutes for Government questions is also a farce, and it is designed to prevent detailed and supplementary questioning of Ministers. Also, the Estimates committees sit too close after the introduction of the Budget.

When one looks at the Treasury Estimates committee and, indeed, the ones that start on the first day of hearings—and I

will speak of the composition of Estimates Committee A—one finds that there is usually only one week between the Budget and when the committee must have its questions ready. This is hardly fair, because the Treasurer has had all that time to prepare his Budget with the Treasury Department behind him. This practice limits the effectiveness of the Opposition to be able to accurately question not only the Treasurer but also other Ministers on their budgets. If we are going to be real about these committees, that time restraint should not be put in place.

Further, as to the composition of Committee A—it covers the Governor, the Attorney-General, the Speaker, Treasury, the Premier and the Department of Local Government and Housing in one day. It is impossible for any Parliament and any Estimates committee to accurately do that. Therefore, if we are going to be true to what an Estimates committee should be, we should look at what is done in the Senate, where they work well and where, indeed, shadow Ministers and other interested people have adequate time—in fact, all the time they need—to question not only the Minister but also the public servants who are part of that department. That is what a true Estimates committee is set up to do—not the farce we have here. These are all changes which, if the Premier was truly accountable, he would introduce.

I also wish to make some comments on the scrapping of the Parliamentary Service Commission. The PSC has been an abject failure. It is an experiment that has failed because it was just another vehicle through which the Premier and the Executive Government could exert influence. I should know; I was a member of the PSC for the past three and a half years. In that time, I saw the Premier's henchman, Mr Terry Mackenroth, constantly pushing to bring the Parliament further and further under the wing of the fifteenth floor of the Executive Building. Mr Mackenroth pressured the PSC to try to bring the operations of the Parliament under the control of the Executive, particularly through the Treasurer and his hold on the purse strings. Time and time again, we in the Parliamentary Service Commission were asked to cut back on our budget.

As all members would know, the Parliamentary Service Commission runs the Parliament and looks after members' interests on both sides of the House. I know the pressure that was put not only on the Speaker but also on other members of that committee, when we were told again and again that we had to reduce our budget by $2m, $1m or whatever, yet we had no way of bringing income into the Parliamentary Service Commission. I am pleased to see that Mr Palaszczuk agrees with me, because he similarly served on that commission.

I support the abolition of the PSC, because it puts the Parliament back where it belongs: run by the Speaker. I welcome the Speaker's initiative in forcing the issue early in the Forty-eighth Parliament. The Speaker's resolution in forcing the issue, and the obvious public support of the coalition, has led to the Premier including in this Bill the section to abolish the PSC. Of course, there will be an advisory committee of members of this Parliament who will advise the Speaker on how they—representing all 89 members—believe that this House should be run. The Premier deserves small credit, but at least he realised when he was beaten and adopted the commonsense approach to the scrapping of the PSC.

The Bill before us should be supported only if the amendments to be introduced later by the Opposition Leader—and to which I have alluded in my speech—are agreed to by the Government. The coalition does not want to oppose this Bill outright, but we would not be doing our duty if we supported the Bill in its current form. I strongly support the amendments which are to be moved by the Opposition Leader at the Committee stage, because I believe that those amendments will lead to a much superior piece of legislation and a far superior parliamentary committee system. I urge members on the Government side of the House to support those amendments. After all, it might not be too long before they are in Opposition and, with that in mind, they should give our amendments serious consideration. In the long run, all objective observers would realise that the amendments I have foreshadowed would be for the best.

Time expired.

Mr CAMPBELL (Bundaberg) (3.30 p.m.): I had the privilege to present the first report of the Public Accounts Committee to this Parliament. That was as a member of the Opposition, because at that time the Chairman of the Public Accounts Committee suddenly found himself a Minister. It may have been for only one or two weeks, but it was just at that time. The process of Parliament and the system of parliamentary committees did work. I also had the privilege, on 10 November

1988, of participating in the debate on the Public Accounts Committee Bill.

When I hear the hypocritical statements by Opposition members about the gutting of committees, I have to say to them, "You do not know what happened back in 1988." That is when, in three divisions, the Liberal Party voted against the National Party Government because it was gutting the Public Accounts Committee. There was a division called on the time limit——

Dr Watson: That doesn't make us inconsistent.

Mr CAMPBELL: I will take that interjection. That does not make the Liberal Party inconsistent. However, the Liberal Party and the National Party a very strange bedfellows. It is interesting to note that, at that time, Parliament had a pairing system. During those three divisions to which I have referred, pairing took place. I hope the National Party and the Liberal Party decide to resume that tradition of pairing.

It is interesting to read the debate on the Public Accounts Committee Bill. The member for Logan, who is now the Premier, led the debate for the Opposition. The debate hinged on an area for which there should have been public accountability, and that was ministerial expenses. The vetoes that gutted the Public Accounts Committee were put in place to protect National Party Government Ministers. However, the tactic did not work, because three of them ended up in gaol for misappropriation of funds.

We have to look at what the committees, even at that time, were doing. I believe very strongly that the Leader of the Opposition and Deputy Leader of the Coalition cannot have it both ways. They referred to gutted committees. We now have a Public Accounts Committee that has more say than previous committees. It has the full powers of a proper parliamentary committee—something that was denied to it by the National Party Government.

Mr Veivers interjected.

Mr CAMPBELL: Mr Veivers was a member of that Government. The Premier of the time said that the Public Accounts Committee was going to be the Rolls Royce of Parliamentary Public Accounts Committees. However, it was shackled by limitations and overburdened by the limits of time, ministerial veto and departmental cooperation.

It is interesting to read some of the speeches made in Parliament at that time. One speaker referred to the fact that most of the Bill was taken from South Australian legislation. At that time, I asked why the Government did that. I noted that a clause in the Bill relating to casual vacancies was taken word for word from the South Australian legislation. That was an example of the way in which that Bill had been drafted. Clause 8 of that Bill stated—

> "The seat of a member of a Committee shall become vacant if—
>
> (a) he dies."

It was bad enough that the legislation used old, sexist terminology, but subclause (1)(a) stated "he dies" and (c) stated "he ceases to be a member of the Legislative Assembly." I guarantee that if a person dies, he ceases to be a member of the Legislative Assembly.

However, we now have a system of parliamentary committees that will be wide ranging. They will have the power to be able to scrutinise fully Executive Government. I found it interesting to note that, when the Labor Party was in Opposition, a transition to Government committee looked at——

Mr Palaszczuk: A long time ago.

Mr CAMPBELL: It was a long time ago. That committee looked at parliamentary committees. I believe that the collective wisdom of those members of Parliament, even in Opposition, was as great, if not greater than the collective wisdom of those involved in the whole EARC process. I listened to the educated experts. I have to say that, in many cases, unless they had actually been in a Parliament, they had no idea of what occurred in a Parliament. I remember going to an EARC seminar at which academics tried to compare this Chamber with the House of Commons. They were trying to say what work the members of this Parliament should be doing because that work was done by members of the House of Commons. They forgot one thing: there are 650 members of the House of Commons and there are 89 members of this place. If one excludes Executive members, there is only a small pool of people to do the parliamentary committee work on top of the work they do for their electorates and their constituents as well as their responsibilities to Parliament.

I think we should reconsider the work undertaken by the transition to Government committee. I am glad to see that the legislation, although it does not say so expressly, allows for a committee, such as the Public Works Committee, to actually set up a capital assets register, because we have no idea of the value of our capital assets, many of which are immensely valuable, and which

are going to need expensive maintenance. Under this Bill, it would be part of the role of the Public Works Committee to maintain such an assets register and part of the guidelines for the Public Works Committee would be to ensure that departmental expenditure strikes a proper balance between the maintenance of existing capital assets and the generation of new ones.

It is interesting to note that one of the recommendations of the transition to Government committee related to the Public Accounts Committee. One of that committee's recommendations, which is not contained in this Bill, was for the setting up of a public bodies review committee. That committee was to examine quangos and to make recommendations as to their reform or abolition.

The transition to Government committee recommended Estimates committees and a capital works committee so that working members of Parliament, whether they be on the Government side or in Opposition, could put forward good ideas about how committees of the Legislative Assembly should work.

Both the Leader of the Opposition and the Deputy Leader of the Coalition talked about lame-duck committees. If they had read the Bill—and it is important that they do—they would know that the power of the Legislative Assembly to establish committees and to confer functions and powers on committees, including statutory committees, is not limited by this legislation. The Bill indicates that the Legislative Assembly has the power to ensure the establishment of select committees. I am very pleased to say that, at our last caucus meeting, it was decided that there will be a Travelsafe Committee. That committee will have full powers and its members will be recompensed for the work that they carry out.

Mr FitzGerald: You mean it should be recommending to the Parliament, not deciding that the Parliament will have——

Mr CAMPBELL: Does the member not want to have a select committee?

Mr FitzGerald: Your people have decided that there will be, rather than that you will recommend to the Parliament.

Mr CAMPBELL: We will recommend to the Parliament. It will come in the form of a motion. Opposition members will have their say, and I hope that they will support the setting up of a Travelsafe Committee, just as the Labor Party has supported a Travelsafe Committee both in Opposition and in Government.

One of the committees that is provided for by this Bill is the Members' Ethics and Parliamentary Privileges Committee. That committee will have very interesting and pioneering work to do because ethics, codes of conduct and the registration of pecuniary interests are now becoming a very important part of parliamentary procedures. Just as Queensland is looking at developing a code, New South Wales and the Commonwealth are doing the same thing. In fact, we will not only be reviewing the register of pecuniary interests but also establishing a code of conduct. It is interesting to note that codes of conduct and ethics are quite an important part of political life in America. The preamble of one State's code of conduct begins with the Ten Commandments. I do not know if we need to go that far, but we have to look at all aspects of a code of conduct. What we do need is to make certain that we achieve a workable balance that does not hamstring members of the Parliament.

The code will be bound by the ethics, principles and obligations contained in the public sector legislation, which does create some concern. Basically, under the public sector legislation, the minimum standards expected of public officers include the following: respect for the law and the system of government, respect for persons, integrity, diligence, economy and efficiency. Given that the code is being developed along those lines, it would be interesting to look at the diligence, economy and efficiency of members opposite, which I suggest might prove harmful.

I turn now to a matter that has been raised often, that is, the power of committees. The Leader and Deputy Leader of the Opposition mentioned clauses 25 and 26 and the power of committees to call for persons, and so on. Interestingly, by resolution the Legislative Assembly will be able to authorise other committees to call for persons, documents and other things. It is good to know that we have been given an undertaking that, by resolution of the Legislative Assembly, the Members' Ethics and Parliamentary Privileges Committee will be able to call for persons, documents and other things.

Quite a deal of the arguments put forward by the Opposition concerned privilege against self-incrimination. There is some precedent for including these provisions in the legislation. For example, these provisions were included in the Public Accounts Committee Act of 1988. It is very important to ensure that committees are not hamstrung in doing their work because of the provision of privilege against

self-incrimination, which has been the case previously. I will refer to a precedent.

In 1994, we put forward a very clear motion that was accepted by both sides of the House in relation to the procedures for witnesses appearing before parliamentary committees. In addition, there was an understanding that parliamentary committees are not bound by the same rules of evidence and that parliamentary privilege extends protection to any evidence provided. Parliamentary committees do not accept incriminating evidence in a legal sense, because it cannot be provided to courts. Mr Speaker, as a member elect of the Members' Ethics and Parliamentary Privileges Committee, I would ask that, if concern is expressed concerning the evidence and the calling of peoples and papers, such instances be referred immediately to the Members' Ethics and Parliamentary Privileges Committee so that we can ensure that the committees are not hamstrung in any way by this provision in the legislation.

Some provisions in the Bill concern the administrative functions of the Speaker. As to the Speaker's role within the Parliamentary Service—it concerns me that Mr Speaker will decide major policies to guide the operation and management of the Parliamentary Service. I would be interested to learn the definition and scope of "major policies". I think it would be fairly difficult to expect the Speaker to become involved in the day-to-day running of the Parliament in addition to the Speaker's more general role.

We should also examine the delegation of the administrative functions of the Speaker. The Bill states—

> "The speaker may delegate the speaker's powers under this Act to the clerk or a parliamentary service officer or employee."

Perhaps we should also examine delegating these powers to the Acting Speaker, for example, if the Speaker is away for an excessive time. In this House, the Standing Orders indicate clearly that the powers of the Speaker go to the Deputy Speaker in an acting role. Perhaps that aspect could be clarified in this Bill.

There is one other aspect that concerned me in relation to parliamentary committees. I refer to the CJC and the PCJC. I have been very concerned about the loss of members' privileges and powers as a result of the CJC legislation, which provides for up to 12 months' imprisonment for members of Parliament breaching confidentiality provisions of a parliamentary committee. Former members of the Parliamentary CJC are also bound by these provisions. Section 132 states that the maximum penalty could be 85 penalty units or imprisonment for a year.

The major concern with respect to parliamentary privilege is that the actions of a member of Parliament acting on a parliamentary committee are investigated and that member is charged with alleged misconduct by an outside body—the Criminal Justice Commission—and the matter is not subject to the traditional referral to the Privileges Committee or to Parliament itself. In accordance with parliamentary practice under the Westminster system, the House directs the Attorney-General to prosecute if necessary. I believe that loss of privilege is of concern.

I refer to the disgraceful Operation Trident car-stealing fiasco. The associated overt police action was more damaging and unacceptable to Queensland citizens than much of the police behaviour exposed in the Fitzgerald report. Although top police and the CJC praised Trident as an outstanding success, the media—the *Courier-Mail*—was able to expose this car-stealing fiasco. What concerns me is that, if a member of the Parliamentary Criminal Justice Committee had attempted to expose Operation Trident after briefings by the CJC, if there were any, the Chairman of the CJC may have decided that the parliamentary committee member had acted improperly under the CJC legislation and had criminal charges laid against the member. The member could have been acting on what he believed—and subsequently proved—to be in the public interest, yet possibly suffer criminal charges. In the past, the CJC has proven to be vindictive and unprofessional and may act in its interests rather than in the public interest.

We have to ensure that the parliamentary committees and the powers of Parliament are protected. With this parliamentary committees legislation, we will be able to extend the accountability of Executive Government to Parliament. Overall, this is a good, realistic and practical Bill for the provision of parliamentary committees in the Parliament of Queensland.

Mr LINGARD (Beaudesert—Deputy Leader of the Opposition) (3.48 p.m.): The Opposition agrees with the intent of this legislation. However, there are certainly some parts of it with which we disagree. During the Committee stage, we will be indicating that disagreement. If our amendments are not accepted, we will possibly oppose the third reading of the Bill.

As I say, clearly we agree with the intent of the legislation. However, the legislation goes against several key recommendations of the Electoral and Administrative Review Commission and its parliamentary equivalent and leaves out large chunks of PEARC's unanimously endorsed Queensland Parliament legislation. That is one of our biggest concerns. We believe that those parts of PEARC's recommendations that do make an appearance in this Bill are substantially watered down. PEARC acknowledged that there may be some minor overlap between the functions of the PWC and the PAC. Nevertheless, it upheld the need for this separate committee to augment the roles of the PWC and the PAC.

It appears that some of the functions proposed for the public sector review committee have been incorporated as a fringe responsibility of the Legal, Constitutional and Administrative Review Committee. With it has gone responsibility for Parliament to monitor and investigate the activities and performance of the Public Sector Management Commission. Why has the PSMC specifically been exempted in this legislation from parliamentary scrutiny? I will be curious to hear the Premier's response to that comment.

Will examination of the PSMC be within the powers of committee? If it is to remain under the umbrella of the committee's responsibility, what is the reason for not having it in black and white in the Bill, as PEARC had done? I certainly believe that this body, so hated by public servants and wielding such power over the structure and operation of departments, should be open to stringent, parliamentary scrutiny.

I remind honourable members of the comments of Dr Roger Scott, former Director-General of Education, who is extremely critical of the Goss Government's efficiency reforms. I believe his exact words were that they were farcical. The behind-the-scenes machinations of the PSMC have historically shown that they have very little to do with good government and a great deal more to do with the ALP's political agenda. It is for this reason that the PSMC should be treated as an independent body that is responsible to the Parliament and subject to the same scrutiny as other sections of the Government.

I note also that PEARC's recommended monitoring of and reporting on the functions of the Law Reform Commission and the commission's performance of its functions has been deleted from the terms of responsibility of the Premier's Legal, Constitutional and Administrative Review Committee. If parliamentary committees are to effectively scrutinise all aspects of public expenditure, why has the Premier again failed to give committees the legislative framework under which to operate? Why has reference to that responsibility been dropped from the Premier's Bill? I hope that the Premier will provide the House with a reasonable response to that question.

Another of the worrying aspects of this Bill pertains to the appointment of the Electoral Commissioner. PEARC outlined a pivotal and clearly defined parliamentary process for the selection of the Electoral Commissioner, spearheaded by the Legal, Constitutional and Administrative Review Committee. I refer the House to Part 7, proposed new section 7A (4) of PEARC's draft Queensland Parliament Bill, which stated—

> "As soon as practicable after the Legal and Constitutional Committee receives and considers the applications, it is to give notice of its recommendation, and the names of the members who support the recommendation, to the Minister.
>
> (a) unanimously by the members of the Legal and Constitutional Committee; or
>
> (b) a majority of the committee members, including at least 1 member who is not a member of the political party or parties in government."

That clause codifies the necessity for bipartisan support in the appointment of an Electoral Commissioner and requires the committee to make a recommendation to the Minister on that basis. However, the Bill before this House has rejected that provision, meaning that a majority of Government members can effectively rubber-stamp an Executive decision on the appointment of the Electoral Commissioner. I note that the Bill before the House has watered down the clause requiring a bipartisan recommendation from the committee. The Bill now directs the Minister merely to "consult" with the parliamentary committee. This clearly undermines the role of the Parliament in independently selecting an applicant for this position and reinforces the power of the Executive and party political preference in this key role.

In a similar vein, I am also greatly concerned at the Government's rejection of

PEARC's model for the Public Accounts Committee. PEARC had specifically designated the appointment of the Auditor-General as one of the PAC's key responsibilities. This is one of the matters about which the Premier has always spoken. The omission of that responsibility from the Bill before the House excludes Parliament from participating in and scrutinising the appointment of the Auditor-General. That is a grave omission, as the Auditor-General is answerable to this Parliament and therefore the Parliament should have a clearly defined role in that person's selection.

Another notable and ultimately more revealing omission is the responsibility to scrutinise the financial wheelings and dealings of Government owned corporations. This week in this House we have raised the question of the refinancing of the Stanwell Power Station. That action is patently mortgaging the public assets of this State. The Treasurer has been involved in what we believe to be some shifty financial dealings, debt switching and balance-book tightrope walking to rival the best—or worst—traditions of failed Labor regimes interstate. There have also been some funny debt dealings under the Administrative Services portfolio. The Government recently refinanced the Government car fleet. That was a $112m golden handshake for Treasury. Goprint, Q-Build and CITEC are all to follow down the same path, that is, they will all inherit debt from the Government; debt that this Government has shoved off budget—out of mind, out of sight,and particularly out of the sight of this Parliament. I believe that that is one of the single gravest issues facing Queensland today.

What will happen if one—just one—of those corporatised entities is no longer able to service the massive debts being placed upon it? The Victorian Labor example was that the Government was reaping more in tax equivalents and dividends than the authorities were making in profit. The result was financial disaster on a massive scale. Yet this Government, by design, wants to hide its off-budget financial dealings from scrutiny by the Parliament. I wonder why?

I note from the Bill that the PWC and the PAC will have conferred on them powers to call for persons, documents and other things. Although this provision of the Bill is welcomed, it is still a long way from EARC's intention that all committees have those powers, as well as the power to generate their own inquiries. PEARC supported EARC's position and also gave statutory committees the power to order people to attend before and/or produce a document to the Parliament. In contrast, however, this Bill states—

> "The Legislative Assembly may, by resolution, authorise another committee of the Assembly to call for persons, documents and other things."

In effect, the power of the majority of committees to generate their own inquiries by calling for witnesses and documents has been subordinated by a requirement that the Legislative Assembly must authorise such action. The committees have been blindfolded by a Government that holds itself up as the guardian of accountability—in fact, a Government that rode to power on the back of the white horse of accountability. This clause undermines the independence and powers of all committees aside from the PWC and the PAC—particularly the Legal, Constitutional and Administrative Review Committee—leaving the door open for political inference in what are potentially politically damaging committee investigations. Clearly, that provision is unacceptable to the Opposition. All committees should have the power to call and examine witnesses independent of the Executive arm of Government—I repeat: independent of the Executive arm of Government—or party political majorities.

Although the PAC and PWC have the power to call for witnesses under this legislation, the Government has built in an escape hatch. The General Powers of Committees section of the Bill outlines privileges for witnesses before parliamentary committees against self-incrimination. It means that witnesses can refuse to answer questions or supply documents or things to assist the committee in its inquiries if the person would have a claim of privilege against self-incrimination in a Supreme Court action. On this score, there is not just a split in opinion between EARC and PEARC and the Government but a canyon. Chapter 2 of PEARC's draft Queensland Parliament Bill relating to powers, privileges and immunities reproduces Article 9 of the Bill of Rights by stating—

> "Legislative Assembly proceedings generally privileged
>
> The freedom of speech and debates or proceedings in the Legislative Assembly cannot be impeached or questioned in any court or place out of the Legislative Assembly."

The draft Bill then goes on to outline in clause 13 an obligation to be sworn or to respond, which reads in part—

> "A person ordered to attend must not, unless excused by the Legislative Assembly—
>
> . . .
>
> (b) fail to answer a question that the person is required to answer by the Speaker or committee chairperson, as the case may be; or
>
> (c) fail to produce a document that the person was ordered to produce."

EARC had clearly given some thought to the legal repercussions for witnesses ordered to give evidence, and it underlined the powers of the committee to hold an in-camera hearing if the witness was unwilling to disclose evidence in public. The self-incrimination clause could easily work to frustrate the investigations of committees—and therefore public accountability—if key witnesses refuse to give evidence.

I am extremely concerned about the exemption of the works of Government owned corporations from scrutiny by the Public Works Committee unless they are referred to the committee by the Legislative Assembly. Again, this subordinates the powers of that committee to the will of the Government-dominated Legislative Assembly. We all might say, "That is the Government", but it still subordinates the powers of that committee to the will of the Government-dominated Legislative Assembly. This is a significant exemption which, by and large, excludes major GOC infrastructure—for example, railways, dams and electricity—from investigation by the Parliament. That was something which this Government criticised the previous Government for doing; but with this legislation, it is doing exactly the same thing. This off-limits status of GOCs puts those organisations in a unique position and another step away from what I believe is true public accountability.

While the PCEAR did not specifically identify the works of GOCs as the responsibility of the PWC, it provided no specific exemption. However, the breadth of the PWC's responsibilities under the PCEAR's draft legislation clearly encompassed such works. Part 6 of PCEAR's Queensland Parliament Bill reads in part—

> "The Public Works Committee is responsible for dealing with works that . . . provide revenue directly to the public accounts; or . . . are constructed for the economic and social development of the State, even if the private sector is responsible for the work."

The PCEAR Bill further identifies the following examples of works within the investigative scope of the PWC and refers to—

> "Air and sea ports; communication facilities; energy generation and distribution facilities, including electricity and gas; transport infrastructure, including roads, bridges, tunnels and railways; and sewerage and water services."

I am convinced that the Government will use its numbers to torpedo regular scrutiny of the works of GOCs by the PWC.

It is interesting also that, when reporting commercially sensitive information to the Assembly, the committee may report the information to the Legislative Assembly only if it considers that it is in the public interest to report the information. Clearly, that is a farce, and it should be seen by the community as an absolute farce. This Government has a cone of silence over GOCs, and under this Bill it intends to ensure that Parliament is kept in the dark about works undertaken by those entities.

The performance of consultants and contractors, especially the time taken for finishing the work and the cost and quality of it, is also of some concern. This issue has been extremely contentious for the Government, and my fear is that this provision is merely a scapegoating provision for shoddy Government performance. For example, the unmitigated disaster of the Brisbane Convention and Exhibition Centre is a case in point. The Government lurched from one bungle to the next in the planning of that building. It chopped and changed its mind mid-construction about major structural items. Cost blow-outs and delays were inevitable, but they were not due to any incompetence on behalf of the contractor or subcontractors. I quite honestly believe that they were due to the Government's own incompetence and the Minister's own incompetence in the handling of the portfolio.

So what happens if a building company is in dispute with the Government over payment for works, as is often the case? The possibility exists for political intervention in the committee's affairs, and it is enforced by this Bill. What would be the consequences to contractors who have had an unfavourable PWC against them? We have already seen this Government's track record and, I believe, phoney commitment to Executive scrutiny. The PWC's refusal to conduct a full and open investigation into the massive overruns at the Brisbane Convention and Exhibition Centre is an example of political puppetry. In that case, public accountability was clearly and absolutely

usurped. If the PWC is not to investigate multimillion-dollar blow-outs on showcase public works in this State, what use is it as a guardian of accountability? It is useless!

I remain unconvinced that this Bill will substantially enhance the powers of the committees. For example, I believe that the provisions against Parliamentary Counsel are draconian and an example of increasing the control of the Executive. So, too, are the extraordinary powers conferred on the Premier in relation to the suspension or removal of the Information Commissioner and the Ombudsman.

Members would be aware that, on many occasions in this House, I have questioned the operations of the Parliamentary Service Commission. I am pleased to see that the role of that body in this House is to be reduced to a purely consultative capacity. I hope that this amendment will result in improved operation of the Parliament.

For the last word on this Bill, I turn to the words of the Premier, taken from *Hansard* on 6 July 1989, when he was in Opposition. He said—

> "What I am concerned about is what we have seen in the track record of this Government"—

talking about the previous Government—

> "and, in particular of this Premier. What worries me is that, when people have a professed commitment to reform and to weed out corruption only when it is convenient and popular, will that commitment disappear when it is no longer convenient?"

I put it to you, Mr Speaker, that genuine, far-reaching reform of the parliamentary committee system is no longer convenient for this Premier, and this Bill shows him for the phoney that he is.

Mr STEPHAN (Gympie) (4.06 p.m.): It gives me pleasure to join in this debate on the Parliamentary Committees Bill. However, I bear in mind the importance with which the committee system is regarded. While reading through the Bill, I found a lot of rhetoric that is not backed up by fact. In June, the Premier announced that legislation would be introduced to provide greater scrutiny over the spending of public money and that the secrecy practised by the previous National Party Government would be replaced with openness and accountability. I question his statement about openness and accountability. It must always be remembered that incompetence and dishonesty can cost. We must also be wary of the move to hold internal investigations, the results of which are not aired publicly.

Debate interrupted.

DISTINGUISHED VISITORS

Mr SPEAKER: Order! I wish to announce to the House that in the Speaker's gallery at the moment we have the Honourable Jeremy Hanley, MP, Minister of State, and Sir Roger Carrick, KCMG, LVO, High Commissioner. I welcome them to the Queensland Parliament.

Debate resumed.

Mr STEPHAN: I also welcome the two gentlemen to the Queensland Parliament, which we consider to be one of the better Parliaments in Australia. I will not say which ones it might be better than.

Mr Beattie interjected.

Mr STEPHAN: They have arrived just at the right time.

In his second-reading speech, I thought that the Premier went out of his way to try to build up the committee system. He stated that developments to be investigated by the Public Works Committee have a minimum cost of $2m, but he also said that there was no reason why the committee should not be able to examine works worth less than that amount if there is a public need to do so. I question those words: "if there is a public need to do so." Who is going to determine if there is a public need? The Opposition wanted the Public Works Committee to inquire into the Treasury Casino in Brisbane. In fact, we sought legal opinion. However, we were told in no uncertain terms, "No, you cannot do that." That was a split decision. Although the Premier has brought in legislation that is full of rhetoric and which states that works involving a cost of less than $2m cannot be investigated, I have every reason to doubt that statement. I await with interest to see whether smaller developments will be scrutinised and investigated by that committee.

My colleague the member for Beaudesert spoke about GOCs. He pointed out very clearly that a minimum cost is involved and said that the Government is doing its utmost to ensure that GOCs are not scrutinised. I do not believe that this Government should be very proud of that.

I want to spend a little bit of time talking about the scrutiny of legislation. I have been a member of the Subordinate Legislation Committee for a few years and I wish the new

committee well in its deliberations. According to the Premier, the Scrutiny of Legislation Committee will be a major safeguard of Queenslanders' rights and liberties against Governments that want to equip themselves with unwarranted and excessive powers. In addition, under new legislation, all new Government regulations that impose a significant economic, social or environmental cost must be accompanied by a regulatory impact statement.

Last week, a disallowance motion was debated in this place. The motion that was defeated sought to disallow excessive increases of about 17 per cent over the previous 12 months in the fees for birth, death and marriage certificates. I believe that such increases are of great concern. We need to be very wary of Governments wanting to keep increasing their costs and charges. Governments should not get carried away by their ability to use the general public as a milch cow.

In this area of the scrutiny of legislation, the Subordinate Legislation Committee has been fairly restricted in the areas into which it could carry out inquiries. When we look, for example, at the way that the new Scrutiny of Legislation Committee can undertake inquiries, its area of responsibility includes monitoring the operation of section 4 of the Legislative Standards Act, which deals with the meaning of fundamental legislative principles. Fundamental legislative principles do cover some areas of importance but leave out others. For example, section 4(3) refers to the principles requiring that legislation has sufficient regard to rights and liberties and whether the legislation provides for the compulsory acquisition of property only with fair compensation.

I believe that there would be a great need for the committee to cast its eyes over section 4(4), which deals with whether a Bill has sufficient regard for the institution of Parliament, whether it allows the delegation of legislative power only in appropriate cases and to appropriate persons, and whether it authorises the amendment of an Act only by another Act. Far too often in this place we find this sort of provision creeping into legislation. It is called a Henry VIII clause, because on a number of occasions Henry VIII did alter legislation by regulation. If it is good enough for a delegation to be enshrined in legislation then amendments to that legislation should, I believe, only be amended by legislation. What Governments tends to do is try to hide behind regulations without having them debated in the House unless a disallowance motion is moved in the House itself.

The committee's other area of responsibility is monitoring the operation of section 9 and Parts 5, 6 and 7 of the Statutory Instruments Act 1992. Under section 9(1), subordinate legislation is stated to mean—

"(a) a statutory rule that is a regulation, rule, by-law, ordinance or statute;

(b) a statutory rule that is an order in council or proclamation of a legislative character;

(c) any statutory instrument (including an order in council or proclamation) that is declared to be subordinate legislation by an Act or a regulation made under this Act;

(d) any other statutory instrument that fixes or otherwise determines the commencement of—

(i) an Act or a provision of an Act;

(ii) an instrument, or a provision of an instrument, mentioned in paragraph (a), (b) or (c)."

Section 9A(2) refers to what instruments are not subordinate legislation and therefore cannot be inquired into by the committee. I know that the committee will have a fairly substantial workload and I know that it will carry that out with a great deal of enthusiasm, but I just question why so much is being kept away from scrutiny by that committee.

I find it particularly strange that the committee has not been granted the responsibility of, for example,monitoring the Office of Parliamentary Counsel. EARC recommended that the committee monitor the operations of the OPC in accordance with the purpose and provisions of the Legislative Standards Act 1992. That recommendation has in fact been ignored. There will now be a total lack of oversight of the OPC. As a result of the EARC recommendation not being implemented, the OPC is now the only unit of Government not subject to any form of overview at all. The Auditor-General, the Electoral Commissioner, the Information Commissioner and the Ombudsman are all subject to review or overview, but not so the OPC. Parliamentary Counsel is increasingly resembling an officer of the Executive rather than an officer of the Parliament. I do not believe that it is in the best interests of the Parliament that that office should not come under scrutiny.

I turn now to legal professional privilege. For example, the OPC's relationship with the

Executive is further strengthened by the fact that dealings with the Executive are now protected by statute through having the application of an illegal professional privilege extended to cover the OPC. Proposed new section 9A(2) of the Legislative Standards Act provides that—

> "Confidential communications between a client of the office, and the Parliamentary Counsel or any member of the office's staff, are subject to legal professional privilege."

An example to illustrate this point makes specific mention of the fact that advice given by the OPC on the application of the FLP is covered.

I turn to the subject of professional drafting styles. EARC ha recommended that the committee monitor progress in achieving professional drafting styles. The fact that the committee has no monitoring role of the OPC largely prevents it from carrying out this function. The committee can, however, ensure that plain English drafting is maintained by section 4 (3)(k), an example of an FLP in the Legislative Standards Act 1992.

As to exempt instruments—EARC recommended that the committee monitor observance of drafting guidelines for exempt instruments. The committee is effectively excluded from doing this because the Bill only grants responsibility to monitor two particular aspects of the Legislative Standards Act 1992, which does not include clause 9 relating to drafting of exempt instruments.

As to consolidation and availability of and access to reprints—EARC recommended that the committee monitor the progress in ensuring efficient and effective consolidation of statutes, reprinting of statutes, the availability of computerised legislative information and accessibility of legislative texts in regional centres of Queensland. The committee has no responsibility for monitoring the operation of the Reprints Act 1992.

EARC recommended that the committee should have the function of reporting to Parliament on any proposal for national scheme legislation which comes before the Parliament and the impact of any subsequent amendments to any such scheme.

The Legal, Constitutional and Administrative Review Committee has been given responsibility for proposed national scheme legislation referred to the committee by the House. The Scrutiny of Legislation Committee has no such role, but its responsibility is to examine all Bills and subordinate legislation. This will include scrutinising the national scheme legislation—or it should. EARC had already recommended a pro-active role in addition to this reactive role.

A further point arising from the Bill is that only national scheme legislation that is referred by the Legislative Assembly will be considered by the Legal, Constitutional and Administrative Review Committee. The question then arises as to whether national scheme legislation Bills will be introduced into the House and then referred to the Legal, Constitutional and Administrative Review Committee—a similar situation to that which exists in Western Australia—or will the Executive merely introduce drafts when they are suitable?

It may be argued that it is inappropriate for two committees to have coinciding responsibility for national scheme legislation. However, such an argument would not hold water as it is clearly considered appropriate for the two committees to be overlapping and have overlapping responsibilities for Aboriginal tradition and Islander custom.

The Queensland committee has worked with other scrutiny committees on national scheme legislation for over two years. Nationally the scrutiny committees have carriage of national scheme legislation, except in Western Australia where a specialist committee has been appointed to inquire into the uniform legislation of intergovernmental agreements. The Queensland Scrutiny of Legislation Committee will now be the only scrutiny committee that does not have responsibility for national scheme legislation.

Clause 26 of the Bill seeks to balance the competing demands of two fundamental legislative principles: the need to have regard to the rights and liberties of individuals and the need to have regard for the institution of Parliament. The Bill acknowledges also that the interests of individual witnesses may conflict with the interest of the parliamentary committee in obtaining information. The Bill enables the Legislative Assembly to decide which of those interests should prevail in particular circumstances.

Clause 27 of the Bill introduces privilege against self-incrimination, allowing it to be claimed in committee hearings. This substantially undermines the position of the Parliament as being the supreme body where all matters may be discussed and revealed without concern for recrimination. In Queensland, parliamentary committees have effectively been devalued. Instead of acting on behalf of the Parliament with all the powers

and privileges of Parliament, the committees are now second-rate bodies that have been deprived of the ability to establish the truth.

The Bill introduces a procedure allowing claims of self-incrimination to be referred to Parliament, but this is an extremely cumbersome process. All that is required is one reluctant witness who may claim privilege at every turn, refuse to answer the committee and be referred to the House. That process may be repeated on any number of occasions by the same witness. Committee hearings could, as a result, run for months instead of days while parties wait for the next parliamentary sitting. The effects on the costs of committee hearings would be enormous. It is also possible for a person to appeal to the courts against a decision of the House or of a committee on a claim of privilege. For the first time judges may be asked to pass judgment on the decisions of politicians. Perhaps honourable members opposite would like to have that judgment passed on them.

Certainly witnesses who genuinely have concerns about self-incrimination would be much better protected under a procedure that allows them to claim privilege before a committee; have the claim heard in private before a closed committee hearing; and, if the committee so requires, reveal the information in question to that closed forum. The procedure created in the Bill means that such a witness would have to reveal the potentially damning evidence before the entire House of Parliament. The chance of controlling information is better in the committee situation. In the latter scenario, the Parliament may still, if it considered necessary, require the information to be revealed.

A Government member interjected.

Mr STEPHAN: I am not looking for anyone to close it down at all. In common with previous speakers on this side of the House, I support the Bill in principle but believe that it contains some problems that need to be addressed.

Time expired.

Ms SPENCE (Mount Gravatt) (4.26 p.m.): I am pleased to speak in support of the Parliamentary Committees Bill. I believe that, in the past six years, our system of standing committees has been one of the success stories in terms of increasing the accountability of the Parliament. I believe that many observers of our committees have been unduly critical and have not taken into account the short time that committees have existed in the Parliaments of this State.

The first parliamentary committees to be established were the Public Accounts Committee and the Public Works Committee, established in 1988 and 1989 respectively. So Queensland has had a committee system for roughly seven years only, in comparison with other Parliaments in this country whose committees date back to the 1920s and 1930s.

Mr FitzGerald: Not in all other Parliaments; come on!

Ms SPENCE: That was the case in many of them.

Mr FitzGerald: Just some.

Ms SPENCE: Yes, some.

Taking into account the relative newness of our committees, I believe that they have worked well because they have had cooperation from all members of Parliament who, in the most part, have adopted a bipartisan spirit and have been enthusiastic about their work on the committees. We have been fortunate to have good quality research staff and well-resourced committees. Taking into account all of those factors, I believe that we have had a very successful number of standing committees in the past six years. Obviously a need for improvement exists and both EARC and PEARC examined ways that those committees could be improved. I will concentrate on issues related to the Public Works Committee. Obviously, as a member of that committee for the past six years and Chair of it for three years, it is a committee of which I have some knowledge and, therefore, some knowledge of this legislation.

I am concerned that the members for Surfers Paradise and Beaudesert have criticised the section of this legislation that relates to the Public Works Committee because the EARC recommendations do not all appear in the legislation. The member for Surfers Paradise kept using the word "gutted", the suggestion being that through this legislation the Government has gutted EARC's recommendations. I think the member has a short memory. I was Chair of the Public Works Committee when the EARC report was brought down and that report was basically rejected by all the members of our committee and most members of Parliament who took an interest in it.

As Chair of the Public Works Committee, I read with great concern EARC's report of the recommendation to change the system of parliamentary committees. It seemed to me that EARC had its head in the clouds when it wrote that report. It devised a system of

committees that would have been perfect in a world where politicians have nothing to do other than devote all their time to the work of parliamentary committees. The committees proposed by EARC were so broad in their scope and powers that one could have been forgiven for thinking that EARC thought that committees were more important than Parliament itself. Obviously Parliament is the institution that should be superior to committees. However, because of its size, Parliament is limited in its ability to carry out certain functions and the committees are agents to perform those functions.

Because the Public Works Committee found many of the recommendations of the EARC report so unpalatable, the committee endorsed me to present a report to lodge our objections to those recommendations, and I shall refer to that report. We said that the most obvious mistake was attempting to place too wide a range of functions and responsibilities with the one committee in the belief that all sectors of government must be covered by specific references. The results of such an action would be many, but would include an excessive workload on members unless the committee is large and appoints subcommittees to oversee specific matters. However, if this is done, it would probably be better to appoint separate committees for those ongoing matters.

Our committee said that, because of the pressures of time and scope, there would be a trend towards more superficial inquiries. It is a fact that members have myriad demands made on their time by the Parliament, their electorates and their parties. The time available for committee work is not unlimited. We also said that a wide-ranging committee could replace the sense of cohesiveness, the sense of direction and ownership of specific subject areas by members. We said that a wide range of subject areas or responsibilities would result in a mixing of disciplines and would reduce the ability of both members and secretariats to develop necessary and valuable expertise in focused sectors. In other words, there would be melding of what would be functionally distinct sectors.

The Public Works Committee generally rejected the suggestions that EARC put forward for changes to that committee. I appeared before the PCEAR and voiced those objections.

Mr FitzGerald: You did it well, too.

Ms SPENCE: I thank the honourable member for that. I believe that most of the other committees also appeared before the PCEAR and objected to the EARC report. The Public Works Committee submitted that it believed that it should remain separate and easy identifiable. The committee recognised that the very existence of a Public Works Committee served to act as a check on bureaucratic excess because of the knowledge that scrutiny external to the bureaucracy may be forthcoming. The committee wished to retain public works as its core business. It considered this essential, due to the wide range and value of public works undertaken by the State. For example, in most financial years, the Budget outlay for capital works is over $3.3 billion, or roughly one-third of the State Budget. This level of expenditure demands scrutiny to ensure that value for money is being obtained and that works are appropriate and needed.

Our committee confirmed that it should not be required to undertake any policy or legislative review. The existing committee was strongly of the view that policy formation is the province of Governments. It does recognise, however, that the distinction between policy and its administration can often be difficult to determine. The PCEAR then brought down its report and set of recommendations to change the committee system, which the members of the Public Works Committee found very satisfactory. I congratulate Dr Lesley Clark, who was the Chair of the PCEAR at the time, and the members who served on that particular committee. The difference between a report prepared by a group of academics and theorists—as the EARC report was—and one prepared by a group of practitioners who were preparing a workable system was very obvious in the two reports.

Today, the member for Surfers Paradise voiced objections to the section of this legislation dealing with public works. However, it is very close to the report brought down by the PCEAR. The member for Surfers Paradise asserted that this legislation takes away the Public Works Committee's right to pursue environmental investigation. That assertion is clearly untrue. Clause 20(2)(e) states clearly that, in deciding whether to consider a public work, the committee may have regard to—

> ". . . the present and prospective public value of the work, including, for example, consideration of the impact of the work on the community, economy and environment."

There is nothing in this legislation that stops a future Public Works Committee from conducting any kind of environmental report on a public works, and it does nothing to

diminish the rights that existed within the previous legislation.

The member for Surfers Paradise also criticised the public works section of this legislation because it does not go far enough in allowing the committee to examine GOCs. I acknowledge that this Bill is a slight step backwards from the PCEAR's recommendation in relation to Government owned corporations. However, it should be remembered that the powers offered within this Bill to examine some activities of GOCs represent a great leap forward from what the previous Public Works Committee could do, which was nothing.

I turn now to an issue that I have long advocated, namely, the need to have the reports of committees debated in this Parliament. As agents of the Parliament, the committees are charged with offering advice through reports and recommendations. Properly, the Parliament should then decide whether such recommendations are to be accepted, amended or rejected. Debate on this issue would allow the Government to offer its views, and the Parliament could then decide on them. The existing procedure for the Public Works Committee, for example—because it was enshrined in the legislation and will be enshrined in this legislation—results in the Government denying the Parliament the right or opportunity to consider reports made to it by that committee, and the very same situation will apply to the other committees.

That is a matter that the Standing Orders Committee could consider. I believe that there is time and room in this Parliament to devote an hour—for example, every Thursday—to the consideration of committees' reports. The introduction of debates on committees' reports would achieve several things. Apart from placing the committee function and its reporting responsibility in the correct context, it would publicly demonstrate a commitment to democratic and responsible Government in accordance with the Westminster model. The determination to effect such reform and have Queensland adopt procedures which are normal parliamentary practice has merit and would undoubtedly be perceived by the public as such. It would also underlie the separation of the Parliament from the Executive—one of the underlying causes of Queensland's recent reforms.

I am looking forward to joining the new Members' Ethics and Parliamentary Privileges Committee—should that be the desire of this Parliament. I understand that one of the committee's first roles will be to draw up a code of conduct for members of this House. The experience of my six years in this Chamber has convinced me that this is long overdue. On almost a daily basis, members of this House indulge in behaviour that in other workplaces would have them hauled before anti-discrimination tribunals. On a daily basis some members find it humorous to call each other things like "dogs", or to call men "boys" or "girls" or "sissies" in the name of good-humoured interjections. One incident that sticks in my mind occurred last year, when a male member shouted after a female member who was leaving the House, "She is leaving the Chamber like a deprived love bug." The very same member shouted out to another female member, "She should try to learn to speak English." That very member sits there winking at female members on the other side of the Chamber. I wonder who it is! I do not believe that behaviour which is unacceptable in other workplaces should be accepted here. The member who wolf whistled at me only an hour ago as I was walking across the corridor from the House to the Annexe——

Mr FitzGerald: Was he blind, or what?

Ms SPENCE: The member might laugh.

That member who whistled at me does not realise how publicly demeaning and unacceptable his actions are in a work environment. I am not going to go on and on about these issues, but I could; and one day the book will come out. There will be plenty of time to debate those issues in the Members' Ethics and Parliamentary Privileges Committee, but I mention them today so that they will be recorded in *Hansard* and so that future generations will understand why we felt that there was a need for that committee.

Mr Hamill: Keep the book simple, because there are some slow learners around.

Ms SPENCE: Very slow. I look forward to that committee and the implementation of this legislation.

Hon. N. J. TURNER (Nicklin) (4.40 p.m.): Mr Speaker, no-one has ever winked at me. I am not surprised to see this Parliamentary Committees Bill introduced by the Premier, Mr Goss. He would have this House and the people of Queensland believe that this apparently innocuous piece of legislation is designed for reform. Nothing could be further from the truth.

Mr Welford: Hear, hear!

Mr TURNER: My friend should wait a while and he will hear what I have to say. He

should not be impatient. The Premier's stated position is false, and this legislation is insidious, deceitful and by all means subversive in the light of the hidden agenda of its intended purpose.

Not since the introduction of the amendment to the Freedom of Information Act, which rightly should be called the "Censorship of Information Act" has this Parliament seen such artful cunning and treachery towards the people of Queensland. Indeed, this Bill complements the amendments to the Freedom of Information Act, in that it will further cause a suppression of information from the public arena and, by the complete suppression of the release of information, make an absolute mockery of the public interest being served .

I will refer briefly to this wonderful Freedom of Information Act. I will not read every word of it, but under the Act it states that certain things are exempt. It states—

"Matter is exempt matter if—

(a) it has been submitted to Cabinet; or

(b) it was prepared for submission to Cabinet and is proposed, or at any time has been proposed, by a Minister to be submitted to Cabinet; or

(c) it was prepared for briefing, or the use of, a Minister or chief executive in relation to a matter—

(i) submitted to Cabinet; or

(ii) that is if it forms part of an official record of Cabinet"—

or if it is in a draft form. The next subsection takes some working out. Some of the academic, learned people on the Government side could work it out, but its meaning escapes me. Subsection 3(a) states—

"A certificate signed by the Minister stating that specified matter would, if it existed, be exempt matter mentioned in subsection (1), but not matter mentioned in subsection (2) establishes, subject to part 5,[1] that, if the matter exists, it is exempt matter under this section."

That sounds very much like lifting oneself into a bucket; it is pretty hard to imagine how one would do it. If one reads through the Freedom of Information Act, one sees how all information is being suppressed in this State.

Let us look at this Parliamentary Committees Bill. The Premier's second-reading speech actually discloses the key to how the Government intends to stifle parliamentary reform and members' ability to raise matters of concern. He stated that members of the Legal, Constitutional and Administrative Review Committee are to be appointed under the Parliamentary Committees Act and Standing Orders. Fortunately for Mr Goss, very few people in Queensland would be aware of the parliamentary Standing Orders or how a parliamentary committee really works. Mr Goss, in his infinite wisdom, must rub his hands together as he thinks there is no problem in passing this one by the people because they just do not understand the workings of Parliament.

As all members would know, I was the Deputy Chairman of the Parliamentary Criminal Justice Committee—a seemingly important position. In an all-party committee established to monitor and review the workings and operations of the Criminal Justice Commission, the committee was empowered to report to Parliament and, through such process, ultimately to the people of Queensland. The truth of the matter is that the PCJC was lame and impotent. I resigned from the PCJC because I believed that I could achieve more as a backbencher than I could as deputy chairman of this seemingly powerful committee. I was stifled and prevented from speaking out. However, that is a story for another time. The fact that I had to resign owing to such circumstances is in itself a sad indictment upon Queensland's parliamentary committee system. This Bill in no way addresses those problems; it only compounds and magnifies them.

Mr Welford: Why?

Mr TURNER: If the member would just listen, I will explain. He should not be impatient. If his shoes are pinching, he should sing out, but if he waits for long enough, he will hear what I have to say. Without divulging any secrets, I will explain how the PCJC worked. Matters of concern would be raised, evidence would be examined by the members but, more often than not, by the research staff attached to the PCJC through the chairman. In reality, many matters brought before the PCJC were never investigated thoroughly because we never had the time or the staff. Let me get this point across: the PCJC staff are answerable to the chairman and not to the committee. I will demonstrate that by reading Standing Orders 202 and 203. Standing Order 202, which is headed "Chairman to Prepare Report", states—

"It shall be the duty of the Chairman of a Select Committee to prepare the Report."

Standing Order 203, which is headed "Proceedings on Consideration of Draft Report", states—

> "The Chairman shall read to the Committee convened for the purpose of considering the Report, the whole of his draft Report, which shall be printed and circulated amongst the Members of the Committee; and at some subsequent meeting of the Committee the Chairman shall read the draft Report paragraph by paragraph, putting the Question to the Committee at the end of each paragraph, that it do stand part of the Report. A Member objecting to any portion of the Report shall propose his Amendment when the paragraph which he wishes to amend is under consideration. A Member disagreeing with the Report may require a statement of the reasons of his disagreement to be appended to the Report. A statement of disagreement is to be furnished to the Chairman of the Committee within 14 days of the Committee adopting the Report."

That is the amount of time that members have to furnish a statement of disagreement. It is largely those Standing Orders that allow the chairman to control the flow of information. The chairman has the resources; the other members of the PCJC do not, and never will. I will give examples of what I experienced. In the preparation of a dissenting report that I handed down in 1993 into Mr Huey and the operations of the CJC, under Standing Order 203 I had to prepare that report within 14 days. I had no staff—only an electorate secretary who was already stressed out of her mind doing her job—no resources and no funding. To prepare the particular report, which I have here, to put before this Parliament cost me $1,400 in legal expenses out of my own pocket. That is an example of the extent of the resources that we had under the PCJC.

In the past, as Deputy Chairman of the Parliamentary Criminal Justice Committee, I would probably have faced a criminal charge for saying what I am about to say; however, this has been discussed in the open, public inquiry, headed by Mr Hanson, QC, into the leaking of sensitive Operation Wallah material to media reporter, Mr Whittaker. In relation to Operation Wallah, the information known by the media at large was not known to members of the Parliamentary Criminal Justice Committee. Allegations of cover-ups at the highest levels of Federal law enforcement agencies was rife and reported in the papers. Some members of the PCJC, including me, sought to perform our role to monitor and review the operations of the CJC and to be properly briefed. We went out to the CJC to get a thorough, full and proper briefing to be able to monitor and review the operations of the CJC. We were not given a briefing; we were not to take any photocopies; no notes were to be taken; no questions were to be asked. The information was sanitised and concealed. Despite asking for it, and despite my being the Deputy Chairman of the Parliamentary Criminal Justice Committee, we never received a full briefing of the material that was available. I might say that, in many ways, thank God we were denied that information, because we would have faced charges for leaking the information.

I turn now to the inquiry, headed by Mr Hanson, into the article that was written by Mr Whittaker. He was not engaged under the Commission of Inquiries Act to hold an independent inquiry; by virtue of his office, he is a member of the Criminal Justice Commission. Once again, we have the situation of the CJC investigating itself, or the tail wagging the dog. Although it was well known that we never, ever had in front of us and before our eyes the material Mr Whittaker had put into the newspaper articles, all PCJC staff and past members of that committee were called before the inquiry. Members of the committee were subpoenaed like common criminals to appear before the inquiry. We walked through the media, with members of the media photographing us and portraying us as being possibly responsible for the leak, when the CJC knew that we had never seen the material that was printed in the paper. It was a classic case of chasing the shadow and leaving the substance alone. So much for our power to monitor and review! That was the former PCJC, not this super, elite committee that we are discussing. I say to members with all sincerity—and some will come back and say, "You were right"—God help anyone silly enough to accept nomination to this super committee. They know not what they are subjecting themselves to. I will leave it at that.

Any primary school student knows that the number 4 beats the number 3, and those are the political numbers on these committees, with all the resources and the staff attached to the chairman. In this form, the committee system is a farce. This is the system being supported strongly by the Government under the cover of new and sweeping reforms which were supposedly designed to bring complete openness and accountability to the operations of the Executive Government of this State.

The Goss Government has achieved nothing. Under Mr Goss there has been subversive change and mutation of the traditions and accepted conventions of the Westminster parliamentary system which this nation and State inherited from our forefathers. What we have achieved over the past six years in Queensland under the Goss Labor Government would be the envy of the 1960s cultural revolution of the People's Republic of China. Mao wanted to change the entire culture and accepted beliefs of the people of China. Mr Goss wants to change the accepted traditions and inherited rules of Westminster parliamentary democracy through the absolute prostitution of the committee system under this insidious legislation.

What Queensland has achieved under this subversive Government is a committee system that does not serve the Parliament, and ultimately the people, but one which serves the interests and furthers the aims of the current Executive Government. The committees and so-called independent agencies and commissions have become little more than the watershed to provide legitimacy to each and every decision that the Government might make. In any Liberal democracy and Westminster tradition, the Parliament is meant to be supreme, yet under Goss and the Labor Government the Parliament has been placed in the position of being virtually subordinate to the Cabinet. The people of Queensland have deserted the Goss Government, yet it is clutching to power, and this Parliamentary Committees Bill proves that it will do almost anything to stay in power.

I observe that electoral matters are to come under the super committee titled the Legal, Constitutional and Administrative Review Committee. On the subject of electoral reform—we have the scenario of the "executioner's" seat of Mundingburra, further developments in respect of which could yet see the execution of this illegitimate Goss Government, which holds power with a majority of 46.7 per cent of voter support. It is well known that hundreds of people in Mundingburra discovered that they had been struck off the electoral roll. There were cases of people double voting and "dead" people voting. The postal votes of army personnel posted overseas were never lodged.

Under the committee system, all of these events could have been suppressed before they reached the public arena. The matter will ever so simply disappear into the endless and dark pit of the administrative and investigative bureaucracy of the super committee, where it need never surface again. A matter may never surface again; the chairman and his fellow members have the numbers, and the Government has the numbers in Parliament. The committee system has the ability to bury complaints, which can be referred to it and raised only by the chairman.

Another great feature of the committee system is that complaints can be received and, because of the workload and so on, never addressed! This happens with regularity. I could cite many cases, if I wished. Mr Speaker, do not be mistaken or fooled—the committee system in Queensland, as it is structured, is the greatest threat to democracy that we have ever faced. The reason that Parliament is an open forum is that our forefathers wrote into our laws and Constitution that issues can be raised and questions asked, the answers to which must be given. And if the answers are not forthcoming, questions can be pursued in the Parliament and in the press until we have the answer.

The committee system avoids this openness and public accountability, as "chairman" Goss is well aware. In addition, there is a further insurance policy to make sure that nothing ever comes out into the public arena. I refer to Standing Order 206, which states—

> "The evidence taken by a Select Committee, and documents presented to such Committee, which have not been reported to the House, shall not,"—

and I repeat "shall not"—

> "unless authorised by the House, be disclosed, published or referred to in the House."

Everything can be concealed. Is this not a cosy arrangement? Anything can be hidden away forever. I congratulate Mr Goss on another move to prevent open and accountable Government under the guise of providing more accountability.

The super committee will not only monitor and review the CJC but also oversee legal reform in matters of civil and criminal law. It will monitor the Ombudsman, replace PEARC, review State elections, examine issues arising from Aboriginal and Torres Strait Islander customary law, and so on. What an array of responsibilities! I wonder whether this committee will be known as the "committee for everything" or the "committee for cover-ups". How is a member of this Parliament and a member of this committee meant to function properly? Even a trained lawyer or a QC on

$5,000 per day could not do this job without significant staff. What a joke!

As has been mentioned, members' ethics are to be instituted and scrutinised by an ethics committee. Members will be told what to do in their electorates and what committees they may sit on. On page 9 of Mr Goss' second-reading speech, he states—

> ". . . the committee will develop a code of conduct for members. The proposed code of conduct provides an excellent opportunity to define the standards expected of members, not only in the area of propriety but also in the area of service to the member's electorate and to the broader community."

This is unbelievable legislation. Who died and made Mr Goss God? We are members of Parliament, elected by the people and answerable to the people at election time. We are the representatives of the people and answerable to them and not to representatives of any Government-dominated committee. However, more importantly, this ethics committee will allow the CJC to investigate only criminal matters with respect to a member of Parliament—no more scrutiny of travel or meal rorts but scrutiny of members' activities in their electorates.

The big losers under this draconian legislation are the media and the people of Queensland. Talk about accountability! The legislation must rate as the most insidious, secretive and shameful legislation of all time. The ability to suppress matters will be enshrined in this legislation. It is nothing but censorship and a shameful indictment on a Government elected on the platform of integrity, honesty and accountability. Clearly, this is the worst example of abuse of Executive power ever in the history of Government in Queensland, and it is the action of a Government intent on covering up its inadequacies and maladministration. If ever there was a case to bring back an Upper House in Queensland, it has been demonstrated by the actions of this Goss Government and moves to bring in legislation such as this which further erodes the rights of the citizens of this State.

Mr HOLLIS (Redcliffe) (4.59 p.m.): It is a pleasure to rise to support the Parliamentary Committees Bill, which is yet a further advancement and improvement on the committee system of the Queensland Parliament. Perhaps it would be appropriate to comment on some of the history of the committee system of the Queensland Parliament when speaking to the Bill.

In the late 1900s, when the Queensland Parliament was a small, new and enthusiastic institution flush with the excitement of carving out new cities and establishing new communities and industries, it frequently met the many demands placed upon it by forming select committees to deal with specific issues. Prior to 1922, when the dissolution of the Legislative Council took place and the Queensland Parliament was reduced to one House, both Houses had been accustomed to having large numbers of committees. In the Seventh Parliament, which went from January 1874 to October 1878, there were 59 committees of the Legislative Assembly and four joint committees formed with the Legislative Council. This was indeed a record. The tide of parliamentary activities was very high.

After the turn of the century and the establishment of the Commonwealth Federation, much of the motivation and energy which inspired Queensland parliamentary committees to conduct investigations and review legislation was submerged in the fast-flowing currents of change. The role played by the parliamentary committees was washed higher and higher on the shore with the incoming tide of the large and strong political party systems and growing Executive power and influence. The fact that the Queensland Parliament did not go on as other Parliaments did to establish standing committees is linked to the abolition of the Upper House. This event not only reduced the number of parliamentarians and shifted the workload of the parliamentary representatives onto fewer shoulders; it delivered power to the Lower House without the threat of review. The need for special parliamentary investigations was frequently pre-empted by an expanded bureaucracy and an increasingly strong party system.

Today, over a century after those early days of the 1880s and 1890s when the Queensland Parliament was a strong institution, the tides of change are again on the rise. Much of the impetus for this change stems from the Fitzgerald inquiry. Fitzgerald concluded that the corruption and misconduct which it uncovered was due in part to the inability of the Queensland Parliament to review effectively the Government's legislative program or its administration of public affairs. Many of the changes that this Government implemented in its first three years of office are directly attributable to that inquiry.

There have always been committees working within the Queensland Parliament.

However, they were concerned with internal matters pertaining to the administration of Parliament. The Subordinate Legislation Committee, which came into existence in 1976, was the exception. The committee's terms of reference were broad; however, lack of access to independent legal advice hindered its development. Its resources were also severely limited. For example, members were totally reliant upon the support of a junior officer for secretarial assistance and an officer from the Attorney-General's Department for legal advice. That situation was unsatisfactory, as the source of advice to the Government was the same as the source of advice to the parliamentary committee. That incongruity was dealt with in recent times when the committee employed the services of an independent legal adviser; and so the tide has turned for that committee. Under this Bill, the Subordinate Legislation Committee increases its scrutiny of legislation role. It will now monitor all legislation and will be able to raise issues with the responsible Minister or with a member sponsoring a private member's Bill.

During the Forty-fifth Parliament, which ran from February 1987 to November 1989, the Ahern National Party Government founded a fledgling parliamentary committee system. Two committees were established by legislation—the Public Accounts Committee and the Public Works Committee. Both were required to review the workings of Executive Government and the quality of public administration.

The Public Accounts Committee commenced operations in September 1988. However, it did not table its first report until September 1989. In the interim, it established its offices, hired staff and began the exercise of developing procedures for the conduct of its inquiries and the administration of its office. The Public Works Committee commenced operations in May 1989 but did not hire staff. It proceeded with its first inquiry with the help of consultants. It tabled its first report in October 1989. Both committees had much in common with their counterparts in other States, with one noticeable difference. Both were empowered to initiate their own inquiries, and few restrictions were placed on either committee's powers. It is clear from the debates of the time that those committees were intended to play a powerful role in scrutinising Government activities.

However, no sooner were those committees up and running than an election was called which saw a change of Government and a new administration committed to implementation of the Fitzgerald inquiry recommendations, one of which was the introduction of a comprehensive system of parliamentary committees. The fledgling committee system became an interim system. In the first year of the new Government, the rising tide of change ushered in three new committees additional to the Public Works Committee and the Public Accounts Committee. Fitzgerald recommended the establishment of a commission against corruption, which became the Criminal Justice Commission, and an Electoral and Administrative Review Commission. Both bodies were established. Both were overseen by parliamentary committees. In addition to those two committees, the Parliament appointed a select committee to report and make recommendations on all aspects of road safety in Queensland, known as the Travelsafe Committee.

The future of the committee system, which is being altered by the introduction of this Bill, promises to have some real substance. It is my belief that the most significant development within the committee system—and the introduction of this Bill confirms this—would be better scrutiny of legislation. The Parliament's legislative function must evolve further to include greater levels of scrutiny and consultation. The Electoral and Administrative Review Commission recommended that a new committee be appointed to scrutinise all legislation coming before Parliament and not just subordinate legislation. I sense that this recommendation will bring change which is deep and lasting.

I turn now to the role of the Public Accounts Committee. It was pleasing to read in this Bill the change of name from the Parliamentary Committee of Public Accounts to the more simple term "Public Accounts Committee"—or PAC, as it is known in many States of Australia. In discussing the role and functions of the Queensland Public Accounts Committee and some of the challenges it faces, it must be noted that the separation of powers is the foundation stone of the Westminster system of government. Democracy requires that there must be a separation of powers between the Legislature, which makes the laws, the Executive, which applies the laws, and the judiciary, which interprets and adjudicates upon the laws. Parliament is the watchdog of the Executive and, to allow itself to properly perform this function, appoints a number of specialist all-party parliamentary committees, including the Public Accounts Committee.

The PAC is appointed by the Legislative Assembly at the commencement of each Parliament and operates for the term of that Parliament. The committee should be bipartisan in its approach, and its membership is proportional to the composition of the Parliament. To be successful, parliamentary committees need to develop a bipartisan solidarity, which enables them to resolve their different perspectives on issues and, at the conclusion of their deliberations, to table incisive reports with constructive recommendations for change. We saw quite a few examples of that under the Public Accounts Committee of the previous Parliament. No doubt members would recall some of the reports brought down by the previous Parliamentary Committee of Public Accounts. One example is the two reports into the operations of the Department of Primary Industries, which resulted in quite a deal of administrative change within that department. Another example is the inquiry into Aboriginal and Island councils, which brought about a change in legislation and administrative reforms which have been of much assistance to the financial stability of those organisations.

No member of this Parliament expects every Minister to know what is going on in the bowels of bureaucracy. We all know that, the further down one goes, the more difficult it becomes to find out exactly what is going on. The role of the Public Accounts Committee and other committees of the Parliament is to investigate and inquire into some of the happenings within Government departments. In the last six years, that particular role of parliamentary committees has proven to be very worth while.

In pursuing its role on behalf of the Parliament, the Public Accounts Committee sees its challenge as the scrutiny of and provoking reform to the financial administration of the public sector and ensuring that the Executive Government is accountable to the Parliament. That is a very important mission. As to scrutinising and provoking reform—towards the end of the last Parliament, the Public Accounts Committee proposed to conduct an inquiry into BP fuel cards. Although initially we believed that that would involve an extensive amount of work, because it was a Public Accounts Committee inquiry and because the various departments knew that we would pursue that issue vigorously, they instituted reforms without the committee having to investigate the matter further. That is one of the functions of the committee: letting people know that, if they are not doing the right thing or if certain processes are not being carried out in a sufficient manner to ensure accountability, the Public Accounts Committee will scrutinise those matters.

In short, the role of the Public Accounts Committee is to exercise parliamentary scrutiny over the Executive's—that is, the Government's—management of the public purse. The PAC's strategies for meeting that challenge are: to scrutinise public sector financial administration and accountability issues of significance; to use established and innovative methods to provoke reform and enhance accountability; to lead by example; and to establish the committee's relevance, credibility and respect as a committee of the Parliament with members of Parliament, the public sector and the public. The committee is empowered to review annual financial statements and other financial reports and documents tabled in the Legislative Assembly and then to examine and inquire into any matter so arising which, in the opinion of the committee, has or could have adverse implications in respect of the probity, economy, efficiency and effectiveness of the collection and expenditure of moneys and the management and control of assets and liabilities. Importantly, the committee has a statutory role in overseeing the appropriateness and adequacy of the accountability processes within the public sector.

Following tradition, the Public Accounts Committee is not able to examine and report on any matter of Government policy. Also, the committee does not have a Budget Estimates review function. Matters may also be referred to the committee for investigation by resolution of the Legislative Assembly or by Order in Council. It is my view that the committee should maintain a close relationship with the Auditor-General's Department, but at the same time respect the statutory and independent roles of the two bodies. Such a relationship contributes to a more coordinated approach in improving public sector financial accountability.

In the conduct of its affairs, the Public Accounts Committee must be independent of the Executive Government. That is very important. I am pleased that the Queensland Act, unlike those in some other States, does not permit individual Ministers to refer matters to the committee for investigation. In my view, it would be improper for Ministers to set the committee's agenda.

In fulfilling its functions, the Public Accounts Committee uses a range of methods in gathering evidence for its inquiries. These

methods include written communication and discussions between the committee, Ministers and public sector officers and, very importantly, the conduct at hearings. Those hearings are held in public, unless the committee directs that they be held in private. Hearings are very powerful and essential tools available to the committee.

The committee requires witnesses summoned to appear at its hearings to provide sworn evidence, and it encourages the attendance of interested observers. The transcripts taken at committee hearings are tabled in the Legislative Assembly and are publicly available. I want to make it very clear that the committee is not a kangaroo court, and it certainly does not aim to cause personal embarrassment to witnesses appearing before it. The committee is very conscious that witnesses must be treated fairly and not asked irrelevant questions. The section dealing with witnesses and their rights was very important; I fully support that.

Upon completion of any inquiries, the committee issues a report which is tabled in the Legislative Assembly. When a report of the committee makes recommendations, the relevant Minister is required by the Public Accounts Committee Act and under this Bill to inform Parliament of the action taken or proposed to be taken by Government concerning the committee's recommendations. The Bill states that the Minister has three months within which to respond to the report of the committee, and if there cannot be a response in that time, a further three months is allowed. After that period, there must be a response to the committee's recommendations.

In conclusion, I reiterate the Premier's statement in his second-reading speech, when he said—

> "At the end of the day, the success of the new committees will depend on the commitment of all sides of the House to make the system work. Most of all, it will require continued commitment to developing a spirit of political bipartisanship without which no parliamentary committee system can flourish."

This Bill will further enhance and improve the committee system of the Parliament. I support the Bill.

Mr COOPER (Crows Nest) (5.12 p.m.): The wish of the previous speaker for bipartisanship in trying to have committees that work together and actually achieve for the greater good is all very idealistic, but it is not very realistic when the numbers are always stacked. It is always four to three, and the Opposition members always lose. It is all very nice to try to make these things work—and other Parliaments are moving in that direction—and maybe we will get there in the fullness of time; but this Bill is nothing short of a scandal. This utterly discredited minority Government should not have even contemplated, let alone introduced, this shameful, shoddy and self-serving Bill.

The fact that this Bill has been introduced, and the fact that it was given the full 21-gun salute by its authors, should not really come as a surprise. It is totally in accord with its deceitful, so-called Freedom of Information Act, which I believe has lowered everyone's confidence in this Government. That legislation was going to be the be-all and end-all of accountability. It was supposed to allow people in the street to actually get information on which decisions were based. It became a fraud, and it still is. All of these other so-called reforms, in essence and in totality, amount to what is a vast propaganda charade. It is a facade and a farce! It has become plainly obvious that the more effusive the Government's praise for its claimed reform initiatives, the more cruelly and deliberately deceptive it really is. In effect and in practice, this Bill is a cheap confidence trick, and that is what it will be seen as. It is unfortunate that a great deal of effort and cost are involved in setting up these things, when we all know before they even start what a farce they are and will be.

All of the grand promises made by Mr Goss while in Opposition have been shown to be disgraceful shams, because this Bill embodies the most determined, ruthless and deliberate assault on the principles of reform and accountability that could be imagined. This Government and the Premier have again trotted out their fatuous, inane and meaningless slogans to try to dress up this bogus bit of shabby deception, but this time it will not wash. Government members know damned well that they will be protected by these committees. The honeymoon came abruptly to an end on 15 July. That is why this will not wash. Now we know that the Government has failed and that it has lost the confidence of the people. The Government's hypocritical regime and its lame justifications for this sort of utter rubbish only make it appear more ludicrous, more threadbare and more desperate.

The Bill provides for a complete emasculation of the Public Accounts Committee by denying it access to any internal documents produced by a Government agency. If that is accountability, I am not here! The committee is to be reduced to the virtually meaningless pursuit of matters which may be disclosed in officially published Government financial statements. Anyone who can read can go and check things for himself. Government backbenchers on the committee will be able to occupy their time by asking really tricky questions such as, "Minister, why is your financial administration such an outstanding success?" They will be heroes in the eyes of their Ministers. All they will be able to do is ask questions such as that. No doubt Government members on the Public Accounts Committee will be given written questions similar to that one, because some of them will have difficulty devising questions even in that simple form.

Dr Watson: Just like the Estimates committees.

Mr COOPER: The Estimates committees have been reduced to that. They started off okay; now all Opposition members can do is ask questions about the one-line budget items; we may as well not bother. The Estimates committee process is as boring as watching grass grow. For the amount of information derived from it, it is a waste of time.

Some annual reports produced by Government departments and agencies are so demonstrably inaccurate that they represent exercises in the study of deceit. The Corrective Services Commission was caught out by me when it failed in one of its annual reports to record the financial loss and administrative fiasco arising from the collapse of the Brisbane Tribal Council Ltd—as honourable members may remember—and the forced closure of the Gwandalan halfway house for Aboriginal inmates. Its excuses then were a disgrace, and it took my intervention with the Auditor-General to ensure that the matter was aired first and subsequently reported. In fact, the commission lied to the Auditor-General. So how much faith and trust can we have in it? Thus, it is critical that the Public Accounts Committee has as free as possible access to all relevant documents and information if it is to really do its job. The committee will not have that access, so it will really be a charade.

The Government is terrified of what might emerge if the committee did have that access to information. It has bound the parliamentary Estimates committees hand and foot by ruthlessly limiting questions to program outlays and, as I said before, it is now moving to impose the very same sort of censorship restrictions on the Public Accounts Committee. That is the Goss Government's so-called commitment to reform and accountability! It is an outrage against democracy and a flat denial of a reform process.

The Bill provides for six committees and, in doing so, seeks to consign to the dustbin of history the Parliamentary Criminal Justice Committee. The huge burden of work and responsibility of that committee is supposedly to be carried by the Legal, Constitutional and Administrative Review Committee. Predictably, the Government did not breathe a word of its intention to make this particularly disgraceful decision prior to the election. The workload of the committee would be so impossibly large that it will be simply intolerable. As well as overseeing the CJC, it has to consider EARC reports not yet reviewed and be responsible for issues relating to administrative review reform, the State's Constitution, the electoral system and reform of the State's laws. That workload is so massive and requires such lengthy and considered determination that the committee could collapse under the weight of it all.

The Opposition is particularly outraged by the decision to abolish the Parliamentary Criminal Justice Committee, as it defies the Fitzgerald report and plain commonsense. The CJC is absolutely essential to the reform and accountability process. All current and former Parliamentary Criminal Justice Committee members would agree—at least privately in the case of some Government members—that a separate, stand-alone committee is critical. There can be no doubt that the decision to abolish the PCJC is part of the Goss Government's secret agenda to bring the CJC to heel. On too many occasions, the CJC has proven to be a thorn in the side of this vainglorious regime. I am reminded of the fact that Police Minister Braddy could hardly restrain himself when sinking the boot into it in relation to matters such as the CJC's definition of so-called operational police. His tirades of abuse on those occasions have really given Opposition members an insight into what the Government sees for the future of the CJC.

Mr Schwarten: Did you listen to the member for Nicklin?

Mr COOPER: I will make my own speech. The Minister would say that 90 per cent of police are operational; the CJC says that 73 per cent of them are operational.

Whom do we believe? One is political, the other is not.

Mr Schwarten: Do you support what he said?

Mr COOPER: I am quite happy with Mr Turner's position. He was on that committee. He went through sheer hell being on that committee because quite a few people were not allowed to make it work. That was the problem. We can make these things work but we are not going to do it by changing the committee's structure to this ridiculous super committee provided for in this Bill. They will never handle the business——

Mr Welford: Super committee.

Mr COOPER: The honourable member opposite calls it the super committee. The Government gets its way and abolishes the PCJC and, as a result, Parliament, and through it the people, lost their essential watchdog role. It would not surprise me if the Government then used that as a justification for gutting the CJC. The Government would, in this scenario, say that the CJC is too big and too powerful for an adequate oversight by this proposed new committee and should be restructured or, in other words, dismantled. In my opinion, this is the thin end of the wedge for the CJC.

That the Government has moved on this Bill to effectively exclude all Government owned corporations from the scrutiny of the Public Works Committee is yet another indication of its paranoia and deceit. Under this Bill the committee can consider only major works by these corporations if the Parliament, which means the Government, approves. The Bill effectively and cold bloodedly closes the door on any scrutiny of hundreds of millions of dollars worth of public works, and the question that must be asked is why? What has the Government got hidden away in the secure vastness of these corporations that it does not want to be exposed to the light of day?

This Bill, like so much other legislation introduced by this Government, proposes a reality that is literally light years away from the rhetoric. It is a Bill that could be produced only by a Government that is so fearful of accountability, so terrified of scrutiny, and so desperate to deny openness that it will do anything to try to deny and deflect critical investigation. The irony, of course, is that these procedures which deny accountability and prevent scrutiny will rebound against the Government. In fact, they already have, as we witnessed in the last election. Already, public servants, who were appalled by the cover-ups and the lies, are rebelling in the best way possible, by leaking embarrassing documents.

If this fraudulent committee structure proposed by the Government in this Bill becomes law which, according to the numbers it will, the increasing trickle of leaks will become a flood. Despite all of its efforts, the regime will be judged in the court of public opinion, as it was on July 15. As I said, those leaks have already started. When the public servants have lost faith in a regime they will turn on it with a vengeance, and that is proving to be the case.

There are a few other things that I would like to talk about regarding the Parliamentary Service Commission, which is another outfit to get the chop. Quite frankly, it might as well, because it could never work. Again, it was run by the Executive. The Speaker was not able to do the things that he wanted to do. I am pleased to say, quite frankly, that I am on his advisory committee now and would like to stick with it. I say that because, now that he has been freed of the weight of the Executive sledgehammer upon him, he may be able to do things for this Parliament that have been so vitally needed over time.

Certainly, we mentioned the fact that the shortage of space for the Opposition officers is nothing short of disgraceful. The situation looks like being improved. We hope that it will. I refer to the member for Rockhampton, who said that the Labor Party was in Opposition for so long and that, looking back through the 32 years, the Government of the day treated its members so badly. Yes, that occurred. But even before that—before 1957—the Labor Government treated the Opposition badly. It has been going on for light years. I think it is about time that it stopped. One day it will. One day everyone will have had enough of it. One day people on both sides will eventually mature, because all honourable members realise that every dog has his day. We will be back over there one day whether honourable members opposite believe it or not. Then we will be saying to them, "What is the point of helping you lot?" Honourable members opposite will be saying, "Hey, we haven't got any services. We need more space. We need more staff." We will repeat the same old story. One day things will change—one day. If we actually believe in good government, we need to have services and facilities for the Opposition so that it can do its job, and do it well. Honourable members opposite would get the benefit when one day they are over on this side. One day, as I said, we will grow up. It has just taken a bit of time——

Mr Welford: You were once Premier.

Mr COOPER: It is worthless taking up a discussion with someone as inane and as stupid as the honourable member for Everton. We know his reputation and background. Would he like to have it repeated again? We know about him, as does everyone else. We know that he has not got much going for him. He is not a very savoury type of fellow. To other people I would like to speak more sensibly.

Because of the endless workload that we as members of Parliament have, this problem has to be solved eventually. As one honourable member said, once upon a time we did not have electorate secretaries. The wives or someone else took the messages, ran the errands and so on. Electorate secretaries then came to the fore, and now we have come to the point that more assistance is needed. People realise that they need their local members and that their local members need to be able to do the job and do it better than ever before. Members cannot do the job if they are to be continually short-changed on the provision of services to assist in their work. That is not money badly spent; it is money well spent because it is spent in the interests of the people and doing the job for them.

I would like to speak up for electorate secretaries, who I think do an enormous amount of work. They certainly work an enormous amount of overtime. They certainly put an enormous amount of effort and their own personal time into their job; yet, when it comes to trying to increase their salaries everyone seems to say that they do not need it or they do not want it. I say that they do; I say that their salaries need to be lifted so that their work can be better recognised. I will always stick up for them because I know the work that they do. As I said, they do a hell of a lot that is above and beyond the call of duty.

The speaker has been hamstrung in so many areas. When I was first appointed to the PSC I always intended to raise the question of these darned lifts over in the annexe. However, someone would have said, "Ha! It was your fault. You built the building." I admit that we built the building. It was our fault, but that does not improve the use of the building. We know that those two lifts are inadequate. There should never have been only two, there should have been four or six. We admit to that. But quite a bit of time has gone by since then, and it is still a problem that is going to get worse and worse as time goes by. So it is about time that we said that we will do something about that. I would again support the Speaker and others to try to improve services such as the lifts in this complex. We should not just keep turning a blind eye to it, saying, "It was your fault." Again, we should grow up a bit on these issues.

I also believe that staff morale of those who work in this building, without naming names, has been through the floor—at rock bottom—over these last six years. If that is the fault of the PSC, then let us give the thing the push, but let us make sure that what we put in its place actually works and that the staff are dealt with on a proper and decent basis so that their voices can be heard and their problems overcome. The exercise will be pointless if their voices are not heard, if we are going to turn a blind eye to their difficulties and problems. If their morale is down their work level will be down, and no-one benefits from that; they do not benefit and neither do we. It is a case of making sure that their voices are heard.

I have already mentioned that we will have to take a step forward for the electorate secretaries. EARC recommended the provision of a $10,000 research fee to provide additional assistance in electorate offices. That was another thing that was scrapped by this Government. It took no notice at all of the EARC recommendations. I believe that that recommendation needs to be advanced again because, as I said, the workload on members and electorate officers has increased to such a degree that that form of assistance is due and necessary and would be put to very good use in the interests of the people.

I believe that many problems are associated with this legislation. That is sad and unfortunate, because it could have been so good. It could have been done well. It could have been done, as someone said, with a bit more impartiality and a bit more involvement of goodwill and so on. I know most members would like to see that, but we are not going to see it. That is the sad part of it. As such, we very reluctantly support the Bill, but certainly realise that it has many problems attached to its provisions.

Mr SCHWARTEN (Rockhampton) (5.30 p.m.): After the doom and gloom that we have heard from the member for Crows Nest—and I do not disagree with some of the things that he said; I will refer to them down the track—I must say that I believe that a far better Parliament exists today than existed a decade ago. I am reminded of the problems that the coalition experienced when it was in Government and of the bickering between the National and Liberal Parties about the

introduction of the Public Accounts Committee. Ultimately, that bickering destroyed the coalition at that time, and it has taken them many years to recover. To give the former Premier Mike Ahern his due, he did institute that committee; however, it was not without its problems, as the members of the coalition soon found out. We all remember the drought rorts affair, which created much publicity and furore and revealed that huge rorts had occurred.

Mr FitzGerald: How many people went to gaol, do you remember? How many convictions came out of that huge rort that you have spoken of?

Mr SCHWARTEN: I know that approximately $19m of public money could not be accounted for. Obviously, it was a case of either sheer mismanagement or a rort. It was one of the two; the member can take his pick. I think that $19m is certainly a large round of drinks, and the Public Accounts Committee showed its worth on that occasion.

I sincerely believe that the Parliament is a better place for the committees and I speak as a former Chair of the Public Works Committee and a member of the first PCJC. During those tough times of the PCJC's infancy, it had many very complex social and moral issues to deal with. I heard the previous speaker voice his fear that somehow the monitoring power would be diluted by bringing together the administrative and legal matters of the Parliament. I do not believe that. I believe that most of the tough tasks have been carried out, but the monitoring role still remains. That is a significant expectation placed upon that committee, and I am sure that the committee members will perform that job admirably.

I have heard freedom of information mentioned by a number of speakers from the Opposition side of the House, including the Leader of the Liberal Party, who said that it was disgraceful that one could not obtain the information one desired. The speaker who preceded me followed that up. I remember the good old days of this place, when one could not obtain a solitary piece of information.

Mr Bredhauer: Remember trying to get a teacher's file out of a regional office?

Mr SCHWARTEN: When the honourable member for Cook and I worked for the Teachers Union we tried to get information from the regional offices to help teachers with their workers' compensation claims and stress claims——

Mr Bredhauer: Or to find out which National Party member had dumped on them and had them transferred.

Mr SCHWARTEN: There was a bit of that happening in those days, when all the decisions about who was transferred where were made by Cabinet. That system was wrong and I am sure that we will never see that happen again. Trying to obtain such information was like trying to find feathers on the back of a frog—it was simply impossible.

A sad reflection on this Parliament is the refusal by the members opposite to grant pairs in certain circumstances.

Mr Livingstone: Yesterday is a classic example.

Mr SCHWARTEN: It was very unfortunate when the honourable member for Murrumba, whose actions were endorsed by this Parliament—we all said how disgraceful the nuclear testing at Mururoa Atoll is——

Mr Gilmore: Nobody on this side of the House stopped him going. We didn't stop him going.

Mr SCHWARTEN: That is the sort of churlish attitude that I am referring to. The honourable member knows as well as anybody else how this place works and he is suggesting that the Government could lose confidence on the floor of this House as a result of a member discharging his or her responsibilities on behalf of this Parliament. I think that is a tragedy.

I thought that the case of the member for Murrumba was unfortunate enough, but it was absolutely shameful that the Opposition would not grant a pair to enable a member to attend the late "Chooky" Campbell's funeral. He was a person for whom everybody who spoke this morning in the motion of condolence had the greatest of respect. This morning, my good friend the member for Bulimba told me that the union with which he was associated, the BLF, worked closely with "Chooky" Campbell to try to develop legislation for portable long service leave and he was very supportive. In everyone's estimation, he was a very reasonable man and a well-respected member of this House. Yet the Government was unable to send a representative to his funeral because no pair was granted. I ask members opposite to rethink that situation.

Mr FitzGerald: Has it ever been done before?

Mr SCHWARTEN: It was done in the Menzies Government.

Mr FitzGerald: Refusing pairs—has it ever been done in this House before?

Mr SCHWARTEN: I am sure that it has, but that does not make it right. I listened to

the member for Crows Nest when he was talking about the lifts in the Parliamentary Annexe. He said, "We built them; we made a mistake," but that does not fix the problem. He said, "We move on." I think that all honourable members agree with him.

The member for Crows Nest talked about the issue of staff for the Opposition. He spoke about when the Labor Party sat on the Opposition benches. I remember Ed Casey being sent to Watkins Place with one staff member and one secretary. At that time, the deputy leader had no facilities whatsoever. I remember that it was impossible to work between Watkins Place and this building. I remember also the reluctance of the then Government to show any compassion whatsoever and to provide assistance. In those days, the Labor Party had to pay for research to be conducted. That was a disgraceful situation. I do not think that any honest observer of parliamentary process today could compare that with, say, for example, the Deputy Leader of the Coalition, who has the right to a chauffeur-driven car—she has staff. In 1982, Bill D'Arcy was the first Deputy Leader of the Opposition to be provided with staff, but he was not provided with a driver or a car, and he did not have any office space. If the honourable members opposite want to go back in history, I believe that the previous speaker made a very valid point.

All that I am asking of the members opposite is that they think through the issue of pairing. It is not in the interests of a good working Parliament not to pair. As I said, the Menzies Government did it. Pairing is in the interests of democracy.

If the Parliament so desires, the committee of which I would like to be a member is the Members' Ethics and Parliamentary Privileges Committee. I notice that that committee will have a charter to develop a code of conduct for members. I think it is sad that we have to sit down and draw up a code of conduct for members because members cannot behave themselves and conduct themselves honourably in this place. As one who has sat inside and outside this place in the past three years——

Mr Gilmore: You've lost it on several occasions.

Mr SCHWARTEN: Yes, I acknowledge that I have—and so has the honourable member on a number of occasions.

An Opposition member: That is untrue.

Mr SCHWARTEN: It is not untrue. By and large, I believe that, at some time or another, all honourable members have lost their cool and said the wrong thing. That is perfectly understandable when one is dealing with personalities and when one feels strongly about certain issues. I think that everybody who comes into this place has reasonably strong feelings one way or the other. In my eyes, just because a member disagrees with another member, that does not make him or her any less a person.

The privilege that we have in this place is that we can stand up on behalf of our constituents against the shysters and the crooks out there—and we all have them in our electorates—who somehow continue to weave their way through the legal net. At the end of the day, sometimes the only thing that one can do is to stand in this place and say it as it is. That is a privilege that we should never give up, although I notice that there is to be some redress offered to people who are named adversely in this place.

Yesterday, I was the victim of someone who stood up in this place and spoke without first checking their facts. I say very sincerely that the comments that were made about me yesterday hurt me deeply. I say that as somebody who has been involved in the trade union movement for about 22 years, and whose father was sitting in the gallery. My father is a life member of the Building Workers Union, and for me to be accused of undermining a union in its valid process of marching and protesting in the street is more hurtful than many people in this place can understand. I make that point to the Opposition.

However, I can cop it on the chin. When I have done something wrong, those people who know me well enough know that I can cop it. However, I will not stand in this place and cop that sort of abuse of privilege. That is what it is: it is an abuse of privilege which could have been clarified if the decent thing had been done. I notice that even though I refuted what was said, today I again had to suffer the indignity of that member of Parliament repeating those sorts of claims to the public. I place on record that those comments hurt me, they were untrue and they particularly hurt my father.

Mr Gilmore: You are a wimp.

Mr SCHWARTEN: The member may call it that. Quite frankly, he has gone down in my estimation because I thought he was a person of some dignity and decency. By that very statement he has shown that he really is

not up to the scratch that I thought he was. I am very saddened by that and it is a very sad indictment of him. The member is the sort of person for whom this legislation is required—to protect the innocent and decent people of Queensland from the excesses of people like him.

I agree with the member for Crows Nest on the issue of electorate office staff. The job of members of Parliament is certainly becoming more and more burdensome. This morning, the member for Aspley, I think it was, was talking about the days when members of Parliament did not have any facilities at all. I remember a previous member for Rockhampton North—whose name I will not mention, because he did the wrong thing by the party—conducting affairs of state in his lounge room. In those days, the pressure of accountability was not there. Members sent the few letters that they had to the typing pool in Brisbane, which would type them up and send them back. That is why the recess was the length of time that it was. It was a different world.

I am sure that all honourable members will verify that people come to see their member of Parliament first, not last, although often they come last as well. After they have been the rounds of everybody else and cannot win, they come to their member of Parliament. They have every right to do that and that is what we are there for; to help people. However, any honest assessment of workloads in electorate offices over the past 10 years would show a sharp increase. It is time that we looked at the support needed in those offices, and it is time that we looked at the role of electorate officers per se. They are the backbone of our offices, especially for country members who necessarily have to be away from their electorates while the Parliament is sitting and while other parliamentary duties have to be performed. The electorate officers have an enormous burden of responsibility upon their shoulders and it is time we looked into that.

The Bill before the House shows that the Parliament has matured a great deal in the past 10 years. I agree with the member for Mount Gravatt, that people in EARC, at that time—rather than PEARC—got it wrong. I think that they tried to turn it———

Mr Ardill: They had no idea.

Mr SCHWARTEN: They had no idea, as the honourable member said. I do not know whether they wanted to replace Parliament with a committee———

Mr FitzGerald: They did not have a clue.

Mr SCHWARTEN: I think the member for Lockyer is right: they did not have a clue. I was the Chair of the Public Works Committee and I remember talking to some of those people, and it rapidly became apparent to me that they had little or no grasp at all of reality as far as this place goes. Having said that, I believe there is no doom and gloom in this Bill. Basically, it is a good piece of legislation that will make for a better and more harmonious working Parliament.

Mrs McCAULEY (Callide) (5.47 p.m.): I have been so overcome by the reasonable, statesmanlike attitude and dignified demeanour of the new member for Rockhampton that I am almost speechless. It is certainly not the member that I remembered in the House before. It was very interesting to watch how he won the election. He did not open his mouth. I watched him very closely and he was very careful. He did not say anything. He certainly did not say anything controversial and I guess it just goes to show that when one gets beaten by big Vinnie one stays beaten.

Mr Schwarten: I am back in here though, Di.

Mrs McCAULEY: And the member is very thankful, is he not? I was interested to hear a previous speaker talk about how insulted she was by being wolf whistled at. I have to say that that would make my day. I do not even look around any more; I know it is not me.

This Parliamentary Committees Bill 1995 is typical of the type of reform that this Government has become famous for in the past six years. It is hypocritical and it is not what it is lauded to be. The reforms are restrictive, repressive and designed to give the appearance of consensus and openness when in fact they are usually quite the opposite. Members will remember when the Public Works and Public Accounts Committees were formed, they were formed by a National Party Government. The member for Bundaberg, Mr Campbell, leaked details from the Public Accounts Committee in an effort to embarrass the then Primary Industries Minister, Mr Harper, and not once in the six years———

Mr CAMPBELL: I rise to a point of order. That is a serious allegation to make concerning a member of a committee. It is untruthful and I ask that it be withdrawn.

Mr Cooper interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The member for Crows Nest! The honourable member has risen on a point of order. In respect of the honourable member for Bundaberg's request, I ask that the honourable member withdraw the comment.

Mrs McCAULEY: I withdraw that comment. Not once in the past six years can it be said that our members on that committee have leaked any matter to the public. It simply has not happened.

The Public Works Committee, according to the Premier's speech when he introduced this legislation, has enabled members to focus on the value and performance of major works constructed by the Government. What a lot of rubbish. There was a glowing endorsement of the Labor Government's handling—or rather mishandling—of major facilities such as the new Convention Centre complex, which suffered a massive blow-out of costs, yet the Public Works Committee brings down an all sweetness and light report, and it really is a waste of time.

The member for Nicklin spoke about the Parliamentary Criminal Justice Committee, and I need not add anything to what he said. The cost in personal terms—and I am talking about the questioning of members' integrity and propriety—of serving on that committee has been high and there is no doubt that the salary attached to such positions is often the only inducement for some people to serve on such a committee.

The only way the Goss Government can be taken seriously on the matter of committees is if it moves towards an independent chairman or an even number of representatives of both parties on committees which, of course, it will not do. So I believe the committee system is the greatest waste of time and money imaginable. Every time a committee is formed, the first thing it wants to do is go to New Zealand. New Zealand is the Mecca for committees—"Let's go to New Zealand and see what they do there. I do not really think that New Zealand can tell us much, but we will go off to New Zealand and have a look." So that is what the committee does—off it goes.

The committee that I wish to talk about the most is, of course, the Parliamentary Service Commission. I have spent five years serving on that committee, and it was the most frustrating body upon which I have ever served. It really was a waste of time, and I am happy to see it abolished. It was set up as an autonomous body. The then Minister for Finance, Brian Austin, stated—

> "The Executive arm of Government will have no control over the commission."

During the debate on the Parliamentary Service Bill, the Leader of the House, Mr Mackenroth, who for the last few years has served on the PSC with me, stated—

> "The commission itself will set the budget; the commission will bring that budget before the House; the House will approve the budget and it will be sent to the Executive arm of Government whose responsibility it is to find the money."

Well, that sounds wonderful! Let me tell members what really happens: the Executive arm of Government looks at the budget and says, "You will make cuts and you will not only make cuts but you will make them here, here and here." That is what we on the PSC had to do. In those days, even Mr De Lacy had a different view of the PSC.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! There is far too much interjection in the Chamber from my right.

Mrs McCAULEY: Thank you, Mr Deputy Speaker. In 1988, Mr De Lacy had a different view of the PSC. He stated—

> "I am concerned that in Queensland the changes have been initiated—and will continue to a certain extent to be directed—by the Executive."

That same person, in his capacity as Treasurer, wrote to the Chairman of the PSC suggesting areas where funds could be saved and stating quite categorically that, while the targets that have been set are non-negotiable, the strategies proposed to achieve those savings will need to be considered by the Savings Task Force, which had been recently established by Cabinet. So much for no interference by the Executive!

As I said, it was most frustrating to serve on the PSC. I believe that, by replacing the Parliamentary Service Commission with an advisory body, the shackles of the Executive will be broken—and I hope they will be broken—so that the Speaker can be the person truly responsible. That gives him a big responsibility. I have to say that that has caused concern to some people—quite a lot of people—who work in this place. They have said to me, "I do not know whether this is something for the better or not." I have to say that I believe that the PSC was not working. We are not losing something that we had. We

are not losing a voice, because we never had one. As the member for Crows Nest said, decisions were made outside of that committee. They were made by the representative of the Executive, Mr Mackenroth. They were made without any consultation with the committee. For example, because I was a member of the PSC, I should have known about the refitting of the cafeteria. That was an innovation about which we never heard. It did not come to the committee.

Mr Cooper: The first I heard of it was when I saw the thing under construction. I'd never heard of it.

Mrs McCAULEY: Exactly. A prime example is the overseas trip to Westminster—the trip that most members of Parliament dream about. When Mrs Sheldon inquired whether there was to be such a trip this year, she was told, "No, there will not be such a trip this year." I attended a PSC meeting and, suddenly, there was to be a trip to Westminster. Who was going on this trip? I can tell members that it certainly was not a member of the Opposition. It was all cut and dried; it was organised outside the PSC. The decision was just presented to us.

Mr T. B. Sullivan: Whose turn was it? Doesn't it normally alternate between both sides of the House?

Mrs McCAULEY: Unfortunately, a few years ago the Speaker went as an observer. That was a trip that was allocated to a Labor member, and the Speaker also went as an observer. After that, we were not allowed to have observers.

Mr T. B. Sullivan: What would you suggest?

Mrs McCAULEY: I think that trip was probably a pay-off. Probably the least said about that the better.

Mr T. B. Sullivan: What do you think should happen with the PSC?

Mrs McCAULEY: The PSC is finished. However, an advisory body that will, hopefully, advise a Speaker who is prepared to listen, will achieve at least as much as the PSC did. It was just a waste of time and effort to be involved with that committee. It was also a very frustrating time.

I have always supported the Travelsafe Committee and I have said that I believe it has done a good job. I know that one of the Labor members is pushing to have the members of Travelsafe paid to be on that committee; he is the man with the dollar signs in his eyes. By the same token I believe that those members, probably more than members of any other committee, have earned the right to be paid as members of that committee because they do excellent work. I commend the member for Archerfield for his dedication to that committee and the work that he and his committee have carried out. I think that he has done an excellent job. I would not think twice if a decision was to be made to pay the members of Travelsafe. They have certainly earned it for the work that they have done.

I have concerns about the Members' Ethics and Parliamentary Privileges Committee. I believe that it could be used as a forum by members to perhaps play politics. I hope that that will not be the case. Certainly, as the previous speaker said, it seems unfortunate that we need to have an ethics committee to tell members how to behave. We all know the stories that abound about people who have been members of this place and some of the ways in which they have behaved. I guess, human nature being what it is and 89 members of this place being the mixture that they are, those stories will continue. A code of ethics will not stamp out unbecoming conduct by members of Parliament. Human nature being what it is, that will continue forever. I do not like the idea of a code of conduct but, if we are to have one, then I believe that there should be input from all members into what they see as necessary for a code of conduct. As I say, I have grave reservations and certainly a lot of concerns about it.

The problems of the lifts in this place and members' access to the House that the member for Crows Nest mentioned could have been resolved five years ago if the building that was on the drawing board at that stage, with Don Duncanson in charge, had been built. That building was to be located between the end of the annexe and the old Parliament House. It was to be four floors high and have housed members' offices giving them very quick access to the Chamber, which we certainly need now more than ever. That planned building would have solved the problems of the lifts and taken the accommodation pressure off the place. It has been sad for me to see this place turn into a rabbit-warren. I have seen the big, open spaces on the sixth floor turn into a rabbit-warren of little offices. I think that is unfortunate. I do not think that is the way to go. To some degree, it has been created by the Speaker's insistence that committee staff be housed within the annexe building. I do not believe that that is the be-all and end-all. As I said, I am not very big on committees,

anyway. I certainly do not believe that they have to be housed under this roof. It might be a cosy little arrangement, but it certainly is not a necessary one. It has cramped up the place considerably, and it has detracted from the amenity of the place, which is most unfortunate.

I guess a day will come in the future when all of this will be changed. We may no longer have the annexe in which to live, and all of those sorts of things. They are matters for the future. I hope the Speaker will not address those concerns without full consultation with all of the members of this place. It is somewhere to which we come and spend a great deal of our time, so we become attached to it—or otherwise. I guess we have a love-hate relationship with the place.

As I said, I am concerned about this Parliamentary Committees Bill. I do not believe that its provisions are for the better. I guess we will just have to wait and see. At the end of the day, it will give me no pleasure to be able to say, "I told you so."

Sitting suspended from 6 to 7.30 p.m.

Mr NUTTALL (Sandgate) (7.30 p.m.): In supporting the Parliamentary Committees Bill 1995, I wish to confine my comments to a rebuttal of some of the claims made by Opposition members in the debate today, namely, that the legislation is a sinister plot to undermine the parliamentary process. The Opposition's comment that we have a hidden agenda is quite extraordinary coming from a political party that probably would not know what reform was even if it hit it in the face. It is quite astounding to see the Opposition going down that path.

What we need to do is go back to the basics of the Bill and examine why it is before the House. This Bill is the result of major reviews by EARC and the Parliamentary Committee for Electoral and Administrative Review. That is basically why the Bill is before the House. As has probably been said earlier, the main objectives of this Bill are to establish a new system of committees for the Legislative Assembly in Queensland and to assist it to make laws and monitor the Government. The Bill is no different from that introduced into the Chamber back in May of this year. However, a couple of provisions are exceptions to that statement.

A very important difference is that the revised Bill transfers the functions of the Parliamentary Criminal Justice Committee to the new Legal, Constitutional and Administrative Review Committee. I will return to that issue, because that is a point that has been canvassed fairly widely by the Opposition. The other difference is that this Bill abolishes the Parliamentary Service Commission and transfers its functions back to the Speaker of this House. My understanding is that that provision has bipartisan support.

Some of the committees—not all—are given major new functions under the Bill. Of course, I refer to the Legal, Constitutional and Administrative Review Committee, which has new functions. The Scrutiny of Legislation Committee and, of course, the Members' Ethics and Parliamentary Privileges Committee will also have new functions, some of which have been spelt out.

As I said earlier, I wish to home in on a couple of points. The first concerns the Legal, Constitutional and Administrative Review Committee. My name will be coming before this Parliament as a candidate for that committee, and I am hopeful of being elected to it. That committee is not one that, as some people have said, will gut or undermine the PCJC. If anything, it will have a lot more work to do. As well as replacing the old PCJC, the Legal, Constitutional and Administrative Review Committee will replace the Parliamentary Committee for Electoral and Administrative Review. In the past, that committee's task was to review EARC reports. Most of that work has been completed. However, my understanding and advice is that there is still one EARC report to be reviewed, and that concerns the important Bill of Rights, which the new committee will examine.

The Legal, Constitutional and Administrative Review Committee will have far wider authority than the old Parliamentary Committee for Electoral and Administrative Review. There are some points that have not been raised in this debate that I wish to canvass. The new committee will be able to examine any law reform issue of its choosing. It will be able to examine any constitutional issue, that is, issues relating to any Bills proposing to repeal any part of the Queensland Constitution. The new committee will have a specific function to review the conduct of State elections and the capacity of the Queensland Electoral Commission to conduct those elections.

The Bill also amends the Parliamentary Commissioner Act and the Freedom of Information Act to establish the new committee, which will consult on future appointments to the position of Ombudsman, who is also the FOI commissioner. The Legal, Constitutional and Administrative Review

Committee will also be able to examine any Bill introduced into this Parliament as part of a nationally agreed legislative scheme when the Bill is referred to the committee by the Legislative Assembly. As I have said, the new committee will have all the functions of the Parliamentary Criminal Justice Committee.

Other committees proposed in this Bill—the Scrutiny of Legislation Committee, the Members' Ethics and Parliamentary Privileges Committee, the Public Accounts Committee and the Public Works Committee—were covered by my colleagues earlier in the debate this evening and I do not wish to comment on them. However, I endorse the comments made by the member for Rockhampton. It is a sad day for members of this House when we have to introduce some sort of code of conduct for members of the Legislative Assembly. To some degree, that is a sad reflection on the behaviour and performance to date of members of this Chamber.

The other issue that I wish to canvass is that of Government owned corporations, about which a lot has been said, including that GOCs will be totally exempt from any sort of review by these committees. That is not totally correct. However, it would not be appropriate for Government owned corporations to be examined on a routine basis by the committee. GOCs are run on a commercial footing and it would put them at some disadvantage to their competitors if we were to review them continually. Suffice to say that the committee will be able to examine any GOC work that is being constructed to meet its community service obligations. However, as I said, the committee will not be able to examine GOC works constructed purely for commercial reasons. However, the Bill does enable such works to be referred to the committee by this Assembly where it is deemed appropriate.

The other issue which I think is most important in respect of this Bill is the protection of witnesses. Earlier in the year, there was some controversy surrounding a public hearing before the PCJC. This Bill limits the power to compel witnesses to give answers to questions that might tend to be self-incriminating, that is, any answer that might implicate the witness in some form of criminal offence. This limitation has always applied to the Public Accounts Committee and the Public Works Committee, and this Bill merely extends that provision to all other standing committees. There really is nothing sinister in that provision.

As I have said, the Bill enables a witness to refuse to answer a question on the grounds of self-incrimination, but it enables a committee to refer the witness's refusal to the Legislative Assembly. The Assembly can demand that the witness answer the question, provided that in making its decision to have the question answered the Assembly has regard to the interests of the Parliament and also the rights of the witness. This provision is an attempt to balance the legitimate interests of this Parliament in pursuing its inquiries with the legitimate interests of any witness, which is always a delicate balancing act. That provision is contained in the Bill to give protection to all parties.

I want to comment on the role of the Parliamentary Criminal Justice Committee. A number of Opposition members have suggested that the Government is trying to gut the PCJC and take away its authority. On my understanding and from my reading of the Bill, that is simply not the case. In fact, the Bill transfers the functions and responsibilities of the Parliamentary Criminal Justice Committee to the Legal, Constitutional and Administrative Review Committee, which was originally recommended by EARC. We are simply following its recommendations. The transferral of the functions of the Parliamentary Criminal Justice Committee to the Legal, Constitutional and Administrative Review Committee will avoid any duplication that would have occurred in having two separate committees dealing with issues affecting the criminal justice system. One would think that that is simply a matter of common sense.

This Parliament needs to amend the Criminal Justice Act. Schedule 1 of the legislation before the House contains an amendment to clause 118 of that Act, which makes it quite clear that the Legal, Constitutional and Administrative Review Committee has the powers of the PCJC to call for persons, papers and records and to examine witnesses on oath or affirmation. That power was previously conferred on the PCJC by a resolution of this House, but it will now be enacted in legislation. I reiterate that the Legal, Constitutional and Administrative Review Committee will have the same powers as the Parliamentary Criminal Justice Committee currently has.

The Parliamentary Service Commission was established by the Parliamentary Service Act 1988. My understanding is that that Act was introduced to curb the powers of the Speaker of the day. I stand to be corrected on that; it depends on one's interpretation of the

intention of that Act. The contributions by members on both sides of the Chamber have made it clear that the Parliamentary Service Commission has not served this Parliament well. I believe it is a good thing that the Parliamentary Service Act will be repealed and that the Speaker of this Parliament will have the administrative authority for the running of this Parliament.

I believe that this is a good, commonsense piece of legislation. It will enhance the reforms to the parliamentary committee system. I urge the members of this Forty-eighth Parliament to give it the opportunity to work. I support the Bill.

Mr GILMORE (Tablelands) (7.44 p.m.): I will make only a brief contribution to this debate, but there are a number of points that I wish to canvass. Regrettably, many of the contributions by Government members to this debate have been aimed at justifying the Government's position but have had little to do with the reality of this legislation. I express my deep disappointment in this legislation. I believe that it is legislation of missed opportunities. One after another during this debate, Government members have stood in this place to do nothing more than justify the Government's position, to try to paint a rosy picture of the legislation before the Parliament and to try to pretend that it will provide for real scrutiny of Government. Nothing could be further from the truth.

I acknowledge that the Goss Labor Government has introduced some worthwhile reforms to this Parliament. However, it has lost its steam. In fact, I believe that the Government has become afraid of its much-touted "reform process". When in Opposition, the Labor Party found it very convenient to make grand statements about the types of reforms that it would introduce. Labor Party members spoke at great length about the accountability that would exist post-Fitzgerald. The Labor Party's intention was that the people of this State—the people whom we seek to serve—would know exactly what was happening on a day-to-day basis, would understand the decisions of Government and would know that there was no corruption or malpractice and that the Government and the processes of government were accountable to the people and thoroughly scrutinised. Regrettably, this legislation does not provide adequately for those objectives. As I said, it is legislation of missed opportunities.

I want to speak briefly about Government owned corporations. Much has been said on that issue by members on both sides of the Chamber. Opposition members have put forward the reasons why GOCs ought to be scrutinised, and Government members—including the previous speaker, the member for Sandgate—have said that it would be quite improper for GOCs to be scrutinised because it might adversely affect their competitive advantage. It should be noted that the legislation provides that any sensitive evidence relating to GOCs could be taken in camera. That type of information is able to be protected under the legislation by the committee involved, as long as an appropriate scrutiny mechanism is in place. However, the Government has failed to take up the opportunity to scrutinise the operations of GOCs.

Let us ask ourselves about GOCs. Why is it that GOCs ought to be off budget? Why is it that their debt ought not to be scrutinised by this Parliament? Why is it that the functions of GOCs in terms of their efficiency and their capacity to spend taxpayers' money should not be scrutinised? After all, the GOCs are the temporary custodians of that money as it passes through their bank accounts. Why ought those matters not be open to the scrutiny of this Parliament? Earlier in this debate, a Government member stated that the Parliament remains the ultimate arbiter in those matters—as it ought to be.

I am concerned about the position with Government owned corporations. I will flesh that out by speaking about the matter that has arisen in the last couple of days. I refer to the fact that AUSTA, the corporation responsible for the generation of electricity in this State, was discovered by the Opposition to have been undertaking a questionable funding proposal. I say "questionable" because I have considered this matter deeply, and I believe that there is little doubt that it was questionable. Why did that occur? It is my view that it occurred because the Government issued quite improper instructions to a Government owned corporation, which, by its very charter, ought to be and must be at arm's length from the Government. That was the way in which it was set up.

Mr T. B. Sullivan: The Treasurer has already said to this House that he did not issue instructions, and he's an honest person—unlike yourself.

Mr GILMORE: I cannot help but take that interjection. The honourable member for Chermside just made two statements that are mutually exclusive: he mentioned the Treasurer on the one hand and honesty on the other. Regrettably, I cannot agree with the

comments by the member for Chermside. I might add that I cannot agree with the statement by the Treasurer in this place that that was not the position, because there is no evidence to the contrary—none at all. In fact, after considerable questioning, the Honourable the Treasurer refused to clarify the situation or to justify his position other than to say, "Believe me! I am from the Government. I am here to help."

Mr T. B. Sullivan: Not at all. He answered, what, two or three questions on it.

Mr GILMORE: But all were answered in an obscure manner. The Treasurer was never prepared to justify his position, and he did not do so.

On any account, it appears that we have here some sort of strange arrangement whereby AUSTA, apparently under instruction from the Government, has chosen to refinance the only asset that was owned by AUSTA—as far as we can ascertain—that never had debt ascribed to it. It was built without debt. I note that the Treasurer is in the Chamber and that he is smiling quietly. Obviously, since the Treasurer has been sitting in that seat something strange and wonderful has happened to the funding arrangements associated with the Stanwell Power Station. When that power station was put on the ground by the previous Government, it was to be constructed without debt from the day-to-day cash flow of the QEC. There was no question about that. Does the Treasurer seek to deny that?

Mr De Lacy: I think you're fantasising; that's all I can say.

Mr GILMORE: I am fantasising.

An Opposition member: There was no denial.

Mr GILMORE: I note that there was no denial. Obviously, a bit of fancy footwork has gone on concerning the debt associated with the Stanwell Power Station.

What is the situation now? Let us be charitable for a moment. Let us suggest that the Stanwell Power Station was built without debt; that it was built from the cash flow of QEC—now AUSTA—as it was supposed to be. All of a sudden, the generators are to be leased—not the whole box and dice, not the whole shooting match, just the generating sets. They are going to be leased to a corporation that we have never heard of before. We are not going to lease them to one of Australia's great superannuation funds, the AMP or any other Australian which has a few bob. We have sought that business elsewhere—across the sea. We have sought it from a corporation with who knows what kind of a background. That corporation has been brought here, without any public expressions of interest being called or tenders being called. It has been asked to inspect this asset and to lease our generating sets from us, to what aim?

It appears that somebody will get a $200m up-front payment per generating set. That appears to be the case.

Mr De Lacy: I wish that was true.

Mr GILMORE: The Treasurer had several opportunities in the past couple of days to answer that question and he refused to do so. Would he like to have the 12 minutes left to me now?

Mr De Lacy: I just like to keep you in suspense.

Mr GILMORE: That is because the Treasurer is indulging in some dodgy finance arrangement. Let us expose it further. We are giving $200m up front. Who will get that money, and for what? The interesting thing is that AUSTA Electric, having leased out the three generating sets of our newest asset with no debt, has now attributed some $600m to that asset. That money is up front. The money—the justification for that $600m—will be coming from the purchase of power from those generating sets by AUSTA for on-sale to the people of Queensland. There is no question in my mind that that is the case, because the Treasurer and the Premier have already said that there is no change whatsoever to ownership. Therefore, it must be some kind of lease or mortgage or some other kind of document. I believe it is a lease, in which case we will be purchasing power back from those generating sets.

Mr De Lacy: No, we are leasing it back.

Mr GILMORE: Does the Treasurer mean that the Government has sold them and leased them back?

Mr De Lacy: No, it's a hire and a leaseback. It's just a financing transaction. One of these days, you'll wake up to that.

Mr GILMORE: I want that on record.

Mr De Lacy: There's been about 27 in the last 12 years—17 by the National Party Government and 10 by us.

Mr GILMORE: Let us flesh this out a bit further. Once the money comes up front, where does it go?

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! I have been quite lenient

and showed some latitude. However, I ask the member to come back to the Bill before the House, which is the Parliamentary Committees Bill.

Mr GILMORE: Mr Deputy Speaker, I draw your attention to the first thing I said in respect of this debate.

Mr DEPUTY SPEAKER: Order! I have heard all of the member's 10 minutes of debate. I am suggesting the member come back to the Bill before the House.

Mr GILMORE: I will most certainly come back to the Bill. The question I have raised is whether Government owned corporations and their functions ought to be available for scrutiny by the parliamentary committees. In any case, I am sure that what happened in that dodgy fundraising proposal will be further canvassed at a later time.

I turn now to freedom of information. I have spoken about freedom of information previously in this Parliament, and I have always been harangued from the other side of the Chamber. Those opposite say that when the National Party was in Government there was no freedom of information, and that is true. However, let us look at some comments made by the previous Attorney-General about the freedom of information legislation when he first introduced it into this Parliament. Let us think back. He said that it was going to be world-class freedom of information and that it would be the best in this country. He said that it was going to provide information to the community that had never been provided before.

Mr T. B. Sullivan: That's true, and that occurred. It occurred, and you can check your personal file.

Mr GILMORE: It did occur, but it no longer occurs, because this Government went weak in the knees. It chose to amend that legislation so that it would no longer afford proper scrutiny of the functions of this Government. I welcome the Premier into the Chamber.

When we seek some information, what do we get? I have a lot of experience at this because I use freedom of information simply to prove to myself that information is unavailable under this scheme. If one is fortunate enough to mention in an application, after paying the $30 fee, a certain document or group of documents, then one receives access to them. However, there is no provision in the legislation for any kind of report or compilation of information from those data that are provided—those bare sheets of information.

I said earlier that this was an opportunity that was missed. It was a great opportunity for us to have a look at freedom of information and to ensure that, in the future, reports are able to be provided, with the justification of that report appended on the side that identifies the documents from which it was drafted. All members are busy, and when we receive 500 documents under freedom of information we do not have time to sit down and compile our own report from them. It would save a lot of time and expense for Government departments if the compilation of reports was allowed under the terms of the legislation. However, it appears that that will not be the case. This Government is not prepared to allow itself to be properly scrutinised either by the Opposition or by the community. That is sad, because this Government is supposed to be the great performer, the great introducer of accountable processes.

I wish to speak briefly on whistleblowers. There is not a single mention in this legislation about whistleblowers. What a wasted opportunity!

Mr Hollis: It's not whistleblowers legislation. That's not what it is. It's about committees.

Mr GILMORE: Yes, I know. If the honourable member looks at what the committees are entitled to consider, he will see freedom of information and legislation mentioned, but nothing about whistleblowers. These committees are not able, in terms of the review of legislation or otherwise, to make recommendations to this Government about the future of whistleblower legislation. It is a missed opportunity because, under the current whistleblower legislation, any person who discovers something that he considers to be wrong, inappropriate, corrupt or otherwise must go to his immediate superior, irrespective of whether that immediate superior happens to be the person who is the subject of the whistleblowing action. Whistleblowers could find themselves blowing the whistle to the person who is deemed to have done something wrong. That is a quite inappropriate device to keep this Government free of scrutiny.

I suggest that there ought to be a commissioner of whistleblowers—somebody people can go to in the first instance with absolute security for their position. I think we need something like the Ombudsman's Office. I hear members opposite laughing about the Ombudsman's Office and saying that it is an incompetent office. I find that to be very strange.

Mr T. B. Sullivan: I rise to a point of order. No-one on this side of the House was laughing and no-one made any comment.

Mr DEPUTY SPEAKER: Order! There is no point of order. The member for Chermside will resume his seat.

Mr GILMORE: It is important that, when speaking of reform and the processes to be put in place by this legislation relating to committees, what they can do and what recommendations they can make to the Government relating to structure of legislation, whistleblowers be placed under the responsibility of a particular committee so that at the end of the day there will be real whistleblower legislation that provides real protection for individuals who are brave enough to stand up in the community and say, "I have seen something which is bad; I have seen something which I believe to be corrupt." A whistleblower commissioner would allow many people who observe things on a day-to-day basis which they may misconstrue as being bad or corrupt which are not necessarily bad or corrupt an opportunity to air their concerns. If there was an independent arbiter such as the commissioner for whistleblowers who had the powers of the Ombudsman, he could determine those things without damage being done either to the whistleblower or to the innocent party. I believe that is a very important principle that has been missed by this legislation and one that we ought to rethink.

Mr Santoro: Maybe they are trying to stop Peter Pyke from making further allegations about them.

Mr GILMORE: That may well be the case. Whatever it is, the members opposite are covering up. They continue to do so under the guise of being the great reformers. The rhetoric that comes from the Government side of the House in justification of that is sickening and it makes me tired to listen to it.

Mr Springborg interjected.

Mr GILMORE: I am sure I did. I am sure I hurt the poor chap, but it was unintentional. I just called him a wimp and he got offended by that. In terms of the Public Works Committee and the Public Accounts Committee—it seems to me that what the Government is entrenching in this legislation is the absolute certainty that things that come to our notice as members of Parliament as being questionable, doubtful, corrupt or inefficient will never be looked at by these committees because they have to be referred by the majority of these committees and the majority is held by the Government and the chairmen of those committees who have the casting vote are members of the Government.

It seems to me that we ought to look very carefully at an amendment to this legislation. Reference to this committee should be able to come from citizens or it ought to be able to come from two of the members of that committee; it ought not be subject to the majority rule. If a citizen comes to this Parliament and says to the committee, "I believe that this is crook", then there should be an automatic referral. Two members of that committee—who, after all, are members of this Parliament—should be able to go to the committee and present some evidence and say, "Even though this is only a small amount of money, we believe that the actions of this person or that person or the incompetence of that department is so bad in respect of this amount of money that it ought to be considered by these two committees." However, it is not to be so. It will not be allowed by this legislation.

It is of grave concern to me that this Government continues to introduce legislation which is branded as reformist when in fact it is a cover-up—an absolute cover-up—of the kinds of things that we are saying ought to be exposed. This Labor Government should do the right thing by the people of this State, but it has not got what it takes to take these very stringent steps.

I see the Premier smiling. It is not what the committee discovers that matters; it is how his Government responds to that discovery that matters. Clearly, the Premier is not game to put himself to the test.

Mr SANTORO (Clayfield) (8.02 p.m.): When the Premier introduced the original Parliamentary Committees Bill into this House on 24 May 1995, I had some concerns. However, I was generally satisfied with its provisions. Certainly the Bill had its drawbacks, but overall I thought that it would have improved the operations of the Parliament. I suggest to all honourable members that the Bill that the Premier introduced on 7 September 1995—the one that we are debating tonight—is a totally different proposition. I fear that this Bill will weaken parliamentary control over the Executive and will, in fact, lead to people questioning the effectiveness and legitimacy of parliamentary committees.

These concerns are based on the decision of this Government to abolish the Parliamentary Criminal Justice Committee and combine its functions with those of the

proposed Legal, Constitutional and Administrative Review Committee. I will discuss this retrograde step in a moment. However, before doing so, I would like to briefly put this Bill into historical context.

Firstly, as all honourable members would know, commentators on the Westminster system this century have bemoaned the incessant diminution of the role of Parliament and the seemingly inexorable rise of the power of the Executive arm of Government, and, more recently, the party system. This problem is even greater in Queensland where there is only one House, and, consequently, no house of review, and a Government formed by a party—the Labor Party—with the most rigid system of control of members in the Western World.

In these circumstances, I would have liked to welcome the introduction of the Parliamentary Committees Bill, which creates a totally new standing committee—the Legal, Constitutional and Administrative Review Committee—and considerably expands the role of two existing committees, that is, the Members' Ethics and Parliamentary Privileges Committee and the Scrutiny of Legislation Committee. Like many other initiatives of this Government, this reform measure has taken an inordinate period to reach this place and has gone through many drafts, all dependent on the shifting and totally cynical political imperatives of the Premier and his colleagues.

The Electoral and Administrative Review Commission presented its Report on a Review of Parliamentary Committees in October 1992. In turn, the Parliamentary Committee for Electoral and Administrative Review presented its report in October 1993. Almost two years later, and just before the last State election, the Premier introduced the first Parliamentary Committees Bill—a Bill which significantly diluted the recommendations of the commission and parliamentary committee and which, in any event, was left to lapse when the Premier called the election. Now we are presented with Mark 2 of the Bill which, as I have said, is a much weaker version—a version which has as much to do with the Government's knife-edge majority in this House as it does with its fixation with controlling the political agenda by weakening parliamentary oversight of the Criminal Justice Commission so that it can play God with that body.

Firstly, I wish to place on record my support for the sensible and well-thought-out reasons adduced by the Parliamentary Committee for Electoral and Administrative Review in its Report on a Review of Parliamentary Committees. The parliamentary committee proposed a system of six specialist committees augmented by Estimates committees which would be focused on scrutiny and accountability rather than general policy inquiry. It suggested that any committee system at this stage should concentrate on the core functions of Parliament rather than general policy review, which could overload the committee system and not achieve any significant results having regard to the party system.

I agree with the parliamentary committee that the main role of committees should be the rigorous scrutiny of Government activity rather than general policy investigation. As to the latter—committees would never have the time, resources, bipartisanship or power to achieve sustainable results. In the jargon of modern public administration, a committee's prime performance indicator must be effective review of administrative actions.

In this context, I turn to the Premier's less than helpful comments in his second-reading speech on the proposed abolition of the Parliamentary Criminal Justice Committee. Firstly, he pointed out that the Electoral and Administrative Review Commission in its review of the parliamentary committee system recommended that its proposed legal and constitutional committee should take over the role of the PCJC. What the Premier did not disclose, and did not attempt to rebut, was the firm rejection of this recommendation by the Parliamentary Committee for Electoral and Administrative Review. For the benefit of all honourable members, I will quote what this independent all-party parliamentary committee had to say about that recommendation—

> "The Committee does not believe that the reform process has ended in Queensland. There is still work that remains to be done, not least of which is the implementation of outstanding recommendations of this committee, EARC, the Criminal Justice Commission and the Parliamentary Criminal Justice Committee. It is appropriate and constitutionally proper for the Parliament to continue to have a voice in these areas and the most convenient and effective format for such Parliamentary involvement is through a committee. Thus the proposed Legal and Constitutional Committee is connected with Parliament's core constitutional functions in a way that other constitutional committees proposed

by EARC are not. It is for these reasons that this Committee"—

that is, PEARC—

"recommends the establishment of a Legal and Constitutional Committee, as suggested by EARC, together with the continuation of the current Parliamentary Criminal Justice Committee."

This all-party committee knew full well what would happen to the reform process, to proper scrutiny of criminal justice issues in this State, if the PCJC was abolished, and it had no hesitation in rejecting such a suggestion out of hand. It is instructive to compare the Premier's comments in recommending the abolition of the committee with the cogent reasons adduced by the parliamentary EARC committee for retaining it.

The Premier suggested that combining the functions of the PCJC with those of the LCARC would avoid duplication and was not designed to "diminish the Parliament's capacity to oversee the CJC". Yet PEARC, in its report, quoted this extract from a submission it received from the CJC—

". . . a Legal and Constitutional Committee with wide-ranging functions proposed would have a greatly diminished ability to closely scrutinise the actions of the Commission. Further, to a certain extent, the Commission would be less autonomous from other bodies concerned with criminal justice by reason of the fact that the same Parliamentary Committee would also be overseeing those bodies. There is a case for making an exception to the system of Committees and retaining a Parliamentary Committee solely for the purpose of monitoring and reviewing the Commission."

These are powerful arguments for retaining the PCJC, and it will come as no surprise that the PCEAR endorsed them. Indeed, the clear reasoning of the PCEAR makes a mockery of the Premier's excuses for abolishing the PCJC. For the benefit of Government members, especially the members for Caboolture and Everton, who were members of the committee at the time, I shall quote what the PCEAR said. It stated—

"The Committee agrees with the CJC and considers that the existing Criminal Justice Committee should be maintained with its current functions. Supervision of the CJC is a matter which, at least at this point in time, is of such significance and which involves such a workload that this function would clearly dominate any committee which also had other functions. Whilst supervision of the CJC is important, so too is the parliamentary oversight of legal, constitutional and electoral reform, and the Committee considers that these functions can only be performed satisfactorily by separate committees."

Having served on the PCJC, I wholeheartedly concur with those sentiments. The PCJC plays a pivotal role in our system of criminal justice. It ensures proper parliamentary supervision over one of the most powerful statutory authorities ever created in Australia. The CJC was a creation of the Fitzgerald reform process. It was regarded as central to creating and maintaining an ethos of honesty and propriety in all arms of Executive Government and to assisting in targeting areas of substantial concern in our criminal justice system, especially organised crime.

I know that the commission's workload is enormous. When I was a member of the PCJC, I used to devote approximately eight full days a month to my committee responsibilities; yet even this seemed not to be enough. I often felt that my fellow committee members and I needed to give more of our time just to keep abreast of matters as they were developing. To amalgamate that committee with one having responsibility for reviewing the conduct of State elections, the activities of the Electoral Commission, reports of the Law Reform Commission, legal reform issues generally, Aboriginal and Torres Strait Islander customary law, constitutional issues affecting the State and the operations of the Ombudsman is crazy. It is crazy if one is really serious about parliamentary oversight of the Executive; it is not crazy if one wants to so overload the committee that it becomes incapable of carrying out its duties properly.

This Bill will emasculate parliamentary oversight of the criminal justice system and oversight of legal and reform issues. It is a travesty and a repudiation of the reform process. It is the first major step in the abolition of the reform process that was instituted by Fitzgerald. In recommending the PCJC, Tony Fitzgerald argued that it could—

". . . provide an effective democratic mechanism to determine which controversies should be fully investigated to allay public concern."

I suggest that the PCJC has fulfilled that role admirably, at least during the term of the first

committee. I suggest to honourable members that perhaps it has fulfilled that role a little too admirably. The suggestion that it should be abolished is regrettable and will set back the reform process rather than enhance it.

Unfortunately, the proposed abolition of the PCJC is not the only major deviation from the PCEAR report effected by this Government. The parliamentary committee recommended that the public administration of this State required scrutiny by three committees, namely, the Public Accounts Committee, the Public Works Committee and the Public Sector Review Committee. I should add that the first two committees were set up before the election of the Goss Labor Government. I join with other members of this House who have acknowledged the contribution of Liberal members who, in 1983, gave it all away in the interest of a parliamentary committee system.

The Public Sector Review Committee, as recommended, was to have responsibility for dealing with, firstly, any matter concerned generally with the public administration of Queensland, including assessing the probity, economy and efficiency of a department, local authority, statutory body or statutory office; secondly, any matter concerned with the structure, organisation and efficiency of a department, local authority, statutory body or statutory office including, the Ombudsman, the Information Commissioner or the Public Sector Management Commission; or thirdly, any matter concerned with legislation providing for review of decisions, access to information, equal employment opportunity or anti-discrimination.

Of these three sectors of responsibility, only the last-mentioned is adequately covered in the Premier's Bill. It is referred to as "administrative review reform" and is capable of being investigated by the proposed Legal, Constitutional and Administrative Review Committee. It is disgraceful that this Government has emasculated the parliamentary committee's proposal for ensuring accountability of the public administration of this State. Obviously, this Government wants tame-cat accountability and runs scared when bodies such as the PSMC are proposed to be subject to independent review.

When this Government came to power, it had its minders in the PSMC and Office of the Cabinet do hatchet jobs on each department of State. The first series of hatchet job reports were in the form of Cabinet information papers, so that the people and bodies defamed and vilified were kept in the dark and had no right of reply. That was the form of public sector review that this Government practised. Yet when it is suggested that there be an independent, open and objective committee to carry out proper reviews on the public sector, this Government squibs.

The last Chair of PCEAR and former member for Barron River, Dr Clark, quite correctly said in her foreword to the PCEAR report that one of the main roles of parliamentary committees is to monitor and review the efficiency and effectiveness of public administration. This is particularly important when it comes to statutory bodies and persons. The importance of the Public Sector Management Commission goes without saying. But, in addition, Government-owned enterprises are increasingly in need of proper supervision, especially with ongoing commercialisation and the effects of the Hilmer report now being factored in. I could elaborate at length, but that point has been elaborated upon by speakers who have preceded me, including the honourable member for Tablelands.

In comparison with this Government's feebleness, I point to the Victorian Public Bodies Review Committee, which has specific responsibility for reviewing the efficiency, effectiveness, structure and role of Victoria's public bodies. It is instructional to note that that committee has operated successfully since 1980. In a very interesting article published in 1982, the then chairman of the committee, Dr Foley, raised three reasons why such a committee was essential for good government in modern Australia.

Firstly, he pointed out that responsible management—something of which this Government is incapable—demanded that all levels of a decision-making hierarchy have sufficient information on past actions, ongoing operations and future plans to allow informed and rational decisions. Secondly, he argued that State Governments conduct the vast majority of their activities through the public bodies sector, which is poorly understood, diverse in the extreme and highly fragmented. Given that size, complexity and the fact that, until recently, this sector has not been seriously analysed, any attempt to discuss the machinery of government without concentration on that sector would be, to use his words, "so partial as to be meaningless, or at best trivial." Finally, he suggested that there was a recognition that all may not be as it should, either within the public bodies sector or between various public bodies and

Government or between public bodies generally and the Parliament.

I suggest that this is at least as true of Queensland in 1995 as it was of Victoria in 1982. For, unlike the situation in 1982, our public sector is undergoing massive changes brought about by corporatisation and the Hilmer competition law reform process generally. The corporatisation of Government-owned enterprises and the greater competition these bodies will face present challenges and opportunities. Never before has the public sector had to face such an uncertain environment, and, in that context, it is surely essential that there be some ongoing independent oversight capability by Parliament so that taxpayers' funds are protected and undesirable practices do not develop.

I am also concerned that whilst the proposed Legal, Constitutional and Administrative Review Committee will have certain administrative functions, it will not have the power to consider or review particular cases that are determined by the Information Commissioner, the Ombudsman or the Anti-Discrimination Commissioner. If this committee is to be effective, surely it should have such a reserve power, because the outcomes of certain decisions, or the way that a decision has been reached, will have a bearing on whether the particular legislation in question needs reform or redrafting.

I am also concerned about ministerial responses to reports of the Scrutiny of Legislation Committee. Clause 25 specifically excludes ministerial compliance with the procedure outlined in that clause for responding to committee reports. The Explanatory Notes explain this situation as follows—

> "Clause 25(1) provides that the Minister need not respond to a report of the Scrutiny of Legislation Committee. This provision has been included because the strict time limits applying to the Committee's review of Bills will not enable Ministers to respond in the manner envisaged by clause 25. Ministers would generally respond to the Committee's reports during Parliamentary debate on the legislation. However, clause 25(7) makes it clear that Ministers are not prevented from making a formal response to the Committee's reports when it is practicable to do so."

The bottom line is that Ministers can ignore with impunity reports of the Scrutiny of Legislation Committee.

Compounding this, as page 5 of the Explanatory Notes makes clear, this committee will not be entitled to approach Parliamentary Counsel about the policy inherent in the drafting of legislation or subordinate legislation. I can understand that there is an argument about legal professional privilege between Parliamentary Counsel and instructing departments. However, the combination of a right of Ministers to ignore Scrutiny of Legislation Committee reports added with the inability of this committee to seek advice from Parliamentary Counsel about the matters in contention ensures that the work of this committee as well as its effectiveness have been seriously compromised.

In 1991, the then South Australian Minister for Education, when introducing that State's Parliamentary Committees Bill for the second reading, stated—

> "The establishment of a streamlined and revitalised review process which involves members of Parliament in the process of Government and in significant community issues, as well as encouraging discussion and communication between diverse interest groups across the State, is a significant step in maintaining and reinforcing the principles of parliamentary democracy.
>
> An efficient and effective committee system will increase public contact, awareness and respect for the process of democracy and allow for the development of a review process which establishes links and promotes discussion across disciplines and professions, between regions, between parliamentarians and those who elect them, and between public and private sectors."

I know from personal experience on parliamentary committees how useful they can be and how they often have the habit of reinforcing those principles which unite parliamentarians and citizens, as distinct from those which divide us as members of different political parties. In a unicameral Parliament, a vibrant parliamentary committee system is not only desirable, it is essential. It was on this principle that the Liberal Party, as I said before, gave away so much in 1983. It is a fundamental tenet of liberalism that the institution of the Parliament must be strengthened by measures such as a strong committee system to ensure that it can continue to fulfil its core function of reviewing legislation and retaining a position of supremacy over the Executive which it

chooses and which it has established to keep responsible and accountable.

In this context, I am gravely disappointed with this Bill. Not only will it not significantly advance parliamentary Government, proper scrutiny of the Executive or independent statutory bodies such as the CJC but it will weaken many of the controls, checks and balances that are currently in place. I am sure that the wholesale deletion of the appropriate supervision of elements of public administration, in particular the PSMC and Government owned enterprises, will have to be remedied in the future because this omission seriously weakens the Bill.

The ability of Ministers to ignore Scrutiny of Legislation Committee reports renders that body little more than a debating society. To the extent that the role of that committee has been expanded, it has come at the cost of the committee being regarded as almost powerless. I only hope that Ministers consider that committee's reports and do not ignore it altogether, for this would indeed be a travesty.

However, these drawbacks pale into insignificance with the abolition of the PCJC. This move will hamper law enforcement, most probably weaken public confidence in the CJC and undermine the capacity of the proposed Legal, Constitutional and Administrative Review Committee to carry out its duties. This move has nothing to recommend it, and this is surely a black day for all those persons who really believed that this Government had learnt any lessons from its overwhelming repudiation by the voters several months ago. The arrogance, myopia and incapacity of the Premier and his cronies to stand any type of criticism has once again surfaced.

This Bill is an unqualified repudiation of the reform process and a symptom rather than a cure for what has been characterised as an almost total breakdown in the chain of accountability of the Government to this House and the people of Queensland.

Hon. V. P. LESTER (Keppel) (8.23 p.m.): The decision to incorporate the Parliamentary Criminal Justice Committee into the new Legal, Constitutional and Administrative Review Committee is a sham. The Parliamentary Criminal Justice Committee had a large and very important job to do, yet it is going to be incorporated into a committee which will be responsible for administrative review reform, constitutional reform, electoral reform and legal reform. I will not even go into issues such as access to information, because that is covered in the Bill. However, that amounts to one heck of a lot of work. The members of the Criminal Justice Committee were required to put in more hours of work than the members of any other committee of this Parliament. However, that committee will be incorporated in a super committee, which will be limited by the amount of time that its members will have to serve on that committee—and to serve on it well.

It is my view that the Parliamentary Criminal Justice Committee should remain and have more power to keep an eye on the Criminal Justice Commission. The Criminal Justice Commission costs in the order of $22m to $23m a year to run, and it employs 250 people. That represents half the cost and half the staff of the national organisation, ASIO. The CJC, which is its own entity, can literally do as it likes with very little comeback from the Parliament. For example, on three occasions the committee raised major issues with the Criminal Justice Commission. On three occasions there was an automatic leak to the press, and the committee underwent investigation. Of course, the daddy of those investigations was Operation Wallah, which is costing taxpayers many thousands of dollars. That investigation is supposed to determine who in the Parliamentary Criminal Justice Committee or the commission leaked that information. It is fairly clear that nothing was leaked from the committee. The leak most likely came from a southern source because a particular group—probably the National Crime Authority or the Federal Police—felt that its investigations into Operation Wallah and a very important senator were being whitewashed. The leak probably occurred because that group wanted to get something done. Large sums of money are being spent by the commission on that investigation, and some members have had to face five or six QCs—and for what? For nothing! I question the ethics of that.

Could it be that the Criminal Justice Commission is trying to stand over the Parliament or its representatives, and the moment that an issue is raised its members think, "We will sort them out; we will have yet another investigation"? A very serious concern is that some members of the Parliamentary Criminal Justice Committee—or the new super committee which will incorporate it—might think, "What is the use? Why raise these important issues? Why run the risk of being investigated, because one does not know for sure what the end result of an investigation will be?" I am not saying that that has been the case, but it is possible. That could stop some members from raising issues which may be critical of the Criminal Justice Commission. As

members of Parliament we have to show the commission that it is accountable. Let us not kid ourselves. If the commission continues without real accountability, it will be only a matter of time before it starts to take excessive leverage. The flashier the hotels those people stay in, the greater will be the number of unnecessary investigations; and we will reach the stage at which the original job is not done.

Generally speaking, members of Parliament have a fair idea of what is going on; they have their feet on the ground, and they are in a good position to know what the Criminal Justice Commission should or should not be doing. Our powers are being taken away, and the parliamentary committee will be merged into the new super committee. Yet again, accountability will go out the back door. It should be remembered that the highest court in the land is indeed the Parliament. We, as members of Parliament, should be accountable and responsible for the Criminal Justice Commission.

It is not good enough to say that we have a right to accountability if we cannot exercise that right. It worries me very, very greatly that we are going along a track that, ultimately, will lead us into the hands of the criminals. Without proper scrutiny, the Criminal Justice Commission, like any other organisation without proper scrutiny, will became lax in its job. It will become easier for the CJC to investigate Mary Smith from the Logan CWA about sixpence rather than to investigate the main issues.

I have to say that the Criminal Justice Commission undertakes far too many stupid investigations that, in the end, do not do a lot to bring criminals to heel. The current inquiry into Operation Wallah is one such investigation. Have members heard anything so stupid? The senator involved—and I am not going to name him—is now running around free. He is making lots and lots of money while we silly clowns are being investigated.

Mr T. B. Sullivan: We're not silly clowns.

Mr LESTER: That does not really make a lot of sense. I meant that comment to include all of us, because we are all members of the Parliament and the inquiry could investigate each and every one of us. One never knows, the CJC has to power to extend the terms of reference of the inquiry and call whoever it likes, just to make a few extra bob. Is that not a temptation for QCs and such people, who run these investigations without any responsibility for accountability? They just widen the terms of reference and extend the inquiry for another 16 weeks. That puts more money in their pockets. That really has to be said. God knows how members are going to have the time to give this new super committee all that they should. Members are not going to have the time to do their job on that committee properly. Therefore, we have a serious problem.

Mr Cooper: The resources that you're given don't go to the members of the committee, they go to the chairman, don't they?

Mr LESTER: I am coming to that issue of resources. It has been said that more resources will be made available to the Legal, Constitutional and Administrative Review Committee. That could well mean another couple of research officers. But the allocation of resources is really at the behest of the chairperson. At this point, I am going to make it very, very clear that those resources are going to have to be made available to all members of the committee. They all have to have resources to undertake investigations to keep them up to scratch with what is going on. Those resources have to be made available for members without fear or favour. At the moment, this Parliament is very, very finely balanced.

I serve notice that the Opposition will be demanding equal access to the information that is made available to the Labor members of the committee. If the Opposition members do not receive that information, we are going to be heading for a row. Hopefully, commonsense will prevail. Certainly, I will not make any prejudgments, but the Opposition members of that committee need to be given a fair go. If not, quite simply, the Opposition will be presenting minority reports. If the Opposition members of this committee are not given the rights that they believe they should be given, they will be making their views heard in the Parliament. The Legal, Constitutional and Administration Review Committee is just about the crux of everything—electoral review, discrimination, the Criminal Justice Commission—just about the lot. Opposition members have to make sure that they are briefed whenever they want to be briefed. If they wish to disagree with the committee's findings, they have to make sure that advice is available to them. This committee cannot be a party-political committee, or be used to the advantage of the Labor Party.

I must also comment on the issue of parliamentary privilege. If members say things behind closed doors, that is where they should

remain. If people who head inquiries press to obtain information that members of committees have been privy to behind closed doors, then our whole parliamentary system could break down. It really could. We have to make sure that this practice is stopped. Parliamentary privilege is important. If at some subsequent inquiry people can be sent to gaol for not disclosing information that they received under parliamentary privilege, that will inhibit people in saying what they think. So we have a great deal to be worried about. I say quite simply that, within reason, Opposition members are going to demand the right to speak out if they feel that they have to.

The situation that arose with the last Parliamentary Criminal Justice Committee must never occur again. Opposition members of that committee went to the Criminal Justice Commission to look at the Wallah files. At the CJC, the former chairman of the committee issued instructions that limited the information that the Opposition members of the committee could be given. That is wrong. I serve notice that, under no circumstances will the Opposition members of this super committee, the Legal, Constitutional and Administrative Review Committee, be accepting that sort of treatment. They will make their position very, very clear. If they have to, they will state their position in the Parliament and they will state it in the media. So I tell members to take note that that is what is going to happen.

I might also say that the action of the Parliamentary Criminal Justice Committee of putting my colleague Neil Turner before the Parliamentary Privileges Committee was wrong. In my view, it was not fair or ethical for the chairman of that committee to make the comments that he did in this place. Members know that those were difficult times. We know some of the circumstances behind the matter. However, the Parliamentary Criminal Justice Committee is supposed to be a team. The bottom line is that the committee should be catching the criminals, not engaging in cheap political point scoring shortly before an election. Is it any wonder that the Chairman of the Parliamentary Criminal Justice Committee nearly lost his seat? He could well lose it yet. I just leave it at that.

But let us make sure that the members of these committees, the whole jolly lot of them, are treated as they are supposed to be treated, as a fair and equitable group of bipartisan people doing what is best for the people of Queensland. That must be a priority. Whether it is the Public Works Committee or the Public Accounts Committee receiving a fair go, or the Legal, Constitutional and Administrative Review Committee catching the criminals or whatever, we have to do it together. If we are going to use these committees to politicise issues then we might as well shut up shop.

The committees have to be make sure that the organisations for which they are responsible are answerable to them. I will fight until the cows come home to make sure that the members of the committees receive a fair go. They will not hesitate to again question the Criminal Justice Commission. They will expect the CJC to be more forthcoming on the issues. The members the Legal, Constitutional and Administrative Review Committee will also be making it very clear to the members of the CJC that they cannot behave like little children when members of the committee dare to question them about what they are doing. The CJC has a responsibility to the people of Queensland. It is going to have to take the members of the committee for what they are, that is, its watchdog.

Somehow, the Government has caved in with this legislation. It would not surprise me if the legislation is amended not too far down the track to either split up the role of the Legal, Constitutional and Administrative Review Committee or to give it more power to deal with the Criminal Justice Commission. To think that the Parliamentary Criminal Justice Committee has been investigated three times because it has dared to question the CJC is really a sad indictment on our State. Is that not a clear case of standover tactics? Is that not a clear case of bullying tactics? Is that not saying, "Don't you dare question us. We will beat you into submission by investigating you"? It did not stop the Parliamentary Criminal Justice Committee, but I really have to question how those leaks appeared in the newspapers every time members of the committee dared to ask a question.

From time to time, the Criminal Justice Commission has to be taken on. I had better not name any particular instances or I might find myself involved in another investigation. Nevertheless, credit is due to the Parliamentary Criminal Justice Committee, which took on the CJC over certain issues and won. Importantly, that was done in the interests of the public of Queensland. I offer this advice to the Criminal Justice Commission: get on with what matters in this State and give our police a fair go. I think one in 10 police officers are being investigated at any one time, which inhibits the ability of police officers

to do their job. In no uncertain terms, some police officers have said to me, "Look, Vince, I would rather go out and book people for speeding, drink-driving and so on than investigate crime or apprehend criminals; they will complain to the Criminal Justice Commission and then I will be investigated. I have a young family to look after." That is what the police tell us. They say, "It is not worth it." They would prefer to catch Bob Gibbs or Vince Lester for speeding. Although I do not think that they have been successful in either case, that is the sort of thing that goes on.

The police are being stood over and are not able to do their jobs. Because of personal considerations, the police are frightened to do their job. Police officers are continually complaining to me about the antics of the Criminal Justice Commission. These are the sorts of issues that have to be addressed by the new committee—that is, if it ever has the time to examine any of the activities of the Criminal Justice Commission. The committee will have to stand up to the CJC and make sure that it does the job that it is supposed to do. If we do that, this State might be a little better off. I wish all of the people taking part in the new committee system well. Let us hope that the result is a better deal for the people of Queensland. Let us hope that the Parliament, through the committees, is more accountable. And let us hope that the members of the committees will be more accountable. If they behave in a bipartisan way, the committees will be able to do their job much more effectively.

Mr BEANLAND (Indooroopilly—Deputy Leader of the Liberal Party) (8.43 p.m.): It is marvellous how an election can make such a difference to a piece of legislation! I refer to a comparison of this Bill with that which came before the Parliament before the House was dissolved prior to the last election. That was when the Premier had 53 per cent or 54 per cent of the vote. Now that he is down to just over 46 per cent, we see an entirely different piece of legislation.

Mr W. K. Goss: It was 47, not 46. Be fair.

Mr BEANLAND: It is not much. Let us say it is either 46 per cent or 46.7 per cent. The Premier still does not govern with the popular will of the people, because he has less than 50 per cent. It certainly grates on the Premier a great deal that he does not govern this State with the popular will of the people.

Mr Borbidge: An illegitimate Government.

Mr BEANLAND: As the Leader of the Opposition said, it is an illegitimate Government.

This legislation is certainly far-reaching. Today, we are not merely putting in place recommendations of the Parliamentary Committee for Electoral and Administrative Review. In fact, this Bill contains far more provisions than PEARC recommended. A number of very important aspects in this legislation were not contained in PEARC's report. To say that some of these changes are watershed changes is quite true. For example, the super committee, that is, the Legal, Constitutional and Administrative Review Committee, represents a watershed change.

The committee's responsibilities will include administrative review reform, constitutional reform, electoral reform and legal reform. In addition to the committee's many responsibilities, it will take over the role of the Parliamentary Criminal Justice Committee—even though that is completely contrary to the Fitzgerald recommendations for reform. Mr Fitzgerald stated clearly—

> "A standing parliamentary committee not charged with any other responsibility and known as the Criminal Justice Committee should oversee the operations of the CJC. The membership of the committee should reflect the balance of power in the Legislative Assembly."

That final comment is interesting. Perhaps we should have an even number of members on the new committee. We will certainly be testing that provision in due course this evening.

The important point that I wish to make is that there should be a separate, stand-alone committee to focus on the CJC and its role. The Parliament of this State gave the CJC enormous powers back in 1989 when it passed the enacting legislation. Such enormous powers would not have been given to a commission of this nature under normal circumstances. However, because of the circumstances that prevailed at the time, these powers were given to the CJC by the Parliament. However, as a counterweight to these powers, the Parliamentary Criminal Justice Committee was instigated and extensive powers were given to it to oversee the operations of the CJC.

The Report on a Review of Parliamentary Committees is a unanimous report of that committee. On that committee were four Labor Party members, two of whom—Dr Clark and Ms Power—are no longer with us. However, the member for Caboolture, Mr

Sullivan, and the member for Everton, Mr Welford, are still in the Parliament. I trust that those members will maintain the position stated in the report and will support it. This report spells out very clearly that the committee, and those two members in particular, believe that the Parliamentary Criminal Justice Committee should remain.

Mr Borbidge: At least Mr D'Arcy put up a fight.

Mr BEANLAND: As the Leader of the Opposition reminds me, at least Mr D'Arcy put up a fight in relation to the south coast motorway. I, and I am sure the public of this State, expect to see those two members put up a fight in this Chamber and say something in support of the position of the Opposition.

Mr J. H. Sullivan: Read it in *Hansard*.

Mr BEANLAND: The honourable member for Caboolture has a lot to say. Let us see the honourable member counted when we divide on this very important matter.

This unanimous report recommends a separate committee, and for very good reasons indeed. There should be a separate committee overseeing the enormous powers which the Parliament gave, through the Fitzgerald reform process, to the Criminal Justice Commission. Since the report came down a couple of years ago, the members opposite who were on this committee have had a change of heart. As I said, their change of heart is all to do with the election. The original report supported these recommendations. Now there has been a change of heart.

Although we have had a number of investigations into the role of the CJC, I cannot help wondering what role has been played by Mr Rudd and the Office of the Cabinet committee, which has also been investigating the role of the CJC. Never mind any conflict of interest that might occur in that respect. I understand that Mr Rudd, the former Director-general of the Office of the Cabinet, now occupies a position as the Director of Policy within the Office of the Cabinet. I cannot help wondering whether the Federal Labor candidate for Griffith, who is on the State payroll, has had some input into the legislation that we see today. We know that he was chairing a committee of inquiry into the CJC at the same time as other investigations of the CJC's activities were being conducted.

The proposal in this legislation is totally at odds with what occurs in other States. For example, New South Wales has a separate special committee which oversees the role of ICAC, the Independent Commission Against Corruption, in the same way as the PCJC did previously in Queensland. It is quite clear that this move could easily be a forerunner to the retraction of some of the roles of the Criminal Justice Commission. Based on some of the comments by Mr Goss and some members of Cabinet, it is evident that that is the Government's intention. That is not the belief of the Opposition in isolation; it is also the belief of a number of others in the community, including some in the legal fraternity. In the past, some of those people have been supportive of this Government, but they are not so supportive of it now. Included in that category is Mr O'Gorman, who is an active member of the Council for Civil Liberties. Many believe that this Government intends to pare down many of the activities of the CJC, including the Research and Coordination Division.

Regardless of what the Premier may or may not have in mind, the fact remains that, unless it is abolished completely, the Criminal Justice Commission will still play a significant role in this State. Because it has such enormous powers, regardless of whether some of its responsibilities are pared down, there can be no justification for abolishing the committee whose role is to be totally focused on the activities of the commission. This is a sad day for accountability in this State. Given the wide range of matters that the super committee must oversee—including the Electoral Commission, law reform and a host of other responsibilities—only a small amount of its time will be able to be devoted to focusing on the activities of the Criminal Justice Commission.

The PCEAR report recommended the establishment of a Public Sector Review Committee. That recommendation was quickly given a roasting by the Government, and that committee has not surfaced. No parliamentary committee will be established to review the public sector. That was a very important recommendation of the PCEAR. On page 51 of its report, the committee went to great lengths to spell out a number of recommendations for the roles of that committee. One of those roles was to oversee the Public Sector Management Commission—a body which seems to be very dear to the heart of the Premier. One can well understand the Premier's concern that any reviews undertaken by such a committee might upset some of the processes which the Labor Party has implemented and about which, on 15 July, the public of Queensland spoke out very

clearly, indicating its disgust at some of the actions of that commission.

There has been no attempt to establish a parliamentary committee to review the PSMC. Consequently, there is no attempt to examine the resources and performance of that commission, nor the Office of the Parliamentary Commissioner and the Information Commissioner—all important bodies which are responsible to this Parliament. One would have expected that a Government which talks so much about its reform agenda would have wanted to ensure that there was effective oversight of the PSMC. Instead, the committee recommended by the PCEAR has not seen the light of day. It is evident that this very important sector of Government operations will not be the subject of review by this Parliament.

I turn now to GOCs and the ability of the Public Works Committee to scrutinise those bodies. That committee has a very important role in the oversight of public works. Despite that fact, a major sphere of public works—that of GOCs—has largely been exempted from scrutiny by that committee. GOCs can be scrutinised in only a couple of instances: one being where major GOC works are referred to the Public Works Committee by the Legislative Assembly; and the other being the community service obligations of GOCs. That is all well and good, but there are many other fields of operation of Government owned corporations which will not be subject to scrutiny by the Public Works Committee. Under this legislation, the concept of accountability has been turned into a farce.

In recent times, the Goss Government has corporatised a number of Government operations. That has an important effect on the bottom line of Executive Government and the State Budget. Members have seen the problems that the Labor Party encountered in South Australia, Victoria——

Mr Borbidge: Western Australia.

Mr BEANLAND:—and Western Australia due to inadequate scrutiny of a number of semi-Government authorities. At the end of the day, the public of Queensland must meet any shortfalls that occur. The Government can set up as many GOCs as it likes, but this Parliament still has a responsibility to the public of Queensland. By not making GOCs accountable to the Public Works Committee, and by preventing the committee from carrying out its proper function by investigating those corporations—as it is able to investigate other sectors of Government—we are negating the responsibilities of this Parliament. That is not good enough.

There are many factors that can affect the Budget and the bottom line of the operations of Government. My colleague the Leader of the Opposition would be aware of the current problems with the Workers Compensation Fund. Only a few days after the State election, members were assured that no such problems were around the corner and that the Government's finances were rock solid. If that is rock solid, I would hate to see a mire!

Mr Borbidge: A $200m turnaround in six weeks.

Mr BEANLAND: There has been a $200m turnaround in six weeks. If that is not a problem, I do not know what is! The Premier is well aware of it. This is how major financial problems begin. Premier Bannon used to claim that there were no problems with the State Bank and that it was functioning well. It was a beauty, that State Bank! It was functioning perfectly! At the same time, that Government had a $4 billion debt around its neck.

Mr Cooper: That's exactly what could happen here.

Mr BEANLAND: The member for Crows Nest is absolutely correct. We might not incur debts of $4 billion in the public works arena, but the level of debt certainly could amount to a couple of hundred million dollars—just like the Workers Compensation Fund, which is now causing concern within the community. The Government is taking a number of actions which could mean that this State incurs debt of hundreds of millions or perhaps billions of dollars. So this legislation has application to many sectors of Government operations. This is a very important principle. Corporatising the functions of Government in no way changes the fact that the Government has a responsibility to control the finances of this State.

I note that some changes to the Electoral Act are mooted. The legislation states—

> "A person may be appointed as the chairperson or non-judicial appointee only if the Minister has consulted with the parliamentary committee . . ."

Again, there is reference to that famous Labor word: "consulted". I am sure that it was invented by the Premier or one of his minders, but at the end of the day it means absolutely nothing. Members of a committee are bound by the confidentiality applying to matters under consideration by that committee. They cannot

go out and talk about any matters. The Minister may have to consult the committee, but he does not have to be bound by the committee's decision. Even if the committee says that it does not agree with a recommendation, the Minister may go ahead anyway. That is the meaning of "consultation"! It means absolutely nothing at all. It might sound nice and give some members of the front bench a warm, inner glow, but it has not fooled the public of Queensland, as we found out on 15 July. The people see through the smokescreen of the language used by the Government.

The Premier has made some very significant changes to the freedom of information legislation. The legislation before the House states that the FOI Commissioner can be sacked only by the Parliament, but that any such motion must be moved by the Premier—not by the Minister, but by the Premier. This is something new. I have not seen this in any other legislation, certainly not in any legislation that I checked where there has to be an address by the Parliament. It is a matter for the relevant Minister, no doubt after approval by the Government that it will proceed down that course. However, the point is that in this legislation—and it is at pages 28 and 29 of the Bill—the Premier is the only person who can actually move the motion in this place. He is obviously on an ego trip. I cannot see why the Premier would want to make that amendment, unless he wants to be responsible for FOI. The last time I looked, it was the responsibility of the Attorney-General. Perhaps the Premier has not taken control of that matter but, even if he has, he would appreciate that it would be a matter for the Minister of the day, because further down the track he might not be the Minister responsible for that legislation.

Clearly, the Bill says that the Premier will move the motion that needs to be moved. I look forward to hearing the Premier's explanation. Perhaps it is another one of those errors like that in Mr Mackenroth's Local Government Act.

An Opposition member interjected.

Mr BEANLAND: It is more than likely his ego. The member is quite correct. Whatever it is, the Premier has obviously not checked the legislation too well.

Mr W. K. Goss: What is the question?

Mr BEANLAND: If the Premier looks at page 28, he will see that it says—

> "The motion for the address may be moved only by the Premier."

I do not know why it can be moved only by the Premier, because those words do not appear in other legislation I have checked where there has to be an address by the Parliament. I have no problem with an address by the Parliament, but why does it have to be moved by the Premier?

An honourable member interjected.

Mr BEANLAND: If the Premier does not know what it is about, it is clear that Ministers are not checking their legislation.

Mr Cooper interjected.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! If the member for Crows Nest wishes to interject, he should do so from his usual place.

Mr BEANLAND: The point I have made several times in this place when these issues crop up is that Ministers are not checking through their legislation. They are not au fait with their legislation; they are leaving such matters to the minders in their offices. Of course, when problems crop up, they like to blame someone else. In the last few days, we saw Mr Mackenroth do that. Ministers must accept responsibility for their legislation. It is not good enough to blame the parliamentary draftsman or some other innocent person involved in the processing of legislation. The Government is very good at telling us about responsible Government and the Westminster system, but Ministers of a responsible Government have to take responsibility for these courses of action.

Time expired.

Dr WATSON (Moggill) (9.03 p.m.): I rise to speak on the Parliamentary Committees Bill 1995. I do so from a position of being a strong supporter of the parliamentary committee system and someone who has served on the major committees of this House. I wish to speak about the role of parliamentary committees, or at least how I perceive that role, and then compare this with what is in the Bill before the House and consider what alterations might need to be made.

The development of the Westminster system of government is about the separate evolution of the Executive and the Parliament and the idea often referred to as the separation of powers. The doctrine of the separation of powers also extends to the judiciary but, for our present purposes, it is the distinction between the Executive Government and the Parliament which is crucial.

The development of the parliamentary process can be viewed as one of placing the

Executive arm of the Government under increasing scrutiny. The tussle between King John and his peers is little different than the tussle today between a Parliament and an Executive headed by a Premier or Prime Minister. While the rhetoric and the procedures for resolving conflict differ, the principle is quite similar. The establishment of parliamentary committees is simply an extension of this parliamentary role—one designed to scrutinise the activities of the Executive in detail and make the Executive accountable for its actions to the people whom it is governing.

In today's modern world, there are, of course, practical reasons for the development of parliamentary committees. There is no doubt that the demands on the time of elected members of Parliament have increased substantially during the twentieth century. Modern means of communication have not only enabled members to carry out their duties more effectively, but they have also meant a rise in the expectations of constituents. Every member of Parliament, whether in the Government or the Opposition, finds the constraints on their time from the demands of the Parliament, from the demands of their party and from the demands of their constituents to be exceedingly great.

However, the role of a parliamentarian goes beyond that of serving constituents directly and involves a wider social responsibility to scrutinise the actions of Executive Government. The difficulty of balancing this wider role and the narrower electorate role is compounded by the complexity of Government processes and, thus, the amount of time which must be devoted by members to scrutinise in detail those processes.

The formation of committees is one attempt by the Parliament to use effectively the talents of its members to scrutinise specific parts of the Executive Government. In this way, it is hoped that the general imbalance between the power of the Executive and the opportunity for the Parliament to scrutinise the Executive is remedied.

The power of the Executive rests in a fundamental way on two prerogatives. The first is that the Executive has the power to allocate resources to various activities. The ability to allocate resources gives the Executive a significant amount of influence. However, the second basis from which the Executive derives its power is its virtual monopoly of information. "Monopoly" may actually be too strong a word, but it is essential to understand that the Executive's access to and control of information relevant to the Government processes is of fundamental importance to its position of power. If I can revert to some of my organisational theory language, it can be argued that information becomes impacted in the Executive arm of the Government and cannot be pried loose without a great deal of effort on the part of those outside the Executive. As an aside, I might say that it might be true to say that from time to time Ministers also find difficulties in prying loose information which is buried deep in the recesses of the bureaucracy.

To my mind, a critical role of parliamentary committees is to extract and gather that impacted information. Most of that impacted information is apolitical, at least apolitical in the sense of not being party political. However, it may be political in the sense that it is easier for the Executive if the information is not released.

It is also, in my opinion, of fundamental importance that parliamentary committees do serve this role. Firstly, eliciting information is the basis for developing and asking detailed questions on the use of resources. In order to be able to probe, one needs a starting point and it is better if that starting point has some objective basis.

Secondly, this role is critical to breaking down the information impactedness that I spoke about earlier. Information exists in the Executive arm of the Government—information which is critical to understanding the functioning of the Government. It is getting that information out of the bureaucracy and into the public arena which is crucial for evaluating the effectiveness of Government programs. While this can be accomplished in a number of ways, for example, royal commissions and freedom of information Acts, parliamentary committees play a crucial, ongoing role in this regard.

Thirdly, this role is a fundamental means of controlling the Executive. Eliciting information does not, by itself, get direct action to change or modify Executive decisions or programs. It is not the role of the Parliament to direct the Executive on the conduct of each and every program. However, this process does mean that the bureaucracy is exposed to the wider parliamentary process, and thus exposed to questioning, statements by members of Parliament and parliamentary scrutiny in general. This is also an important means by which the operations of the Executive Government become known to the media and thereby to the public at large. So the role of eliciting information is fundamental

to the democratic process in a wider sense. Finally, I believe this role is fundamental for informed political debate.

In considering this matter, my attention was brought to a recent article by Harry Evans, the Clerk of the Senate, which states—

> "The notion that legislative endeavour depends upon information, and that legislatures are essentially in the business of information gathering and analysis is not new."

The article contains a couple of quotes that I would like to share with the House. The first was a statement from the United States Supreme Court in 1927. It states—

> "A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed."

Even more interesting, given the length of time since it was actually said, is this statement quoted in the paper by Mr Harry Evans—

> "Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the government, the country must be helpless to learn how it is being served; and unless Congress both scrutinise these things and sift them by every form of discussion, the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function."

That statement was made, I understand, by Woodrow Wilson during the Congressional Government of 1885. So it is not new. Parliamentary committees, in order to fulfil the functions ascribed to them in that article need to have both wide and detailed powers. There is no doubt in my mind that the traditional power of the Parliament to send for persons, papers and things is fundamental to an effective parliamentary committee. This is something that this current Bill attempts to restrict and will be addressed by amendments introduced by the Leader of the Opposition at the Committee stage.

The ability to examine witnesses at either formal or informal hearings is also a fundamental requirement. This is one of the prime means of gathering information and arriving at informed decisions. My own experience on the PCJC in the last Parliament emphasised the importance of being able to gather information from a wide variety of sources. The police powers reports tabled in this House during the last Parliament reflected the immense value of wide consultation. There should be little restriction, other than budgetary, on committees gathering information. If members of Parliament are going to contribute in an informed manner they must have the opportunity to gather a diversity of opinions and information.

Finally, it seems to me that the ability to initiate inquiries is also fundamental. This is restricted to a significant extent in the current Bill, and other amendments to be introduced by the Leader of the Opposition will address this aspect. Central to obtaining information from the Executive arm of Government is the ability to elicit that information from anybody concerned with the bureaucracy. Consequently, it is important that senior members of the bureaucracy, including departmental heads and the heads of other units of administration, are available to give evidence to the committee. At times this does cause concern for the Executive arm of Government. There is a grey line between what is policy formulation and therefore subject to some form of Executive privilege and what is policy implementation, that is, administrative issues which must be subject to the detailed scrutiny of the Parliament.

It may seem useful to develop some guidelines on these particular issues. However, I believe they could only ever be treated as guidelines since it is impossible to determine ex ante how each and every issue should be classified. My own feelings on this issue are very much conditioned by the US Senate Watergate hearings as I tended, like many other people in the United States at the time, to be glued to the TV set for quite long periods listening to that Senate investigation and thinking about the respective rights of the US Congress and the US Executive.

My own personal opinion is that one has to be very circumspect on granting the Executive immunity from divulging information. While undoubtedly we would all agree that

information that is likely to result in the miscarriage of justice or the denial of rights to individual members of the community should be treated extremely carefully by parliamentary committees—as is detailed in the committee guidelines for witnesses—I believe the issue of Executive immunity must be treated with a fair bit of scepticism.

Currently, the Bill before the House restricts the purview of parliamentary committees in an unwarranted manner, and this also needs correcting. As I have said earlier in this speech, the Executive power emanates from three sources: firstly, its ability to allocate resources; secondly, its monopoly on information; and, thirdly, the fact that the Executive in most occasions sets the agenda in both a policy setting sense and in a political sense. I do not believe that it is ever possible to take the agenda setting ability away from the Executive arm of Government, not in the sense of taking it away for an extended period. The Executive arm of Government is charged with making most of the decisions about Government. It is the arm of Government that is responsible for setting the policy parameters, and in that sense it will always retain the agenda setting ability.

The parliamentary committees must be given sufficient power to examine in detail the resource allocation decisions that emanate from the policy settings of a Government. It must also be given sufficient power to elicit the information from the bureaucracy on the implementation of Government policy, on the resources that are used in carrying out the policy and the results of the implementation of that policy, whether those results be positive or negative.

Another aspect of this issue is the resources that are necessary to ensure that the parliamentary committees can in fact be effective in their role. In looking at this issue, I think it must be understood that perhaps the most precious resource, or the factor which is the most limiting, is that of members' time. All members of Parliament, in both Opposition and Government, will find restrictions on the time that they can put into the committee process. Therefore, I would make the following very general comments about the use of resources. It seems to me that sufficient resources must be provided to parliamentary committees to cover about five general objectives.

Firstly, the time allocated by members to their parliamentary committee must be used efficiently and sufficient resources must be available to ensure that that occurs. Secondly, the scrutiny provided by parliamentary committees must be perceived to be a serious form of control. Thirdly, the resources must enable the committee to employ staff with appropriate expertise; these skills must include not only content related expertise, but also research skills, financial skills, management skills and perhaps even bureaucratic knowledge. Fourthly, resources must enable sufficient staff to be employed to undertake the activities; and some of my colleagues on this side have mentioned that difficulty. Fifthly, resources must be available to enable the committee to undertake the responsibilities given to it by the Parliament.

These are a general set of prescriptions with which perhaps very few people would disagree. However, I think it is important to understand that parliamentary committees have a unique contribution to make to the democratic form of government that we enjoy and this Parliament should ensure that the resources allocated to its committees are at a level that permits that contribution to be made to the fullest extent.

In my opinion, parliamentary committees can be an effective means of controlling the actions of the Executive. In fact, there is anecdotal evidence to suggest that they are so effective that the Executive arm of Government would like to reduce their impact. In many ways this Bill represents an attempt to do just that, that is, limit the power of parliamentary committees rather than enhancing their ability to perform their functions. The amendments to be proposed at the Committee stage are designed to rectify that fault in this Bill.

Along with the resources that must be provided to enable members to perform their activities efficiently, there is also an issue of how representative a particular parliamentary committee should be. Obviously, a parliamentary committee should reflect the make-up of the Parliament. As in most Parliaments, and particularly in this one, there is approximate equality between Government and Opposition, so should the committees reflect this balance. Again, some suggested amendments distributed already by the Leader of the Opposition will help achieve this goal.

Finally, I think it is worth quoting again from that paper by the Clerk of the Senate, Mr Harry Evans. In the middle of his paper he stated—

> "The ideal committee system would be one in which the committees have all matters permanently before them within

> their subject areas and are able to choose their subjects of inquiry, informed by preliminary analysis (including knowing where to look) and supported by subsequent profound analysis of the available information.
>
> The objection which is always raised to this kind of proposal is that the professional analysts of information will substitute their priorities for those of the legislators. We are consistently warned by the example of the 'unelected representatives' of the enormous congressional staffs in Washington. In this connection it is important that the legislature have access to a plurality of sources of analysis, specialised and general: committee staffs, library research services, legislative think-tanks and party research units. All of these could be developed, and, where they already exist, made more efficient."

The House has an historic opportunity to establish a set of committees with an appropriate composition, appropriate resources and an appropriate set of powers that will enable the committees to carry out their functions. The original Bill, presented by the Premier, modified by the proposed amendments by the Leader of the Opposition, will ensure that these objectives are achieved.

Mr ELLIOTT (Cunningham) (9.20 p.m.): In rising to take part in the debate on the Parliamentary Committees Bill, I begin by commenting on the role of the Speaker. For the first time in a long time an opportunity exists for the Parliament to have a Speaker who is truly independent. Over the years that I have been an elected member, this Parliament has had some good Speakers and some who were not so good. The opportunity now exists for the Honourable Jim Fouras, Speaker of this House, to be truly independent. I urge him to take that opportunity, because he is in a very strong, unique position and I think he realises that. I urge him to read all of EARC's recommendations about electoral redistribution and consider the impact of the redistribution on the workings of the electorates around this State. The redistribution recommended by EARC eliminated a number of seats, which increased the size of a number of the remaining electorates.

To enhance the running of those large electorates and to enable members to represent their constituents without fear or favour, EARC recommended that they have two electorate offices. It is a nonsense to say that, with exactly the same resources, a member in an electorate that is greater in size than Victoria can serve his or her electorate as well as a member who represents a city electorate of 10 square kilometres—whether that city be Brisbane or Toowoomba. Everyone knows that that is a nonsense. I know that some improvement in conditions has occurred inasmuch as some members—and I am not one of them, so I am not arguing my own case—have been given the opportunity of using four-wheel-drive vehicles. Obviously, that was an advancement in terms of the service that those members can offer their constituents; however, in monetary terms it is not proving to be of much assistance because their fuel costs are now higher than their car allowance. I accept that the intention was good and that that step was taken in order to give members the opportunity to better represent their constituents.

A number of recommendations contained in EARC's report have been trampled upon and no notice has been taken of them. In particular, I refer to the issue of staff for members of the Opposition. When one considers the pace at which the sausage machine operates to produce the large quantity of legislation that is introduced into this House, one realises that is a travesty of justice to expect the members of the Opposition, without sufficient staff, to research legislation and to formulate an argument that is both reasoned and reasonable to present to the public through press releases—so that the public can be informed of both sides of an argument. If this Parliament is to have a proper Opposition with members who do not speak off the top of their heads, it is important to provide them with the appropriate level of staffing. The Government is the first to criticise members of the Opposition for appearing to shoot from the hip. Therefore, I urge the Speaker to consider carefully EARC's report, because it contains some excellent recommendations.

I ask honourable members to consider, for argument's sake, the member for Gregory. I do not see why he should have to pay for a second electorate office in Emerald when, to do his job properly in an electorate the size of Gregory, he needs two electorate offices. I do not think that it is at all reasonable that he should have to do that. Nor do I believe that is reasonable for a member in a smaller electorate to pay for a second electorate office. For example, the electorate of Warwick has two electorate offices. Before the redistribution, the member had an electorate

office in Stanthorpe. That electorate was amalgamated with the Warwick electorate, which also had an electorate office. Was the member expected to shut down that office and deny the people of Warwick access to an electorate office? I believe that it is totally unreasonable that the member should have to pay for the second electorate office—which he does—in order to provide the people of Warwick with the same service as that provided to the people who live in Stanthorpe. The electorates in the west are probably more extreme examples than the electorate of Warwick, but the principle is the same.

When one examines the manner in which the redistribution was determined, one discovers that it was based on a false premise. For example, in relation to Cunningham, those involved in the redistribution said, "Here is a big country seat. Stick a bit of Toowoomba in it and it will work very well." They presented a scenario that the population of that electorate would not grow. I have over 25,000 people in my electorate, and a number of electorates are probably bigger than that. The population of my electorate is way over quota. No allowance was made for that growth. One can bet one's life that the populations in the coastal growth seats are increasing like mad. The members who represent those growing areas should be entitled to assistance, perhaps in the form of temporary staff. Their electorate offices are overloaded with work and they need additional assistance. Surely, electorates that are over quota are at least entitled to a greater postal allowance than an electorate that is under quota. There is no justice or equity in the system. It really does need reviewing.

I am pleased to see that Mr Speaker is now in the chair. In various ways, over the years, I have had an interesting association with the Speaker and I look forward to his performance in this House. In the short time since the opening of this session of Parliament, I have seen that he has a very strong commitment to ensuring that, in this term as Speaker, he is independent. I am certain that that will be good for all of us—for both sides of the House. The members on the other side of the House may not enjoy some of the things that happen. However, I believe that it can only be good for democracy. We need the Speaker to take back control from the Executive. Regardless of which party is in Government and regardless of who is sitting in the Speaker's chair—provided he has the will and ability to do the job, and I believe Mr Speaker has both—I believe it is important that he be prepared to take the responsibility to take back control from the Executive.

Let us consider a number of situations that have arisen over the past six years. The Executive has attacked Hansard and the Parliamentary Library. Both of those areas need reviewing. If all members are to be able, without fear or favour, to stand in this House and represent their constituents, some of whom have dire problems, they need the backup of the Parliamentary Library. We do not need the Parliamentary Library staff to be leant on, intimidated or feel concerned about their future if they provide certain information to members. For argument's sake, I remind the Honourable Minister who is sitting across from me in this Chamber that he was a great user of the library when he sat on this side of the House. He knows only too well what I am saying. In those days, the Opposition used the library tremendously well. They were able to access a tremendous amount of information and used it to attack us. Quite frankly, sometimes we needed attacking. So the library provides a very important service.

I turn now to the running of the Opposition offices. It is totally unreasonable that the Leader of the Opposition, the Leader of the Liberal Party and the deputy leaders of both parties should be provided with an insufficient number of staff. Shadow Ministers are often unable to gain assistance from journalists in the preparation of press releases, which is the means by which the Opposition puts information into the public arena. Government members, with only 46.7 per cent of the vote, should remember that they could well be on this side of the House after the next election. Before the election I said that to a few Government members and they laughed at me, but some of them are not laughing now. After looking at the big pendulum, some of them are not laughing as much as they were.

Mr Borbidge: It could be as early as November.

Mr ELLIOTT: That is right. As the Leader of the Opposition so rightly says, that could be as early as November. The Government ought to think about what it will do and what it is prepared to accept on behalf of the Opposition, because it could well be the Opposition next year. The Government should not walk all over the Opposition in too much of a hurry.

I gave an undertaking to our Deputy Whip that I would not waste a lot of time, as I was late in putting my name on the list of speakers to this debate. Mr Speaker, we on this side of

the House look forward to your incumbency for the coming three years. I believe you are in a unique position, and I am sure you realise that. I feel that it can only be good for the parliamentary system if you take this opportunity by the throat and, without fear or favour, make sure that this Parliament is run by the Speaker and not by the Executive, which is what has led to the erosion of its importance over a number of years.

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (9.33 p.m.), in reply: I thank all members for their contribution to the debate. Some good points have been made. I will not respond to all of them, but I will try to respond to what I see as the main points raised. It is curious, of course, that most people are very supportive of the committee system, but so many speakers, particularly those opposite, seem to find some hidden or dark motive where there is none.

In particular, there is criticism of the Government that we picked up some recommendations of various reports but we did not pick up others and that that is somehow evidence of the Government's lack of faith in this matter, or whatever. Of course, from listening to the Opposition contributions I gather that there are some things that they favoured picking up and others they missed. In other words, the bottom line is: had they been on this side of the House they would also have produced a Bill—if they were minded to establish a parliamentary committee system; something that, for 32 years, they were never serious about—which contained a cross-section—a selection—of the various suggestions put forward.

In relation to self-incrimination and the protection provided to ordinary Queenslanders who might be called before these committees, I believe that the Government has done the right thing by the citizens and struck the right balance in terms of having an effective parliamentary committee system with appropriate powers—indeed, far reaching powers—but, at the same time, providing a reasonable measure of protection for citizens placed in this situation. Having said that, I know that some people have raised the issue that there could be an abuse of this right extended to the citizens, there could be a frivolous abuse of the freedom from self-incrimination. We want a committee system that works. If indeed we see the frivolous abuse of this right by some citizens, then clearly I would accept, and I am sure most people in this place would accept, the justification for a review of that particular position. At this stage, the Government takes the view that citizens have rights, too, and that we should try to strike a balance. We believe we have struck the balance correctly, but clearly if there is abuse it should be revisited.

Another topical issue in relation to trying to suggest some hidden agenda is the comments that have been made about the PCJC. There is no secret agenda here; this is nonsense. It is simply a sensible rationalisation of the committee system. It is simply a sensible approach to the construction of committees and their responsibility.

In relation to the PCJC, members who have been here for some years will recall that two independent commissions came out of the Fitzgerald inquiry: EARC and the CJC, both of which had parliamentary committees. EARC and its parliamentary committee are gone; they have finished their work and the Fitzgerald report agenda has been discharged. In relation to the CJC, a very significant part of its Fitzgerald report agenda has been discharged. There is, of course, the primary role of the CJC in relation to detecting and deterring official corruption. That is ongoing and, therefore, there should be an ongoing parliamentary committee to scrutinise that. This is provided for.

I make the point, particularly to those people who have made much of recommendations of independent commissions that they say have been ignored by the Government, that they have not been ignored. They have been considered and those that are appropriate have been picked up.

Mr Santoro: Considered and then ignored.

Mr W. K. GOSS: I take the interjection from the member for Clayfield. One of those recommendations was, of course, to do just what we are doing with the Legal, Constitutional and Administrative Review Committee. The member should not interject to say that the recommendations have been considered and ignored, because this is a recommendation that has been picked up.

Mr Santoro: Tell us where they said that.

Mr W. K. GOSS: The member is an excitable boy, isn't he? I would have thought that he would have got the message from his own party that he was to have a lower profile.

Mr Santoro interjected.

Mr W. K. GOSS: If the member keeps interjecting, I will keep noticing him. His profile may be lower, but I can still see him and I can still hear him.

Mr Santoro: It's called 65.5 per cent in Clayfield.

Mr W. K. GOSS: If he keeps trying, the member might get as high as the vote in Logan.

Opposition members interjected.

Mr W. K. GOSS: We can tell from the passion, they are still bleeding. It still hurts.

Mr Santoro: Where are your ministerial colleagues?

Mr W. K. GOSS: I will tell the member where they are: they are in Government and they like it. I have been over there, and let me tell Opposition members, it is better over here. I should go back to the Bill.

Mr SPEAKER: Order! The member for Clayfield is diverting the Premier. He will stop interjecting.

Mr W. K. GOSS: The Legal, Constitutional and Administrative Review Committee has the same powers as before to carry out its watchdog role in relation to the CJC; it has the same parliamentary all-party composition; it has extra resources. The sensible rationalisation that we have here is important, because it avoids the duplication of having two committees examining the same legal issues.

In relation to the point made by the member for Indooroopilly about the responsibility of the Premier to put the address, there is no big deal about that; it is merely underlining the fact that it is my responsibility as the Leader of the Government to undertake that task and I am accepting that and identifying it with the legislation. That is all we are doing.

A number of points have been made and I will try to deal with some of the more specific ones. The Leader of the Opposition said that the Public Accounts Committee has access only to public documents; this is not true. The committee will be able to consider all published financial documents of Government authorities. In addition, the committee has access to briefings by the Auditor-General, including confidential briefings. The committee also has the power to call for persons, papers and records. This could include internal, financial and other relevant documents. It is a powerful committee, equipped with all necessary powers.

The Leader of the Opposition also made the point that the Legal, Constitutional and Administrative Review Committee will be overwhelmed by its additional responsibilities in monitoring the CJC. I have made the point already that it will have extra resources and it will avoid the duplication of having two committees looking at the same legal issues. As I said, it will have a substantial secretariat, indeed the most substantial secretariat of any committee, thus enabling it to discharge its responsibilities.

In relation to the criticism that this Bill does not pick up all the recommendations in EARC's larger proposed Bill that dealt with the whole Parliament, we have only sought and, at this stage, only purported to pick up that part of the Bill that dealt with the committees. The Government has not made other recommendations; it has simply given priority to the committees. I want to get the committee system up and running early in the term of this Parliament. That is why the debate on this Bill was brought on at the very beginning of this Parliament. That is why, subject to the vote of the House and the passing of the Bill, the Government will be seeking to get assent to the legislation tomorrow so that the committees can be put in place tomorrow so that members on both sides can commence discharging their roles in these committees. I know a number of members from both sides are keen to get into that work. That is why setting up the committees has been given priority. It is not a question of the Government rejecting other issues. At this stage, the priority is setting up the committees.

The Leader of the Opposition was critical of the fact that the Bill does not provide for a public sector review committee. Let me say that, although EARC and PEARC recommended an additional committee called the public sector review committee, that recommendation was not adopted by the Government because the Public Accounts Committee and the Public Works Committee already have wide very jurisdiction to examine departmental management. In particular, the Public Accounts Committee can examine any matter connected with the efficient and effective management of an agency's financial resources.

In relation to the point made by the Leader of the Opposition that the Bill does not require that it is mandatory that the Public Works Committee examine the environmental impacts of public works, I simply point out that it is the committee that has the discretion. It is

entirely up to the committee. It can choose to examine those issues. I also make the quite obvious point that not all such works have an environmental impact.

In relation to the contribution by Mrs Sheldon—she very ably read her speech.

Mr FitzGerald: What are you doing?

Mr W. K. GOSS: I am reading my notes. In relation to the point made by the Leader of the Opposition and the Deputy Leader of the National Party about consultation in respect of the Electoral Commission, I point out that, for example, on the appointment of the Auditor-General the Government is required to consult the Public Accounts Committee. The Bill also provides that the Government must consult the Legal, Constitutional and Administrative Review Committee about the appointment of the Ombudsman. We see no reason why the appointment provisions for the Electoral Commission should be different.

I think the member for Gympie claimed that the Bill's protection for witnesses against self-incrimination will allow the courts for the first time to question the proceedings of Parliament. I do not believe that is accurate; I do not believe that that concern is founded at all.

In relation to the point made by the member for Nicklin that the code of conduct to be drafted by the Members' Ethics and Parliamentary Privileges Committee could be used to impose draconian rules concerning members' behaviour, let me just make the point in response to the member for Nicklin that that is something that will have to be treated very carefully by the committee and, ultimately, by the Parliament. However, the safeguard——

An honourable member interjected.

Mr W. K. GOSS: That is right. It is something that is fraught with danger and that is why it should be considered very carefully. However, I point out that the code is to be drafted by an all-party parliamentary committee and, of course, must be adopted by the House. So we have 89 experts; we have 89 people——

Mr Veivers: You've got the Speaker, though.

Mr W. K. GOSS: The rules will apply to everybody.

Mr Veivers: That's a nice way of putting it.

Mr W. K. GOSS: It is something in respect of which we should be able to develop a bipartisan approach. That is my view. As I say, ultimately the decision will be made by the members themselves who, I am sure, will involve themselves in very close scrutiny of what the proposal means for them.

A couple of speakers made a point about the PSMC. The PSMC is an agency of Executive Government. It is not an independent investigatory body of the nature of the Auditor-General, or the Ombudsman, or so on. It is entirely appropriate that those bodies have a direct relationship with the Parliament. However, as I think members know, the PSMC is fundamentally different.

In conclusion, I thank members for their contributions. I have tried to answer what I think are the main concerns of members, particularly the concerns of the members of the Opposition. I thank Government speakers for their contributions, in particular the members for Caboolture, Redcliffe and Bundaberg, who have all been strong advocates of the committee system. They have all been very closely involved in the committee system and spoke from the perspective of their experience. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. W. K. Goss (Logan—Premier and Minister for Economic and Trade Development) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr BORBIDGE (9.47 p.m.): I take this opportunity to ask the Premier what the status is in respect of his consideration of the coalition submission for additional resources as recommended by EARC and PEARC.

Mr W. K. GOSS: As I have indicated, it will be considered in due course—certainly by the end of the year.

Clauses 2 and 3, as read, agreed to.

Clause 4—

Mr BORBIDGE (9.48 p.m.): I move the following amendment—

"At page 7, after line 11—

insert—

'(2) A statutory committee must consist of an equal number of members nominated by—

(a) the Minister who is recognised in the Legislative Assembly as the Leader of the House; and

(b) the member who is recognised in the Legislative Assembly as the Leader of the Opposition.

'(3) The chairperson of a statutory committee must be the member nominated as chairperson by the Minister mentioned in subsection (2)(a).

'(4) At a meeting of a statutory committee—

(a) a question is decided by a majority of the votes of the members of the committee present and voting; and

(b) each member of the committee has a vote on each question to be decided and, if the votes are equal, the chairperson of the committee has a casting vote.'."

By way of explanation, this proposed amendment seeks to give the parliamentary committee system equality in numbers. The coalition believes that this should go some way towards enhancing the effectiveness of the committees by ensuring that matters raised by Opposition members are not swamped by Government members.

Mr Mackenroth: Has it been adopted by any Parliament?

Mr BORBIDGE: For the benefit of the Leader of the House, I point out that it has been adopted by some Parliaments—in fact, by some other jurisdictions in Australia.

Whilst the committee system put forward by the Government is far from perfect, this proposed amendment would go some considerable way towards improving its operations. Furthermore, numerical equality would reflect the balance of the Parliament. It should also be noted that Dr Noel Preston from the Queensland University of Technology has suggested that the composition of the Members' Ethics and Parliamentary Privileges Committee reflect an intention that it operate independently with bipartisanship.

It is appreciated that the Government would want control of the committees, and this is covered by clauses 4.3 and 4.4. This amendment would ensure that a Government member would be the chairperson of a committee and would provide the chairperson with a casting vote to break any deadlock that may occur. The Opposition believes that this amendment should be acceptable to the Government as it ensures that it has the final say. However, it should be said that equality of numbers will put pressure on the chairman to use the casting vote wisely and not for party or political purposes. This amendment would go a long way to improving the effectiveness of the committee system. However, it would also mean that the composition of the parliamentary committees would more accurately reflect the composition of the Parliament, as determined by the people of Queensland at the 15 July election.

Mr FITZGERALD: I support my leader and the amendment that is being moved. I take the opportunity to point out that history shows that the make-up of parliamentary committees varies from State to State. However, when PEARC went to Victoria, its members were rather surprised that, at a time when a Labor Government was in power, the chairman of one of the committees was a National Party member of the Legislative Council, a Mr David Evans. Mr David Evans, who was in Opposition at the time, was the chairman of a committee and received the remuneration and so on that as a chairman of a committee he was entitled to receive. When it came to a vote, he would lose; there was a majority of Government members on the committee. However, it was seen as advantageous to have a member of the Opposition chairing that committee in order to appear to get more bipartisan support.

Members should be aware that many experiments are taking place in various jurisdictions. I note that the new Government in Victoria changed all that. I notice that some potential chairmen of committees are nodding their heads and think that is a good idea. Some are saying that the positions of committee chairmen were seen as job for the boys and those members who could not get an appointment to the Ministry. I know that any incoming Premier has to say, "Look, we will make you the chairman of one of these committees." I note that members opposite are all shaking their heads; they do not believe that that is how people were paid off and that chairmen will not be selected on merit by the respective committees when they meet.

A rather unique amendment is being moved by the Leader of the Opposition, that is, that chairmen be appointed by somebody other than the committee as a whole. That is the amendment that is being suggested. I said that it is a bit unique. We all know that when the committees meet tomorrow, without any outside influence at all, they will elect a chairman and possibly a deputy chairman. Yes, I know that fingers will be crossed. When the cross-factional deals are done, when the voting takes place, I know that there will be a

reporting back mechanism that never breaks down. However, it can break down.

For example, a National Party member of the Victorian Parliament was to hold a position as a deputy chairman. He did a deal and tried to get himself elected into a position against the party's wishes. Those things can happen. The committee system will be a viable proposition. I hope that it goes very well. However, this House should be aware that many jurisdictions and many Parliaments have experimented with various concoctions of ideas in trying to arrive at a system that works. The proposal of the Leader of the Opposition is far superior to the unamended clause as it stands at this stage. I ask all honourable members to support the amendment as moved by the Leader of the Opposition.

Mr W. K. GOSS: I think it is a nice try, but I do not think we can accept the amendment. I note that the Leader of the Opposition and the member for Lockyer at least had the good grace to smile as they put the proposition. I do not think it is appropriate that the Premier or the Leader of the Opposition appoint the chairmen of committees. The point made by the member for Lockyer is, of course, right; that is, in any party and Government of whatever persuasion, there will be some consideration given beforehand as to who the majority party wants as the chairman of a committee. I still think it is the proper province of the committee to appoint its chairman and not the Premier or the Leader of the Opposition.

However, in relation to this exercise—the Leader of the Opposition will recall that, when he was in Government and established the Public Accounts Committee, he did so on the basis of appointing four Government members and three Opposition members. That is what we are proposing to do. To the best of my knowledge, I think it is the standard approach adopted in all Australian Parliaments that the party that has a majority in Parliament takes the majority of committee positions. There may be some situations of which I am not aware in Upper Houses where there is a different complexion. However, I think the standard approach is one that we all recognise.

Dr Watson: The Federal Parliament has members and senators equally drawn and the casting vote goes to the chairman.

Mr W. K. GOSS: In the Senate?

Dr Watson: And in joint committees.

Mr W. K. GOSS: I am not aware of that. In any event, as I understand it——

Mr FitzGerald: You are now.

Mr W. K. GOSS: Seriously, I would want to check it.

Mr FitzGerald: Will you adjourn the debate until you do so?

Mr W. K. GOSS: It is not that important. I think we all understand the position here. It is exactly the same position that Mr Borbidge adopted in Government in 1989. It is like so many things with members opposite; they discover a passion for doing things differently when they do not have the capacity or, indeed, the intention to do it.

Mr BORBIDGE: I will reply to a couple of comments made by the Premier. I am sure the Premier would realise that there have been some major changes in politics and in the nature of this Parliament since the 1980s and when committees were first established. What the Premier has been saying for some time, and what everyone has acknowledged, is the need to have a committee system that works and functions properly. What the Premier has tonight is a chance to put his money where his mouth is. As my colleague the member for Moggill reminds me, what we are proposing is very similar to the Federal parliamentary system, which serves the Federal Parliament well.

Mr W. K. Goss: They have two Houses.

Mr BORBIDGE: As the Premier says, we have a unicameral Parliament in this State, which makes a proper functioning parliamentary system all the more important in the absence of a house of review. I suggest that the Premier's interjection backs up our argument rather than his. I express disappointment that the great reformer is now prepared to deny the Queensland Parliament the sort of parliamentary committee system that is taken for granted in the Federal Parliament.

Dr WATSON: I would also like to support the Leader of the Opposition. I admit that committees—at least in their modern form—are relatively new in the Queensland Parliament. In looking at reviewing the committee system after five and a half years of practice, I think it is important to look at the system overall. This would be a significant reform.

As the Leader of the Opposition has said, politics in Queensland today is different from what it was a decade ago. The reform process can go further. At some stage in the future, we should even look at sharing the chairmanship of committees. But at the moment this would

be one step towards ensuring that the committees reflect the make-up of the Parliament. As I said in my speech during the second-reading debate, most of the time in most Australian Parliaments the make-up is pretty close to fifty-fifty as between Opposition and Government members. This ought to be something that the Premier should consider. That is the practice in the Federal Parliament, and it seems to work exceptionally well. The Government still has the casting vote via the committee chairman. The system seems to work fairly well there. I cannot see why it could not work in a unicameral system.

Question—That the words proposed to be inserted be so inserted—put; and the Committee divided—

AYES, 44—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

NOES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

The numbers being equal, the Chairman cast his vote with the Noes.

Resolved in the **negative**.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

Mr BORBIDGE (10.07 p.m.): I move the following amendments—

"At page 7, line 24—

omit.

At page 8, lines 1 to 2—

omit, insert—

'(3) This Act does not apply to the Parliamentary Criminal Justice Committee.'."

The first amendment provides that proposed section 26, titled "Privilege against self-incrimination", be omitted. The Opposition considers that that section is unnecessary as the rules of natural justice for parliamentary committee witnesses have been taken into account. Proposed section 26 is a dragnet which endeavours to cover all options, but in doing so could impede a committee such as the Members' Ethics and Parliamentary Privileges Committee investigating complaints about ethical conduct. There is considerable concern about the operation and impact of this section, and it should therefore be omitted.

The second amendment to clause 6 concerns the Parliamentary Criminal Justice Committee. The Opposition is strongly of the view that this amendment is necessary and that the Parliamentary Criminal Justice Committee should not be axed. As honourable members from this side of the Chamber indicated during the second-reading debate——

Honourable members interjected.

The CHAIRMAN: Order! There is far too much audible conversation in the Chamber. The Chair has been quite lenient up until now, but the Chair will not be so lenient from now on.

Mr BORBIDGE: Thank you, Mr Chairman. We are dealing with the future of the Parliamentary Criminal Justice Committee, and one would have thought that that would have been deserving of some attention from Government members.

Mr T. B. Sullivan: A cheap shot from a cheap leader.

Mr BORBIDGE: The member for Chermside would know all about cheap shots. He represents the definition of the word "cheap"!

We are strongly of the view that the Parliamentary Criminal Justice Committee should not be axed. It is imperative that the Parliament continue to have a committee with responsibilities that relate to its main purpose—monitoring the CJC.

Opposition members interjected.

The CHAIRMAN: Order! The following members are warned: the honourable member for Southport, the honourable member for Gregory and the honourable member for Nerang.

Mr Connor: I didn't say a word!

The CHAIRMAN: The honourable member for Nerang is warned under the provisions of Standing Order 123A.

Mr BORBIDGE: In the minds of honourable members on this side of the Chamber and in terms of the general view in the community, it is simply not practical to lump the very heavy responsibilities of the

PCJC in with those of the wide-ranging Legal, Constitutional and Administrative Review Committee. The Opposition argues strongly that the CJC requires a specialist committee—not one that has to deal with an agenda ranging from freedom of information to law reform.

I note the comments that have been made by the Premier that this committee will be resourced. We have heard that before. It simply does not happen. Quite aside from that, I make the point that every major law enforcement body in this land—whether it be ICAC, ASIO or the National Crime Authority—has a separate parliamentary committee to monitor it and to make sure that there is a degree of accountability through the Parliament. If it does away with the Parliamentary Criminal Justice Committee the Government will be putting in place a situation in which the CJC—which has enormous and wide-ranging powers in respect of every citizen in this State—will not be subject to the scrutiny to which it should be subjected via the parliamentary committee system to this Parliament.

I suggest that it is an absolute nonsense to say that this new super committee can do the job. We have already seen the difficulties of members of the PCJC in the previous Parliament and the Parliament before in carrying out the task that we gave them. They were simply flat strap trying to do the job. We saw a situation in which the honourable member for Nicklin, a former deputy chairman of the parliamentary committee, resigned from that committee and that post because the PCJC was hopelessly underresourced.

Mr Davies interjected.

Mr BORBIDGE: The temporary member for Mundingburra makes an appearance! We will see him in November.

I would have thought that the Criminal Justice Commission, with the enormous powers that it has, warranted and continues to warrant a separate committee of this Parliament—as recommended by the Fitzgerald commission of inquiry. We have now seen the evidence of the difficulties confronting members of the PCJC. We have seen the inquisitions that take place. We have seen the enormous difficulties and costs confronted by members of this Parliament serving on that committee. I submit to this Committee that it is the height of lunacy for anyone to suggest that this new super committee—which will look after everything from freedom of information to law reform—can also take on the responsibilities of the Parliamentary Criminal Justice Committee and do it properly and do it justice. If the Premier believes that, he must believe in the tooth fairy. That is just absolute and total nonsense and it is an insult to accountability in this State. At this late stage, I urge the Premier to acknowledge that the Parliamentary Criminal Justice Committee should continue in existence.

Mr W. K. GOSS: There are two points raised by the Leader of the Opposition. The first point relates to the right that we have given to citizens to protect themselves from self-incrimination. This Bill limits the power of committees to compel witnesses to give answers to questions that might tend to be self-incriminating. That limitation is a fundamental common law principle in court proceedings. For civil liberties reasons, this protection for witnesses was inserted in the Public Accounts and Public Works Committee Acts by the Ahern National Party Government. It has applied to those committees since the late 1980s. However, the principle in those two Acts was applied in an absolute fashion preventing the PAC and the PWC——

Mr Borbidge: You were saying what happened before was wrong; now you're saying it's right.

Mr W. K. GOSS: The member should just listen for a second. In those cases, it was applied in an absolute fashion preventing those two committees from seeking the leave of the Parliament to demand a witness answer a question in appropriate cases, even though the answer may be self-incriminating.

We have not done what the National Party Government did; we have adopted a compromise position. We tried to strike a fair balance between an effective parliamentary committee system and the rights of citizens who are subjected to the far-reaching powers of these committees. We tried to strike the balance between those two conflicting principles—the interests of the Parliament and the interests of the citizen. We should not lose sight of the interests of the citizen here. Too much emphasis has been placed on the rights or the powers of the Parliament. It is appropriate that it have powers, but let us not forget the people and the need to strike a balance.

This provision enables a citizen to refuse to answer on the grounds of self-incrimination but enables the committee, if it is a particularly important matter—if it is a serious issue—to bring it to the Parliament. I acknowledge, as I did earlier in my concluding remarks, that there is a concern from some members on both

sides of the Chamber that this could be the subject of abuse, that it could be used frivolously by a witness. I say that if that is the experience—I do not believe it will be, but it is possible—then this Government will be prepared to revisit it and review it. I am giving that undertaking, but I believe this will work. I am asking the Chamber to give it a go; if it does not work—if it is the subject of abuse—then we will review it.

The second point raised by the Leader of the Opposition is in respect of the PCJC. I will not go through all of those arguments again because he put his arguments forward; we put ours and I put mine a short time ago when I made my concluding remarks. I say again—there is no downgrading of scrutiny here.

Mr Santoro: Oh, God, how can you say that?

Mr W. K. GOSS: Because it is my opinion; you have got your opinion.

Mr Santoro: Well, you're wrong.

Mr W. K. GOSS: I listened to the Leader of the Opposition in silence, I ask the member to do the same for me.

Mr Veivers: We have been.

Mr W. K. GOSS: I did not think so. The point is that it is a sensible rationalisation of the role of the committees because otherwise we will have two legal committees looking at the same legal issues.

The next point is that the Fitzgerald report agenda generated in 1989 has been largely discharged by the two commissions and the two committees that scrutinised it. There is a separate and discrete role that goes beyond that work that has now been completed by the parliamentary committee of EARC and the PCJC, that is, scrutiny of the ongoing official corruption and misconduct role of the CJC. I believe that this committee, properly resourced, can discharge that responsibility. I believe it is a sensible rationalisation of having one committee deal with legal issues instead of two. The Leader of the Opposition has raised doubts and displayed scepticism in relation to the committee's resources. It is proposed that this committee will have the most substantial secretariat of any of the committees. It will have five staff, including two senior research officers.

Mr FitzGerald: The members themselves will always go through and be responsible for everything.

Mr W. K. GOSS: That is right, and the effectiveness of the committee will depend on the members. The resources will be officers at levels AO8, AO7, AO5, AO4 and AO3. It is a pretty substantial allocation of resources and I think that is appropriate.

In conclusion, I say again what I said earlier—that it will have the same all-party parliamentary composition and it will have exactly the same powers.

Dr WATSON: I want to ask the Premier a couple of questions with respect to clause 26, "Privilege against self-incrimination". Firstly, the Parliament has already delegated exactly this power to a whole series of individuals in the Executive arm. I was wondering whether or not the Premier saw a civil liberties problem there? The list prepared by the CJC in its police powers report cites the following Acts—the Plant Protection Act of 1989, section 19; the Private Employment Agencies Act 1983, section 9; the Recreation Areas Management Act 1988, section 23; the Stamp Act 1894, section 29; the State Transport Act 1960, section 70; and the Workplace Health and Safety Act 1989, section 81. There is a whole series of Acts; some of them may have been repealed. Of course, there are a whole lot of other Acts where people can be compelled to give answers to questions. I ask: why it is appropriate for the Executive arm of the Government to be given these powers but not necessarily the Parliament to take them itself?

Secondly, I can see the situation arising where a witness may take that particular action and then the parliamentary committee will have to come back to this place to try to get the Parliament to give it the power to compel a witness to answer a question and disclose a whole lot of information which is actually inappropriate and which could be heard in camera. It would seem to me that we may actually end up facing a situation where we do further wrong by abusing an individual's rights and civil liberties in an even greater way than when they were just compelled to answer the question to begin with.

Mr W. K. GOSS: In relation to the queries raised by the member for Moggill—I think he has misstated the position. I am not sure whether he did so inadvertently. We have not taken this power away from the Parliament. The power remains with the Parliament. It is at the committee level that we have tried to strike a balance between the interests of the citizen and the interests of the parliamentary committee and its role.

The argument that is put forward by members such as the member for Moggill is a reasonable one. We can go either way. I am

not saying that he is wrong; it is just that we have considered this situation. I have considered it personally, and I think we should try to strike this balance between the rights of the citizen and the operation of the committees. The honourable member is quite right when he says that there are other areas and other Acts where these powers are to be found.

We have to be careful when it comes to the civil liberties argument that we do not simply say, "Look, it operates here and here, so let us do it again." There is a never-ending succession of instances in which we keep extending the power of Government in one form or another over the citizen. That is my concern.

The other thing that probably switched my thinking on this, tipped the balance in terms of this sort of arrangement, is the controversy that we had a couple of years ago involving the PCJC in which there were some very loud complaints, some justified and some unjustified, in relation to the way in which witnesses were treated in one particular PCJC inquiry. There were strong calls from some people—some properly motivated and others for other reasons—for citizens to have some degree of protection when they appear before these powerful committees.

I thought at that time that it was appropriate to try to give some rights to citizens. I agreed with those arguments, but I say again: if in fact we do strike the problems that some members on both sides of the Chamber have referred to and about which they have expressed concern—if we do strike an abuse of this right, if we do see a frivolous exercise of it—then I will be happy to revisit it.

Mr BEANLAND: There are just a few points that I want to raise in relation to this clause. Prior to the election—prior to the Parliament being dissolved—the Premier presented a Bill to this Parliament which contained a clause that stated that it did not relate to the Parliamentary Criminal Justice Committee. It specifically spelt it out. It did not relate to the PCJC.

Now, in a matter of two months or maybe slightly more, we find that the Premier comes before the Parliament and says, "Well, this is the great idea. This is my opinion. This is my belief. I believe that if we still have the PCJC as well as this new super committee that is going to create a new watershed for committee powers, there is going to be some doubling up." If there is going to be some doubling up, why was that not evident when the last Bill came before the Parliament? It certainly was not the opinion of the Government or the Premier at that time. That piece of legislation, that Parliamentary Committees Bill, stated quite specifically that it did not relate to the PCJC.

I think I mentioned a little earlier this evening in relation to that Bill the fact that it did relate to the PCJC. It followed the unanimous decision of the parliamentary EARC committee. It will be interesting to see now how the members for Everton and Caboolture vote because they are the people who put their good names forward as saying, "No, we want to retain the Parliamentary Criminal Justice Committee." We will see what their signature on the line is really worth. To change their minds now would indicate that it is worth very little indeed.

I heard the Premier indicate earlier to the Chamber that this committee is going to have lots of staff. It will be suitably staffed. That is all well and good. However, we have seen how that system operates here in this Chamber. Ministers simply are not accepting responsibility for errors that keep occurring. People say, "Oh, well, it was a drafting error. It was someone else's fault." In these committees it is the members who are held accountable and responsible. It is the members who have to carry out a lot of the inquiries; it is not a case of pushing stuff off onto some committee staff member down the line.

I think we are getting away from the real reasons why the PCJC was set up in line with the Fitzgerald recommendations. There is a good reason why it operates in the same fashion in other Parliaments around Australia. I mention in particular ICAC in New South Wales which is a similar body to ours. I do not think the Premier has given any real reasons to date. He just says that it is his opinion. I accept that from the Premier. It is obviously his opinion now, but why was it not his opinion a couple of months ago before the election? What has changed so dramatically in such a short period that we have now got to this situation—

Mr W. K. Goss: I'm thinking all the time.

Mr BEANLAND: The Premier says that he is thinking all the time. Can I say that he is not thinking very hard. Apparently we have another vacant lot situation. The Premier is shifting position. This is another toll road situation. The position is that there has to be a counterweight to the Criminal Justice Commission, and we have been given no indication or rhyme or reason as to the

Government's change of attitude in only a couple of months in relation to this matter.

Mr SANTORO: What we are seeing here tonight is the final cut in the death of the Parliamentary Criminal Justice Committee by the Premier who has always wanted to see that parliamentary committee dead and gone. I will be interested to see how the honourable members for Brisbane Central, Caboolture and Everton vote. In fact, I will be interested to see how the 16 honourable members who bucked the Premier yesterday are going to vote.

The Premier will not answer the question asked by the honourable member for Indooroopilly. I will answer the question on behalf of the Premier as to why he has changed his mind. The Premier has got a good memory. He remembers the trouble that the independent Parliamentary Criminal Justice Committee caused him in his first term, which is one of the reasons why the honourable member for Brisbane Central had a very barren first six years in this place. Unlike most of his parliamentary colleagues, he had the guts to stand up to the Premier, to be an independent chairman and speak his mind, and to lead his committee in an exemplary way that the subsequent chairman, the not-so-honourable member for Mundingburra, did not do.

That is the reason why the Parliamentary Criminal Justice Committee is being abolished this evening. I will tell the Chamber what changed. From the day that the Premier introduced the first draft to the day that he introduced the second draft, the people of Queensland had their say. They gave to the Premier and to his Government the barest of majorities and he cannot stand the thought of having an independent committee chairman—one of those 16 who bucked him yesterday, one of those 16 who did not toe the line—of a powerful independent parliamentary committee bucking the system.

The Premier does not want a mischievous committee, as the first Parliamentary Criminal Justice Committee in fact was. That is one of the reasons why this clause is being debated this evening. One of the reasons why I support the Leader of the Opposition is that this Premier, who says that he supports parliamentary committees and the right of this Parliament to decide when a committee is going to come into existence, is so arrogant that undoubtedly it was he who instructed the officers of this Parliament to erect a plaque on the door of the offices on the sixth floor where these committees are going to operate. If honourable members care to take a look during the debate, they will see that the title on that committee door at the moment is, "Legal, Constitutional and Administrative Review Committee", which we are forming this evening.

Mr Mackenroth: That would not have come from the Government.

Mr SANTORO: Government members can continue and, just like the Honourable Minister for Transport, they will have their knuckles rapped tomorrow. Government members can satisfy themselves by going to the sixth floor of the Parliamentary Annexe. Before this Parliament has formed that committee, the name is already on the door. If anything demonstrates the arrogance of this Premier and this Government, it is those four or five simple words that were pinned up before the Parliament has made the decision. That is what happened between the first draft and the second draft. The most relevant question that has been asked this evening has been asked by the member for Indooroopilly. The most irrelevant answer to a question is the Premier's non-answer to that question.

Mrs Edmond: Is this another challenge for the deputy's job?

Mr SANTORO: I take that interjection from the honourable member for Mount Coot-tha, the "Mouth from the mount", as we used to call her. I say to her——

The CHAIRMAN: Order! The honourable member for Clayfield has transgressed a number of Standing Orders in his dissertation——

Mr Hobbs interjected.

The CHAIRMAN: Order! The honourable member for Warrego is warned under Standing Order 123A. I would like the honourable member for Clayfield to refer to honourable members in this Chamber by their correct title. I would also like the honourable member for Clayfield not to cast personal aspersions against other members in this Chamber.

Mr SANTORO: Of course, if I have offended any member, including you, Mr Chairman, I apologise unreservedly.

The CHAIRMAN: Order! The honourable member will resume his seat.

Mr Dollin interjected.

The CHAIRMAN: Order! The honourable member for Maryborough is warned under Standing Order 123A. As to the honourable member for Clayfield—the Chair takes his comments as casting a personal

reflection on the Chair. I would like the honourable member to withdraw his statement.

Mr SANTORO: I do not understand but I will withdraw.

The CHAIRMAN: Order! Thank you. The honourable member may continue.

Mr SANTORO: I apologise to you, Mr Chairman, and I apologise to other members if I have offended. It does not happen often in this place.

The CHAIRMAN: Order! There is no need for the honourable member to make an explanation. He will continue.

Mr SANTORO: One of the reasons I feel so strongly about this issue, as should the honourable member for Mount Coot-tha who sat on the first Parliamentary Criminal Justice Committee, is that I realise how onerous the workload is, how sophisticated is the information that comes before the committee, how much attention the work on that particular committee requires——

The CHAIRMAN: Order! There is far too much audible conversation in the Chamber.

Mr SANTORO:—and how often the members of the committee of which I was member would remark on the exceptionally onerous workloads that could not be fulfilled by members of the committee. The Premier has said, "Let us put that particular concern aside, because we are going to be providing more staff." That does not wear with a member such as me because, in the end, it is the members of Parliament who have to read the reports from the Criminal Justice Commission. It is the members of Parliament who sit on the committee who need to go to the Criminal Justice Commission to satisfy themselves about the contents of the reports. Some of the contents are exceptionally complex and they require explanation from members of the commission. They require trips and long interviews. Simply providing more staff is not the solution, particularly when one considers the extra areas of responsibility that that committee has been given.

Having the extra one, two or three research staff members, I respectfully suggest to the Premier and other members in this place, will not ease the enormous workload that the new committee will have to shoulder. I smell a rat in this clause.

Mr Veivers: And it's a big rat.

Mr SANTORO: The honourable member is absolutely right, it is a big rat. The rat that I smell is one that says that the Premier wants to hide from the scrutiny of committees. That is one of the reasons the Leader of the Opposition has moved this amendment. In his report, Fitzgerald envisaged a sunset clause for EARC and subsequently PCEAR; he did not envisage a sunset clause for the CJC and, by implication, he did not envisage a sunset clause for the Parliamentary Criminal Justice Committee as it currently exists. Therefore, I stand by all the points made by the honourable Leader of the Opposition. The Premier has not answered the question: what has changed in the last two months? If he can satisfy me—and he will have time to seek to satisfy me about what has changed in the last two months—I might be inclined to support the change. What is the Premier laughing at? The Premier answers questions during question time with a sarcastic, half-smart, knowing smile but that is no substitute for real answers to this Parliament. That is one of the reasons why he is almost sitting on this side of the Chamber: the people saw through the those half-smart smiles and cynical abuse of this Parliament. That is why he sitting on a knife edge. As I have been saying, when the Premier goes, we will blink and he will be gone—such is his vanity and arrogance.

Mr FITZGERALD: I am absolutely appalled by the statement made by the Premier that PCEAR's work is almost finished and, therefore, we do not need a separate CJC committee; the one committee can look after everything. I believe that the Premier is misinformed about the work that still needs to be done. As a member of PCEAR, I was very much in favour of winding up EARC. However, one Bill still has to be dealt with, that is, the Bill that deals with the enhancement of individual rights and freedoms. The report on that subject is rather thick.

As a committee member I know that we have had thousands of submissions to that report. Of course, many of them are very similar. That report deals with the questions of abortion, euthanasia——

Mr Santoro: Very simple topics, aren't they?

Mr FITZGERALD: Very simple topics! Another topic dealt with in the report is a Bill of rights. A committee of this House would have its time taken up fully over a long period dealing with whether or not we should allow euthanasia and whether we should allow abortion on demand. The views of the people on those issues have to be listened to and a policy has to be formulated. Submissions

could then be received on the subject of a Bill of rights, followed by public hearings. To deal with the Parliamentary Committees Bill, PCEAR met 25 times, and many of those meetings went all day. I checked the record that is in the back of the committee report. With due modestly, I must report that the chairman of that committee, Lesley Clark, the former member for Barron River and I——

Opposition members: Who?

Mr FITZGERALD: Yes, she is an easy person to forget, but a very good chairman at the time. She and I attended all of those 25 meetings and the majority of the committee attended almost every meeting. The whole committee worked very well. We had differing views, but we were able to produce a unanimous report. My colleagues on the other side of the Chamber agreed with the recommendation of that report that a separate Parliamentary Criminal Justice Committee should exist. The members of the committee were firmly of that view. I can speak on behalf of my colleagues because we all said that a separate committee should exist. It was a unanimous report because we knew that under the secrecy provisions the members of that committee had different legal responsibilities from members of other committees. Therefore, it was very important that that committee should monitor what the CJC was doing. If the Premier is of the opinion that the work of the EARC committee was just about finished and there was nothing more for it to do, I think that he is in for rather a rude shock.

Previous speakers have raised issues in relation to staff matters. What is the good of having staff to read through submissions, formulate a policy and send out the paper just to see if the committee member agrees? That cannot possibly be done. The members themselves have to be au fait with each individual subject. Would anyone trust the committee staff to write a report on abortion, when their signature goes on the bottom of that piece of paper? Would anyone trust that committee staff with every line in that report that recommended abortion? No-one would. Members would feel personally responsible for every line in that report and they would want to go through it with a fine toothcomb to make sure it reflected their individual views. That is exactly what happens on very sensitive issues.

No-one can tell me that euthanasia is not sensitive. I know that some members on the other side of the Chamber are looking forward to getting a one-way ticket to Darwin. It is very important to the State that this issue be cleared up. Some Queenslanders support euthanasia, and there are members of the public and members of this Chamber who believe in abortion on demand. I know that and I respect their views, but I do not support them. If I was on that committee I would want to go through the report line by line, as it is the individual member of Parliament who has responsibility for that report.

It is absolute poppycock and the height of hypocrisy for the Premier to think that we can be snowed by public servants. That is what happened to this Government. It has central control; it has ministerial control over the Office of the Cabinet. Decisions are being made by a small group and the Government has run into trouble because its Ministers are not responsible for individual decisions. The Government must be responsible for its decisions; that is the crux of where it has gone wrong. It has not learnt a single lesson in the six years that it has been here.

Members of this Parliament must be responsible for the decisions of this Parliament. We need staff, and we do have excellent staff on the committees I have been dealing with, and I praise them, but decisions must be made by members. Committees must be properly resourced and they must be the correct committees. The argument that is put by the Premier—and I can cut it to pieces—is that they will be trampling around in legal areas. If committees in this Parliament are working together, yet the chairmen cannot get their heads together and decide that one committee will look at, say, the abortion issue or the EARC report on the enhancement of individual rights and freedoms so that the other committee could start looking at some other matters, they are not worthwhile members of the same Parliament.

That is what the chairmen should do, through the Premier. We need separate committees. It would be an absolute travesty of justice if one committee was snowed by a very well resourced staff. It will not work and we will finish up with the same problems that the Government has faced in the past. Next time, it will be a disaster. The Government will be thrown out of office if it continues with this policy, and the committee system will suffer.

I am keen to see an excellent committee system set up, so let us the have the best one, the one that the parliamentary committee recommended on this particular issue. I want to see the member for Everton and the member for Caboolture support us on this issue.

The CHAIRMAN: The question is——

Mr FITZGERALD: I rise to a point of order. There is another speaker who has been given the call and who wishes to speak. The question has not been put, Mr Chairman.

The CHAIRMAN: The member for Indooroopilly.

Mr BEANLAND: I again direct my question to the Premier, because he has not answered it satisfactorily. What is the reason for the Government's change of heart in such a short period? I do not think it is unreasonable to ask the Premier to answer that question. The Bill did come into this Chamber previously and it would have been processed and no doubt passed through this Chamber, yet this Bill is vastly different; there is no point denying that. However, that was only two or three months ago at the very most. Because the Government failed to allow adequate time in which to pass the Bill, it lapsed when the Parliament was dissolved. Consequently, we have a new Bill which, with respect, is considerably different from the original Bill. I think it is only fair and reasonable to ask that the Committee be given an answer.

Mr W. K. GOSS: I have explained the situation about two or three times, and I will do my best to do so again. I took the view that it would be a more rational approach to have one committee do it. The member for Lockyer made much, in a very passionate contribution, of the parliamentary committee recommendation that there be a separate committee. It is my recollection, as I said before, that the Electoral and Administrative Review Commission recommended that there be one committee.

Mr FitzGerald: They got it wrong; we all admitted that. A lot of members said that EARC itself got it wrong.

Mr W. K. GOSS: That is the member's opinion, and I respect it. I am saying that I have taken the other view, the view which was indicated in the recommendation from EARC. I think it is the rational approach to take and, furthermore, Opposition members are making a big noise about how this Bill is dramatically different; it is not dramatically different. It is just different. One can go either way on this, and I think it is the preferable way to go.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 45—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, Cunningham, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

NOES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

Resolved in the **affirmative**.

Clause 6, as read, agreed to.

Clauses 7 to 15, as read, agreed to.

Clause 16—

Mr BORBIDGE (10.53 p.m.): I move the following amendment—

"At page 12, after line 17—

insert—

'(5) Subsection (4) does not limit or otherwise affect the privileges of the Legislative Assembly and its committees and members.'."

I make the point that the Opposition considers that this proposed amendment is necessary to ensure that a court or a tribunal, in considering certain matters, does not intrude upon the privileges of the Parliament. I hope that we would respect the sovereignty of the Parliament. In fact, if we go through the history of the development of Parliament, the Ninth Article of the Bill of Rights of 1788 declared that the freedom of speech——

Mr Hamill: 1688.

Mr BORBIDGE: I thank the Minister. His knowledge of history is better than his knowledge of Shakespeare. Pick a box: does the member know the section?

Mr Hamill: Clause 39.

Mr BORBIDGE: I thank the Minister. The freedom of speech——

Mr Hamill interjected.

The CHAIRMAN: Order! The Minister for Education will cease interjecting.

Mr BORBIDGE: The freedom of speech and debates of proceedings in Parliament ought not to be impeached or questioned in any court or place out of the Parliament. I suggest to the Premier that it is a reasonable amendment that should be supported.

Mr W. K. GOSS: I think that it is a reasonable amendment and I am prepared to accept it, but not tonight. The reason for that is simply——

Mr FitzGerald interjected.

Mr W. K. GOSS: I will just explain. I enjoy the member's wit very much, but if I could just explain? As I said in this place during my concluding remarks, I was keen to get the committee system up and running, which is why the amended Bill was introduced and the debate for this Bill has been brought on at the earliest opportunity today so that it can be passed. Subject to this place passing the legislation, as I hope will occur later tonight, I have made arrangements for the Bill to receive assent in the morning. That is necessary so that we can actually appoint the committees tomorrow. If that does not occur, we will not get to appoint the committees until later in October. The Government wants to get the committees up and running, and I know that the members who are going to be appointed to the committees want to get them operating.

The practical consequence is that the documentation has been prepared with the Bill in this form in the expectation that it will be passed. So I simply say to the Leader of the Opposition that his proposed amendment is reasonable. I do not believe that it is an amendment that is of great substance. Therefore, if he is agreeable, I would be prepared to include it in the next Miscellaneous Provisions Bill. However, if he feels that it is an amendment of substance that should not be included in such a Bill, then I undertake to amend it at the next available opportunity when the legislation is reviewed. In short, I accept that the proposed amendment is reasonable and will move to pick it up at the earliest opportunity.

Mr BORBIDGE: In that case, the Opposition accepts the assurances given by the Premier.

Mr W. K. GOSS: I thank the Leader of the Opposition for that. He may wish to consider it. If he is agreeable, we will look at including it in the Miscellaneous Provisions Bill that is now before this place.

The CHAIRMAN: I ask the Leader of the Opposition to withdraw his amendment.

Mr BORBIDGE: In view of the assurances given to the Committee by the Premier, I withdraw the amendment.

Clause 16, as read, agreed to.

Clauses 17 to 19, as read, agreed to.

Clause 20—

Mr BORBIDGE (10.57 p.m.): I move the following amendment—

"At page 13, lines 10 to 11—

omit, insert—

'(b) major GOC works if the committee decides to consider the work.'."

This proposed amendment removes the restriction placed on the Public Works Committee to consider major GOC works, if the committee agrees to do so. GOCs undertaking major works utilising public funds should not be beyond scrutiny. I believe that this proposed amendment is not mischievous; it is simply ensuring accountability. GOCs must be accountable, and I believe that this proposed amendment will make for a far more effective parliamentary committee system. In the circumstances, it is reasonable and appropriate.

Mr W. K. GOSS: The reason the clause is drafted in this particular form is that we take the view that Government owned corporations should not be put at a commercial disadvantage in their commercial activities. It is a very important micro-economic reform that Government owned corporations throughout this country operate more commercially, and we in Queensland are striving to achieve that aim. However, if we are going to ask Government owned corporations to operate commercially, then we should not subject them to unreasonable constraints or, to put it another way, constraints that their commercial competitors do not have. That is the reason for this clause.

In relation to a Government owned corporation being involved in activities other than purely commercial activities—its community service obligations, or whatever—of course, the committee's power will extend to the Government owned corporation in that situation, but not in relation to its commercial activities which, as I say, would put it at a disadvantage. That really is in conflict with what we are trying to achieve with the reform of GOCs.

Mr BORBIDGE: The explanation given by the Premier is not acceptable. I believe that the Public Works Committee should have the power—and that is all that we are talking about—to examine GOCs. If we look at what has happened in other parts of Australia in recent years, surely the lessons of Victoria, South Australia and Western Australia are there for everyone to see. There are enormous dangers in taking GOCs away from proper and appropriate scrutiny—away from the parliamentary process.

I make the point that it is certainly my understanding that if matters of commercial in

confidence were being examined—and I believe that that is a red herring—then the committee would still have the power to hold hearings in camera. Those matters could be heard in confidence and the accountability process would still be in place. However, I am particularly concerned about the restriction placed on the Public Works Committee's consideration of major GOC works,. Again, the committee has to agree. The Government has the numbers on that committee. What the Government is saying is that it is prepared to have a situation where it controls the committee, where a majority of members on that committee are members of the Government, but at the same time that committee should not have the right to consider major GOC works.

Mr Santoro: He doesn't want to give them the power.

Mr BORBIDGE: That is the only conclusion that a reasonable person can come to; that the Premier does not want to give his own members on this committee the power, because they would have to vote and agree that circumstances warranted such an investigation. We do not want half or a quarter of a committee system. If we want any proof at all that GOCs have to be accountable, we need only look around and see what has happened in Western Australia, South Australia and Victoria. Because of inappropriate checks and balances in those systems, the taxpayers of those States have been taken to the verge of bankruptcy.

Mr Santoro: They might even have a look at the sale of the Stanwell Power Station.

Mr BORBIDGE: As the honourable member reminds me, it is of considerable concern that, on the one hand, the Government gives the impression that GOCs are separate commercial entities beyond parliamentary scrutiny but, on the other hand, apparently in the case of Stanwell, a telephone call can be made and someone can be told to sell a generating unit. The Government cannot have it both ways. What is so unacceptable about a majority of Government members being given the right to consider major GOC works by a vote of the Public Works Committee?

Mr Connor: Laurie Connell would think it's wonderful.

Mr BORBIDGE: I am sure that lots of people would think it is wonderful. However, I would suggest to the Premier that, if he is not prepared to agree to this amendment, we will have a Public Works Committee that is not worth having.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

NOES, 44—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Clause 20, as read, agreed to.

Clauses 21 to 24, as read, agreed to.

Clause 25—

Mr BORBIDGE (11.10 p.m.): I move the following amendment—

"At page 17, lines 17 to 22—

omit, insert—

'Power to call for persons etc.

'25. A statutory committee is, by this section, authorised to call for persons, documents and other things.'."

The CHAIRMAN: Order! There is far too much audible conversation in the Chamber. The Chair is having difficulty hearing the Leader of the Opposition.

Mr BORBIDGE: This amendment provides for all statutory committees of this Parliament to be able to call for persons, documents and so on. In its wisdom, the Government provided that only the Public Accounts Committee and the Public Works Committee should have such a power. The other statutory committees would have to get the authorisation of the Legislative Assembly to call for persons and documents. In the view of the Opposition, this is just a neat way of frustrating the committee and ensuring the continuation of strong Executive Government. I make the point that, from my knowledge, this is a power that is rarely used. However, it is the strongly held view of the Opposition that all the

statutory committees of the Parliament, not just the Public Works Committee and the Public Accounts Committee, should have this power vested in them.

Mr W. K. GOSS: I agree that they should be vested with the power. However, I think the appropriate way to confer the power is for the Parliament to do it by way of resolution. If this legislation is passed, I would propose such resolutions tomorrow giving that power to the relevant committees.

Mr BORBIDGE: In view of the assurance given by the Premier that there will be a resolution tomorrow, I withdraw this amendment.

Clause 25, as read, agreed to.

Clauses 26 to 36, as read, agreed to.

Clauses 37 to 41, as read, agreed to.

Schedule 1—

Mr BORBIDGE (11.13 p.m.): I move the following amendments—

"At page 26, lines 15 to 20—

omit, insert—

'(7) A person may be appointed as the chairperson or non-judicial appointee only if the Minister has consulted with the member of the Legislative Assembly recognised as the leader of each political party represented in the Assembly about the proposed appointment, and with the parliamentary committee about—

(a) the process of selection for appointment; and

(b) the appointment of the person as the chairperson or non-judicial appointee.'.

At page 27, lines 5 to 12—

omit, insert—

'(2) A person may be appointed as a senior electoral officer only if—

(a) press advertisements have been placed nationally calling for applications from suitably qualified persons to be considered for appointment; and

(b) the Minister has consulted with the member of the Legislative Assembly recognised as the leader of each political party represented in the Assembly about the proposed appointment, and with the parliamentary committee about—

(i) the process of selection for appointment; and

(ii) the appointment of the person as the senior electoral officer.'."

The first amendment is designed to ensure that the Minister consults with the leaders of the political parties in the Parliament, as well as the parliamentary committee, about the process of selection for appointment and the appointment of the Electoral Commissioner. I believe that this is an important and sensitive issue which should involve consultation with party leaders in this Parliament.

The Electoral Act 1992 provided that the Minister must consult with the leaders of each political party in the Parliament. It did not refer to any parliamentary committee, but obviously we accept that as part of the process. The Government is probably thinking that, by consulting with the committee, it is unnecessary to consult with the party leaders; but I believe that it is efficient and practical to consult with the party leaders represented in the Parliament. There must be a reason for the Government to axe the consultation. A number of reasons come to mind, but it would appear from the wording of this legislation that the Minister does not want to talk directly with the Leader of the Opposition and the Leader of the Liberal Party. It also shows that the Government is watering down those provisions which make the process open.

Similarly, the second amendment ensures that party leaders in the Parliament and the parliamentary committee are consulted. This amendment refers to the proposed appointment of the senior electoral officer. Provision for consultation with party leaders in the Parliament is contained in the existing Act. If this Schedule remains in its current form, it would appear—in a subtle way—that the Government is whittling away at the very essence of the Fitzgerald reforms, that is, open and accountable government. Effectively, what we are seeking is a status quo in which all party leaders in the Parliament are consulted—which is the current situation, according to my advice—as well as the parliamentary committees.

Mr W. K. GOSS: What the Government seeks to do here is to be consistent in terms of the way in which other parliamentary committees operate in relation to significant appointments. What we are

doing here is exactly the same—entirely consistent with what occurs with the position of Auditor-General and the Public Accounts Committee and with what will occur with the Ombudsman and the new Legal, Constitutional and Administrative Review Committee. I believe that we should be consistent in this regard. It guarantees consultation with all parties, because all parties will be represented on those committees which will be the subject of consultation. I also happen to believe that the all-party parliamentary committee is probably a more rational context in which true consultation can successfully occur.

Mr BORBIDGE: In view of that explanation, I ask the Premier to outline what would occur if the Parliament were prorogued and committees of the Parliament were not functioning. Most honourable members would recall the debacle on a previous occasion in respect of the appointment of a new chairman for the Criminal Justice Commission. In that case, the new Parliament had not met and the committees had not been constituted. Will the Premier advise this Committee as to what would occur in that case?

Mr W. K. GOSS: I think that is an unlikely event. In that circumstance, I am sure we would find a way to deal with it. I would probably consult with the Leader of the Opposition.

Mr BORBIDGE: The Premier's explanation is not acceptable to the Opposition.

Question—That the words proposed to be omitted stand part of the Schedule—put; and the Committee divided—

AYES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

NOES, 44—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Mr W. K. GOSS: For the information of members, I refer to clause 8 on page 39 headed "Delegation by speaker", which states—

> "The speaker may delegate the speaker's powers under this Act to the clerk or a parliamentary service officer or employee."

I am responsible for an oversight in the drafting of that clause. I think there should also be included in that clause a reference to the Deputy Speaker or Chairman of Committees as being one of the persons to whom there can be a delegation by the Speaker. If the Opposition is agreeable, I propose to include that addition in the Miscellaneous Provisions Bill that will come before the House shortly.

Mr BORBIDGE: This matter was raised during the second-reading debate by the Opposition. I thank the Premier for taking that on board. Obviously, what he has proposed has the support of the Opposition.

Schedule 1, as read, agreed to.

Schedule 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (11.23 p.m.), by leave: I move—

> "That the Bill be now read a third time."

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (11.23 p.m.): Without unduly holding up the business of the House, I want to make a couple of comments in respect of the third reading. Certainly, the Opposition acknowledges a little progress tonight from the Premier and the fact that the Government has been prepared to take on board some of the suggestions from this side of the House. I acknowledge that and I thank the Premier. However, the Opposition remains concerned about two major aspects of this legislation which, unfortunately, in the view of the coalition, flaw the final product. I refer again to the abolition of the Parliamentary Criminal Justice Committee, which the Opposition cannot support. Therefore, we cannot support this legislation.

I refer also to the Government's refusal to allow the Public Works Committee to carry out investigations in respect of GOCs. These are two major weaknesses in the legislation which

effectively neuter a principle that is sound and could well have had, with a bit more goodwill across the Chamber, total bipartisan support. The issues have been canvassed earlier in this debate. The Opposition finds that the abolition of the Parliamentary Criminal Justice Committee is totally unacceptable. It will mean that, as from tomorrow morning, assuming Her Excellency gives assent to this legislation, when it is subsequently proclaimed the Criminal Justice Commission will no longer be properly monitored in this State, and this Parliament will have severely abrogated its responsibilities.

Mr SPEAKER: Order! I draw to the attention of the Leader of the Opposition that in speaking to the third reading of a Bill a member may suggest a delay of the third reading or a postponement, and a member may raise matters that are new and have not already been brought up in debate, but a member may not repeat what was said either during the Committee stage or during the second-reading debate. I allow the member the opportunity to put forward why he may decide not to approve of the third reading, but I suggest that he be very quick about it.

Mr BORBIDGE: We on this side of the House agree with the intent of the legislation. However, as I have indicated, because of that matter to which I have already referred and to which I will not refer again, and because of the neutering of the Public Works Committee so that it is hardly a committee worth having—particularly when one takes into account corporatisation and the number of GOEs that are effectively going off budget and going off the Estimates debate process, that are effectively falling away from the scrutiny of this Parliament—we cannot support the legislation. I remind honourable members of the financial tragedies that have unfolded to the detriment of millions of Australians across so many States.

It is, in my view, sad that tonight the Government has effectively neutered legislation the intent of which obviously would have had the support of members on this side of the House. The accountability to this Parliament of the Criminal Justice Commission and the accountability to this Parliament of GOEs will be effectively nonexistent. For that reason, the Opposition has no option now but to oppose the third reading of the Bill.

Question—That the Bill be now read a third time—put; and the House divided—

AYES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

NOES, 44—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Debate resumed from 13 September (see p. 176).

Mr SPEAKER: Order! Before calling the first speaker on this Bill, the member for Callide, I advise the House that this Bill is a minor amendment of a very large Bill specifically to clarify the general qualification for membership as a local councillor under the Local Government Act of 1993. Therefore, I intend to be very specific about what I allow in debate on this Bill, and members may only debate the qualifications of a councillor, not the Local Government Act.

Mrs McCAULEY (Callide) (11.36 p.m.): I was listening to the ABC news tonight and I heard that this Bill had already been passed and I thought, "I wish." I think it has been a disappointment that we have to have this amendment Bill, because with the number of bureaucrats and legal advisers that the Local Government Department and the Local Government Minister have at their disposal, I would not expect this sort of thing to happen. Unfortunately, it has happened, and 76 councillors in 35 councils suddenly have no legal status.

The list is quite comprehensive: Atherton, 1 out of 7; Banana, my own shire, 1 out of 13; Beaudesert, 2 out of 9; Belyando, 1 out of 13; Bendemere, 2 out of 7; Bowen, 1 out of 11; Burnett, 1 out of 11; Cairns, 5 out of 13; Caloundra, 3 out of 11; Cambooya, 1 out of 11; Cardwell, 1 out of 10; Carpentaria, 1 out of 9; Eacham, 1 out of 7; Etheridge, 1 out of 7; Gold Coast, 4 out of 15; Hervey Bay, 3 out of 11; Ipswich, 2 out of 13; Johnstone, 1 out of 9; Jondaryan, 1 out of 13; Logan, 5 out of 11;

Mackay, 2 out of 13; Mareeba, 2 out of 9; Maroochy, 4 out of 13; Monto, 1 out of 8; Murgon, 1 out of 10; Nebo, 2 out of 10; Pine Rivers, 2 out of 11; Pittsworth, 2 out of 10; Redland, 4 out of 11; Rockhampton, 5 out of 11; Tiara, 1 out of 9; Townsville, 8 out of 11—I repeat, 8 out of 11; Wambo, 1 out of 9; Warwick, 2 out of 13; and Whitsunday, 1 out of 10. So a number of councils are affected and a number of councillors are affected.

Perhaps if nothing else, this shows that maybe the Opposition has a good case to put for having legal counsel when pieces of legislation come before the Parliament, because I defy anybody to have discovered that. The Government people did not find it—

Mr Mackenroth: And if I didn't find it, nobody would find it; that's what you are saying.

Mrs McCAULEY: I am not saying that at all. I am saying that the Government's resources far outweigh my resources. In Opposition, our resources are zilch, so I do not think I could have been expected to find it. The LGAQ did not find it. None of the councils throughout the State found it. It came up only through Logan having a by-election. That is something that perhaps the Minister could consider. The whole of the Government could consider that if the Opposition had had legal counsel, we may well have discovered this.

It was not the intent of the old Local Government Act and it certainly was not the intent of the new Local Government Act to discriminate against people who lived within a local authority area and say to them that they cannot stand for a particular division unless they live within that division. As the list that I just read out shows, there are a lot of councillors who live within a local government but not necessarily in that particular division. I do not think that is a problem. It has obviously been an ongoing practice for a long time. It does not mean that they do not have the best interests of their division at heart. It is just a geographical fact of life. It does not affect the way they do their jobs at all.

Some of these councillors may actually spend more hours a day in the division that they work in and represent than they do in the division in which they actually sleep and eat their breakfast. It is not something that I can get too upset about. I am sure that if people felt that councillors were not going to represent their division properly, they would not have voted for them. I feel sorry for the two candidates from Logan. There was a ruling that they could not stand because they did not come from the division in which they live. While this legislation will fix the problem for the 76 councillors and will legalise them, it will not solve the problems for the two would-be councillors who wished to stand in the Logan by-election because nominations for that by-election have already closed. That is why the Opposition has an amendment to move.

We understand the sensitivity in regard to passing retrospective legislation, but this is something that I feel sure the Minister must agree to. I cannot understand why he has not done it himself. I believe it is only fair that the case which brought this whole matter to light should be solved along with the other 76 affected councillors from throughout the State.

Somebody asked me whether this amendment Bill would raise more problems than it solves. I have been assured by sound legal advice that, no, it validates all decisions which have been made previously by councillors who now have a question mark over their worth or otherwise. Once they are validated and their position is validated, then the decisions that they have made previously with their councils have been validated, so I do not see that there is a problem with that.

It was interesting to read the *Townsville Bulletin* editorial in relation to this matter. It stated—

> "The basis of local government lies in the word 'local', which the dictionary defines, in this sense, as 'belonging to, existing in, or peculiar to a particular place'."

The editorial states further—

> ". . . this could be the time to look closely at residential qualifications for election to local government to ensure that it is truly local and not a political perk."

That suggests that maybe people who wish to be representative of a particular division should come from that division.

The editorial also states—

> "Not only city divisions but those in the bush are entitled to true local representation and should not be forced to accept a political appointee from some distant part of the city or shire area . . . as is now too often the case when political patronage plays a part. It is firmly established in State and federal politics. The ACTU's Martin Ferguson in Batman is the current example."

I do not agree with that theory and, shortly, I will tell honourable members why.

It is interesting that the editorial mentioned that it is a fact of life in State and

Federal Governments that candidates can come from anywhere. In fact, at the recent State election, the Labor Party ran candidates in electorates such as Callide, Gregory, Warrego and Western Downs who did not come from the electorate, they did not set foot in the electorate and had nothing to do with the electorate. I believe that that is wrong.

However, in the case of a person who lives within a local authority area—I do not agree with the editor of the *Townsville Bulletin,* who said that the person has to live in the particular division. The Act clearly covers the rules by which a councillor lives. When a person is elected to council, even though that person is elected to represent a particular division, that person has to make whole-of-council decisions, not decisions that are suitable only for that particular division. That person has to have a breadth of thought and interest in the decisions that are made and must think on a whole-of-council level. The legislation is very clear about that. Councillors are very remiss if they think only about their own divisions. In fact, the legislation states quite clearly that a councillor represents the overall public interest of a local government area and, if the councillor is a councillor for a division for the area, also represents the public interest of the division and takes part in deciding the facilities, services and enterprises appropriate for the area. I believe that all good councillors look at the wellbeing of all people in the whole council area, rather than just their own divisions. If one is looking only at one's own division, one can become very insular.

When I was a councillor, the only time that I looked only at my own division was when I was fighting for my share of the budget. The rest of the time I took as keen an interest in the Cracow road as I did in the streets of Biloela, which was the area that I represented. The same principle applies to State Government. The eastern tollway decision does not affect only south-east Queensland; it affects all of Queensland. Similarly, the drought that has been suffered in so much of Queensland affects the south-east corner. We have to look more broadly, not just at our own little provincial patch.

This legislation raises the issue of the types of people who become local government representatives. A report in today's *Courier-Mail* referred to a survey conducted by consultants for the LGAQ. The results of that survey showed that farming was regarded as the most suitable occupation for a person wishing to be a local government councillor. That finding is rather interesting. I have a query about who the consultants surveyed. To whom did they talk to come up with those findings? I received one of the forms to fill in, and I put it in the rubbish bin because I felt that I was the wrong person to be giving consultants the answers as I saw them. I am far too involved in local government to give impartial answers. I query who they polled to get that result.

The other interesting finding of that poll about who makes the most suitable councillors was that the people surveyed believe that someone who is unemployed would be far more suitable than a property developer or a real estate agent. I believe that that contains a very strong message: there is an overwhelming distrust of those people who deal in property development. In fact, those surveyed would prefer a person with no job at all to a property developer. That is an interesting finding, and I believe it.

That survey shows the importance of revealing the sources of funding for local government elections. At present, they do not have to be revealed; so people could be voting for a farmer who is backed by developers or people with real estate interests, and the voters would not know. Until the Minister takes the bit in his teeth and changes the legislation——

Mr Mackenroth interjected.

Mrs McCAULEY: That is important, because we do not know whether some councillors in this State have been put there by developers and people with real estate interests.

Mr Mackenroth: We've only just put those rules onto ourselves at this last election. Now we're putting them onto the councils.

Mrs McCAULEY: The Minister could have done that for the local government elections, had he wished to do so.

Mr Mackenroth: No, we needed PCEAR to finish its report first—the Parliamentary Committee of EARC. We have just spent all day arguing about that proper process.

Mrs McCAULEY: I do not know that I accept that, but I accept that it will happen next time. It has to happen; it is the only fair way to go in relation to the election of local government officials.

One of the consequences of the action taken by this Government in relation to local government and local government elections is that we now have party politics in local government. Who else can afford to be in

local government? Who else can afford to run a campaign in a place such as the Gold Coast or Ipswich? It is big business; it takes big bickies; it takes a lot of money. I ask: is it beneficial to have that trait coming through in local government? I do not think it makes for better government, particularly not better local government. Local government is local, and it should stay local.

Some other problems arise because of the way that local government has evolved. One of those problems, which was brought to my attention today by the member for Barron River, concerns an independent person on the Cairns City Council—the only independent person on the Cairns City Council. That person feels that the city council is attempting to gag him by bringing in a code of conduct. Perhaps that is a parallel with what the code of ethics for State members is all about. He certainly feels very strongly that there is an attempt to gag him. While I believe that a code of conduct for local government councillors is a welcome move, I believe that we have to be careful. I agree with that independent member when he says—

> "I trust that this proposed code of conduct won't turn out to be a cover for an attempt to gag me or any other councillor prepared to stand up and reflect alternative views."

I hope that he is not curtailed when he is trying to have his say, simply because party politics has crept into the Cairns City Council.

The *Cairns Post* editorial referred to this issue on 12 September. It stated—

> ". . . this city administration is one of the most secretive and most tightly controlled of recent councils - in terms of information getting out to the public.
>
> . . . the increasing number of town planning and general business items appearing on the list makes a mockery of mayor Tom Pyne and his Greater Cairns team's pre-election pledge of open and transparent government. In fact, this tightly and centrally controlled manner in which the council currently is operated would be viewed with pride by any central committee of a Communist Party."

The paper then states that that central control is one of the great threats to democracy, and I think that that is probably a fair comment. There has to be open discussion and debate in councils and, if each councillor is doing his or her job and is not just blindly following party politics, he or she has to be prepared to speak out and must be allowed to speak out.

The *Cairns Post* went on to state—

> "This lack of opposition within the council is dangerous and leaves the way open to the development of a sense of separateness between the governors and the governed."

The editorial states that the councillors should reject the proposed code of conduct out of hand.

This amendment also affects the new super city councils of Gold Coast/Albert, Ipswich/Moreton and Cairns/Mulgrave and, in fact, the dissatisfaction, anger and sheer disbelief at the recent actions of some of these——

Mr SPEAKER: Order! I have been tolerant while the member has been talking about some of the issues as to who should be a councillor. I will not allow the member to discuss the amalgamation of councils under this legislation.

Mrs McCAULEY: I have been here for nine years and this is the first time that I have ever been told that I am straying from the topic. The topic is local government. It is the Local Government Bill.

Mr SPEAKER: Order! Standing Order 141 is very clear, and I will not allow a very minor amendment about whether people should or should not live in a ward—which is what it is about—blow out into a debate over a Local Government Act which is, if I remember rightly, about 500 pages long. I will not allow that to happen and I am sorry that the member feels restrained. It is my responsibility to ensure that members' remarks are relevant to the amendment Bill.

Mr FitzGerald: Are there any councillors in the new Gold Coast area——

Mr SPEAKER: Order! Is the member for Lockyer taking a point of order? Is the member trying to assist?

Mr FitzGerald: No. I am asking a question by way of interjection. If it is accepted by the member, the question is: are there aldermen in the Gold Coast City Council or in Ipswich who are affected by this?

Mrs McCAULEY: In Cairns, 5 out of 13 councillors are affected. At the Gold Coast, 4 out of 15 are affected.

Mr SPEAKER: Order! The member for Callide has already said that; she is being tedious and repetitious.

Mrs McCAULEY: I would not like to be tedious and repetitious, but in Ipswich there are 2 out of the 13.

Mr FitzGerald interjected.

Mrs McCAULEY: If those councillors in the new super councils who are affected were to go to the polls in 1997, as more than 18,500 petitioners on the Gold Coast have requested of the Minister, then they could be quite sure that they would not be re-elected. In fact, there is probably a challenge there for the Minister in that he could, if he so wanted, have moved, via this loophole, not to have validated the positions of those councillors in those super councils, where there is so much discontent that a watchdog group has been formed in Ipswich to keep a watching brief over the new council. The councillors have had massive increases in salaries and allowances, luxury cars and all the rest of it. Those councillors would certainly not be re-elected if they suddenly found that their election was invalid and this legislation was not going to validate them, even if the next election is brought forward from the year 2000 to 1997. The local government's response to all of this has been to call for an independent person to assess these areas.

Mr SPEAKER: Order! I warn the member. The Standing Orders are clear. If a member is warned twice, I am entitled to sit that member down. I warn the member for Callide for the second time that she is transgressing from the purpose of this amendment, which is to clarify the general qualifications for membership as a local government councillor. I have been quite tolerant and fair, and I will not allow the member to do that again. The member has had her second warning.

Mrs McCAULEY: I accept that for the first time in nine years I have been gagged.

Mr SPEAKER: Order! I find that remark offensive. I ask the member for Callide to withdraw it. The member is implying that she has been gagged. She is not being gagged; she is being asked to submit herself to the Standing Orders of this House and be relevant to a minor amendment to a very large Act.

Mrs McCAULEY: I withdraw. Councillors have an important role to play and they must be able to do so to the best of their ability. We in the Opposition are happy to support this legislation which validates the position of councillors throughout the State. Our foreshadowed amendment will ensure that those who brought this matter to light are not victimised, either.

Mr T. B. SULLIVAN (Chermside) (11.56 p.m.): I rise to support the Local Government Amendment Bill 1995. In his second-reading speech, the Minister outlined clearly the purposes of this Bill. I am sure that members of local governments throughout the State will welcome not only the speedy resolution brought about by the Minister but also the support of the Opposition.

I have heard some criticism of the State Government and the Minister because this problem has been identified. I believe that such criticism is misplaced. The Local Government Act was available for public scrutiny for many months. All local authorities throughout Queensland had copies of the Bill in its draft form and copies of the Act in its final form. Hundreds of councillors and council officers studied the Bill. Most councillors would have read the eligibility clauses, because they constituted their work ticket. These clauses told them who could and who could not stand for local government, yet not one person picked up the anomaly that exists when different parts of the Act are read together. Not one of the hundreds of members of local government in Queensland recognised the problem that came to light late last week.

The Minister is to be congratulated on his speedy resolution of this problem, and the support of the Opposition in passing the Bill is also appreciated. However, the real test for the Opposition will become evident in what its members say in this debate and, more importantly, what they say when they return to their electorates. If they were to criticise the failure to recognise the problem that has arisen, they would be criticising almost every member of local government in this State. If the Opposition try to sheet home blame only to the Government or to the Minister, that will show that the Opposition is not genuine and not fair dinkum. If, on the other hand, members of the Opposition publicly recognise that this is simply one of those hitches that can occur when complex legislation is drafted, then they will show that they are genuine and fair minded. I support the Bill.

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (11.59 p.m.): I rise to make a brief contribution to the debate on this amendment Bill. The coalition is, I believe, acting responsibly in supporting this legislation and there are a couple of major reasons why it is doing so. It is very obvious that a lot of councillors were elected and thought that they were being elected legally; so did their council and so did their returning officers. Indeed, there are three councillors in my own of Caloundra City Council who are currently in this situation. I think it would be very unfair and unjust not to allow them to continue in their

elected positions and, indeed, when another election comes due it is up to the electorate to review that situation.

Also, of course, having been elected these councillors have transacted business on behalf of their councils and have been party to decisions made by their councils. Any problems arising from those transactions should similarly be rectified, otherwise we are going to find that we have chaos within the councils and the people of this State will have to find a considerable amount of money to conduct fresh general elections or by-elections. I think, however, that the Minister must take responsibility for this problem. I know that he says it is an oversight in drafting, but at the end of the day the buck stops with him. I think this has created quite a lot of unrest, confusion and misgivings within the councils.

I support strongly the amendment that has been put forward by the shadow Minister, the member for Callide. People wanting to stand as candidates in a by-election in Logan first brought this problem to the attention of the Government and the returning officer. Hence they were barred from being able to stand in that by-election.

The Bill introduced by the Minister contains amendments that will operate retrospectively. The shadow Minister's proposed amendment could well be contained within the retrospective nature of the amending legislation. If her amendment is not accepted, the only people who will be left out in the cold are those who brought this matter to the attention of the returning officer and the Minister.

Mr FitzGerald: The next election they would be eligible to run; in this one, they are not.

Mrs SHELDON: That is correct. The election campaign has not begun; it is just that the time for nominations to enable those people to become candidates in the by-election has closed. So I ask the Minister to realise that, in those situations, the shadow Minister's proposed amendment is only fair and reasonable. He may well have overlooked the situation, so I ask him to readily consider it.

The Opposition really wants to support this Bill but, if the Minister will not consider the proposed amendment, it has very little choice but to vote for the amendment it has proposed.

Mr Speaker, you have asked us to stick to the point and I will be very brief. I would like to say other things but, instead, I say that the Opposition, in good faith, has supported the Government and I ask the Minister in good faith to support the amendment proposed by the Opposition.

Mr COOPER (Crows Nest) (12.02 a.m.): In addressing the Local Government Amendment Bill 1995, I intend to canvas the Opposition's proposed amendment. Mr Speaker, I crave your indulgence because matters have to be raised. When amendments to legislation are introduced for obvious reasons, one has to canvas those reasons, which I am prepared to do.

Sadly, I believe that it is appalling, offhanded arrogance for the Minister responsible for this Bill to describe this hugely embarrassing fiasco—and that is what it is—that requires this amending legislation as an "administrative oversight" and a "technical hitch". What it is really is a blunder. I know very well that when the National Party was in Government, things occurred that required the introduction of these embarrassing pieces of amending legislation. The Government has to be called to account and it has to go through the amending process. That is what it is all about. I believe any Government has to be called to account for the mistakes that it makes.

Although we are dealing with amendments to legislation that have been described as "minor", as far as I am concerned these amendments are of major and significant importance, especially to those people who have been affected, particularly councillors. I have spent some time serving on councils and I know that I would feel exactly the same as those councillors who have been affected by the reason for this amendment.

As we know, the Government's local government legislation was years in the making. When it was introduced, it was trumpeted loudly as the finest in the land, if not the world. It was supposed to herald the dawning of a bright, new tomorrow. When the Minister introduced the legislation in November 1993, he stated—

> "As I said earlier, the aim is to have the best possible system of local government for Queensland: a system that is democratic and one that is open and accountable and has the confidence of the people."

Mr Mackenroth: And that's what we have got.

Mr COOPER: But we are finding just a few little hitches along the way. The Minister stated further—

> "A system that enables the efficient and effective delivery of quality services to the community; a system that operates with fairness and equity"——

I have been told my microphone is not working. I thought that it was.

Mrs Edmond: It sounded good to me.

Mr COOPER: That is one thing that I could never say about the Minister. She is terribly savage. The Minister in charge of the Bill stated further—

> ". . . a system that is adaptable and can meet the challenges that face all Government; a system where councils can achieve their potential, and mutual respect exists between the State Government and local governments; and a system where we work together as partners. I believe this most important piece of legislation delivers these aims."

Of course, that did not happen. Fundamentally, one would have assumed that this bright, new tomorrow for local government in Queensland would have clear and unambiguous requirements for the nomination and election of councillors. While the Government heartily congratulated itself on the politically correct decision to strike down the perceived sexist terms such as "chairman" and "alderman" in favour of "mayor" and "councillor", it failed demonstrably and comprehensively to determine clearly the proper basis for the election of councillors.

As usual, behind all the self-congratulatory and self-indulgent hype and propaganda that heralds and follows everything that this Government does, there was a fatal flaw. As a result, we now have the extraordinary situation in which dozens of elected councillors have been temporarily deprived of their proper office. Until this amending legislation becomes law, councils throughout Queensland have been, to varying degrees, hindered or paralysed. In my own electorate, the Jondaryan Shire has been affected. Queensland's major provincial city, Townsville, has lost the services—however briefly—of eight of its 11 councillors, which has rendered that council legally inoperable.

It is a possibility that people who intended to nominate—and, in fact, it is not just a possibility; there are people who intended to nominate as candidates for a particular division for the March 1994 election but did not do so because their understanding of the Act was that they had to reside in the particular division for which they intended to nominate as candidates. If there are such people—and there are—and if they can produce the evidence that that was, in fact, their intention, I wonder what advice the Minister might have for them? Perhaps he could tell us what his advice would be in his reply. Could not these people now cry foul and assert with a fair amount of justification that they were cheated out of their opportunity to be elected?

Mr Mackenroth: That is exactly my argument for not accepting the amendment.

Mr COOPER: The Minister will get his chance to speak. Those people who would have nominated——

An honourable member interjected.

Mr COOPER: That is right. We have to consider those people. Of course, there is not much one can do for them. As I have said, the Minister has had the effrontery to say publicly that he is not embarrassed by the bungle. Quite frankly, I think that he should be. It begs the question: what might embarrass him? I submit it would be very little. We have known each other for quite a long time, so I know that.

It is now a matter of record that this bungle was exposed when disputes arose from the need to hold a by-election for the Logan City Council. It is perhaps fortunate that that was the reason for the discovery. It is not hard to imagine what would have happened if this discovery had been made by one of those whiz-kid lawyers employed by somebody aggrieved by a decision made by an affected council, or councils, particularly if that discovery was made when Parliament was not sitting and was not able to rush this amendment through the House. It could have created legal and administrative chaos. If that occurred, I wonder how embarrassed the Minister might have been because he would have had to recall Parliament in order to pass these amendments into law.

I also remind the Minister that in his November 1993 oration about his trailblazing local government legislation he stated—

> "The elections to be held next March will be conducted on the fairest set of electoral arrangements ever applied to our local government system."

The Minister also stated—

> "When the Electoral and Administrative Review Commission examined the local authority system, it recommended local government elections should remain under the Local Government Act, but the election rules

> should be amended to achieve consistency, as far as practicable, with the State requirements. This general philosophy has been followed in the preparation of the electoral provisions in the new Local Government Act."

In view of why we are debating this amending legislation, I say, "Oh, really?" When the legislation was introduced, it was said to be perfect. Suddenly, we find that things are not perfect. So I say, "Oh, really? What on earth are we doing here?" However, things were not as perfect as we were told they were, so we have to correct the legislation.

The Minister went on to list what he referred to as the "key provisions" in the Bill relating to the method of election of councillors. He prefaced that list by saying—

> "As a result a more rigorous approach to achieving consistency between the two electoral systems, both in terms of layout and context, it has been necessary to significantly rewrite the existing rules for the Local Government Act."

Nine so-called "key provisions" were then listed by the Minister and not one of them related to any residential requirements for persons intending to nominate for election as councillors. Not one! Given that the Minister had all the vast resources of a department that this Government substantially restructured, reorganised and restaffed, given that the Minister could call upon the collective wisdom of the Government's legal advisers, and given that he could have, if he had so chosen, sought final opinions from any number of consultants—and heaven knows there are enough of them about—this bungle is not just an "administrative oversight"; he would have to accept that it is a very, very significant failure.

Everybody—and councillors in particular—must be left wondering what other so-called administrative oversights lie buried in the fine print of the Local Government Act. Can the Minister now absolutely guarantee that he will not have to introduce amending legislation to retrospectively validate legislation in the future? I would like to know whether the Minister has ordered a comprehensive review of the Act. Can the Minister give every Queenslander cause for some reasonable belief that the Local Government Act will not again be shown to be a complete dog's breakfast? If I were the Minister, I would have carried out that review. I would have made sure that we would never have had to go through this process again. The Minister might also like to take a very good, long, hard look at the quality of the advice that he has been getting from his department.

The legislation being debated tonight is in so many symbolic ways yet another indication of a Government in terminal decline. With its minority vote, its fragile majority and its increasing paranoia, it is rather fitting that only two months out from the election we should be rushing through this piece of corrective surgery to an Act introduced in its triumphant heyday. If things were not so good back then and the Government is now under a bit of pressure, God only knows what sort of legislation we are going to get in the future.

The Government might try to claim that this flaw in the original Bill was never detected back in 1993 by the Opposition and therefore try to spread the blame a bit. However, that would be really plumbing the depths of hypocrisy and deceit.

Mr Mackenroth: I never, ever said that.

Mr COOPER: Please do not say that. The Government has persistently and consistently denied the Opposition the staff that the Electoral and Administrative Review Commission recommended it should have to assist it with its work in this House. If the Minister with all his vast resources—and he does have vast resources—cannot detect a fatal flaw, it is simply beyond reason to expect that anyone on this side of the House, with its meagre resources, could do so. Perhaps the Minister might like to impress upon the Premier our case for staff resources in that respect. With more resources, we could help to prevent these humiliating experiences that the Government has had to endure. We would like to help the Government in that regard a lot more. Just as the Government says, "We are from the Government. We are here to help you", we could say, "We are from the Opposition. We are here to help you."

The shadow Minister indicated that the Opposition will support this Bill. However, the passing of the legislation is critical if good local government is to be resumed by so many councils. We understand that. However, as I warned earlier, the Minister needs to ensure that a good, long, hard and independent look is taken at the Act. We are correcting this bungle. We are assisting the Government with that. However, what other potential time bombs are ticking away for local government? We must make sure that we do not have to go back and do this all over again.

I also suggest to the Minister that, when he winds up this debate, he extends an apology—and I know he is not listening—to all of the councillors who have been, however temporarily, forced from their elected office by this bungle and to all of the other councillors and their electors who have had ongoing good local government disrupted. Although that apology might not have the real ring of sincerity about it, if the Minister aspires to be a good Labor Premier—as he seems to hope to be one day—he has to try to learn how to say, "I'm sorry" with a fairly straight face and mean it. This is a fairly good opportunity for the Minister to try that.

As I said earlier, a lot of councils have been affected by this oversight and a lot of councillors' lives and livelihoods have been disrupted. We have been through that. We know that. What we want to do is make sure that we continue to have good local government. Local government is the tier of government that is closest to the people. It is an extremely important tier of government. All of us must recognise that fact and ensure that that good government is continued. That is the reason that the Government is getting the support that we are giving it tonight. It can be thankful for that.

Mr JOHNSON (Gregory) (12.14 a.m.): I intend to speak very briefly to the Local Government Amendment Bill. The honourable member for Crows Nest has canvassed the issue very well. However, there is one issue that I wish to make reference to this evening. In the past, in the large, remote western shires which have divisions, good men and women have been unable to contest certain divisions because of the anomaly in this piece of legislation. I know that we are not all perfect. I commend whoever picked up this anomaly that we are rectifying tonight.

As the honourable member for Crows Nest has just said, in the past a lot of good people have had to either surrender their positions or have found that they have not been entitled to stand to represent their local areas. At the same time, good men and women who have been good community operators and successful people within the community and who have the community at heart have been deprived of being representatives at the local government level.

I do not believe that I am wandering off the legislation by referring to the fact that, when the Local Government Act was introduced into this House some time ago, it was apparent that there was another area where anomalies could arise. I ask the Minister to reflect on this issue. There will be vacancies in both the Winton and Calliope Shires and it is possible that councillors from those shires will contest mayoralty positions. In that case, we could end up having a duplicated election, which would be costly to local government, especially in remote areas or even some of the country areas. I believe that this is another anomaly within this Act that possibly has been overlooked by the Local Government Association of Queensland. I ask the Minister to respond to that issue in his reply.

I support the legislation. As I said, the member for Crows Nest and the shadow Minister for Local Government have canvassed the issues very well. Although in the past a lot of people have been deprived of standing in their respective areas within their local authorities, I congratulate the Government on introducing this amendment to rectify that situation.

Dr WATSON (Moggill) (12.17 a.m.): I rise to speak on the Local Government Amendment Bill. Mr Speaker, in doing so, let me offer my congratulations to you on your election as Speaker. This is the first time that I have had the opportunity of speaking in this House since your election.

I know that the Opposition has agreed to support this Bill and to make sure that it is passed tonight, even though it was introduced only yesterday. I understand the reason for that, that is, it is important that councils throughout the State get on with the business of local government. The issue is of concern to me and a number of my constituents, particularly those in the areas of Karana Downs, Mount Crosby, Kholo and Lake Manchester, which are now in the newly created Ipswich City Council. According to the *Courier-Mail*, the Ipswich City Council has two of its 13 members in this predicament. They need this Bill to be passed to ratify their positions.

The problem for my constituents—and what sticks in their craw—is that they have just been subjected by a margin of two to substantial rate increases. In standing here tonight and joining the Opposition in supporting this Bill, they want me to express their concern that we are ratifying the positions of a couple of councillors who have been part of a council that has put forward rate rises that were clearly beyond the rate of inflation and beyond what was envisaged even when the Minister brought the amalgamation legislation to this place some time ago. I raised that issue at that time, that is, the concern that my constituents in that area had about the

amalgamation, and the fact that we have two out of the 13 councillors supporting a budget who are not legally——

Mr SPEAKER: Order! I am not going to support the honourable member's argument that this is relevant. The honourable member has been given some leeway, but I do not think that he should stretch it too far.

Dr WATSON: Mr Speaker, I take your warning to heart, as you know. I realise that I am stretching the friendship.

Mr SPEAKER: Order! The honourable member is stretching the friendship.

Dr WATSON: But let me just say that, with two out of the 13—16 per cent of that council in this position—needing this Bill to be ratified tonight and when those same people are imposing on my constituents significant rate increases and not giving them the benefit of the doubt, it makes my position very difficult. I want to bring that to the attention of the Minister. I hope that he might look to his own arguments in the past and reconsider taking some action on that issue in the future.

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning, Minister for Rural Communities and Minister for Provision of Infrastructure for Aboriginal and Torres Strait Islander Communities) (12.21 a.m.), in reply: I thank the Opposition for its support for this legislation. It is unusual that we require a Bill such as this to be passed so quickly, but it is designed to rectify the problem that has arisen within local government.

I was pleased that the member for Crows Nest spent some good time this week reading my old speeches. Even I do not go back and read them so thoroughly! The member suggested that I should be embarrassed about this problem. However, these sorts of things happen; they happen not just to this Government but to other Governments as well. This is a technical hitch in the sense that if one reads one clause there is no problem, but when one reads that clause with another clause a problem arises. I certainly view this as merely a technical problem. Lawyers have given differing opinions as to whether in fact the problem that I have outlined exists. This matter could have been decided by a court. However, because the Parliament is sitting and because I did not want to see local government subjected to this problem, I believed that the best way to remedy the predicament was to bring before the Parliament this amendment Bill.

I am aware that the Opposition has circulated a proposed amendment which seeks to amend the legislation to cancel the by-election which is in train in Logan in order to start that process again. Bringing before the House legislation which validates actions that have occurred in the past—or retrospective legislation—is not something that I believe any Government should do lightly, and a Government would need to consider such a matter very carefully. The problem being rectified by this legislation came to my attention in its final sense only at 7 o'clock on Monday night, when I received the opinion of a Queen's Counsel. It was necessary to act quickly to remedy this situation for local government in Queensland. Otherwise, councils such as Townsville and Logan would not have a quorum and would not be able to meet until Parliament sits again in October. Therefore, it was necessary for us to act quickly.

The legislation before the House has not even been considered by Cabinet; it came straight to the Parliament so that the problem could be rectified. By doing that, I limited the effect of what we are doing to what I believed was absolutely necessary. It is absolutely necessary to ratify the position of those people who have already been elected to local governments and the thousands of decisions that they have made over the past 18 months. That is precisely what we are dealing with. If we were to accede to going further than that, we would be starting to give consideration to cancelling a by-election which is already halfway over, in that the nominations have closed, the ballot papers have been printed, and notifications have been sent to people who live in that division. That process is already well in train.

Until today, I was unaware of the identify of any of those individuals who would be affected by this problem. On the radio this morning, I heard one person refer to losing $4,000. It surprised me that any candidate at a by-election in a local authority would have spent $4,000, but I attempted to glean further information. I have discovered that the person who was ruled invalid in the first instance is in fact a member of the Labor Party. If the Government were to agree to the amendment that the Opposition has foreshadowed, that would have the effect of allowing that person to nominate for this——

Mrs Sheldon: He's not the only one.

Mr MACKENROTH: No. I am merely pointing out that the amendment would have that effect. I am not making this decision in

any political sense; that is how I see the situation. The returning officer in Logan made his decision based on the interpretation of the Act as he had it, and at that time the person involved had the opportunity to file for an injunction with the court, if he wished, but that person did not choose to do that. We were then faced with the problem of dealing with what we needed to deal with, that is, the problem of the councillors who were elected 18 months ago.

The member for Crows Nest and the member for Gregory both raised the proposition that there could be people who did not nominate at the election 18 months ago because they were aware that they were invalid. If we look beyond just those who have been elected and the decisions that they have made—what do we do? What do we do with somebody who comes to me tomorrow and says, "Look, I did not nominate 18 months ago because I knew that I was not eligible. What are you going to do for me?" People such as that would have exactly the same argument as those in Logan who have been ruled invalid. We cannot start to consider the position of those people. If they want to run for local government, they can do so in 18 months' time when we have a full election.

When I said that I was going to bring an amending Bill before the House, I said that I would make it as simple as possible. The instructions that I gave to the Parliamentary Counsel were: it had to be as simple as possible and to deal only with that one specific matter. That is exactly what we have done. I do not believe that I can go any further than that in trying to remedy the problems that have arisen because of this unfortunate slight error, other than to simply remedy the problems that exist for local government—not for the individuals as councillors, but the problems that exist for local government today. That is the problem that we are dealing with.

On Wednesday, when I addressed its conference in Bundaberg, I told the Local Government Association that we would be rectifying the problem. At that conference, Jim Pennell read a letter from the Opposition Leader informing the conference that the Opposition would support this legislation. So those who attended the conference were aware of that. One councillor from the Sunshine Coast who attended that conference suggested to me that this predicament would leave her constituents unrepresented for this whole week; that I had disfranchised her electorate from Tuesday—when I informed her CEO—until tomorrow. I simply informed that councillor that I was sure that her constituents were very well represented by her being in Bundaberg for the week.

Motion agreed to.

Committee

Hon. T. M. Mackenroth (Chatsworth—Minister for Housing, Local Government and Planning, Minister for Rural Communities and Minister for Provision of Infrastructure for Aboriginal and Torres Strait Islander Communities) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

New clause 4—

Mrs McCAULEY (12.30 a.m.): I move the following amendment—

"At page 4, after line 12—

insert—

'Insertion of new s 818

4. After section 817—

insert—

'Filling of particular vacancy for City of Logan

'818.(1) The vacancy to be filled by the by–election that was to have been held in the City of Logan on 7 October 1995 is taken to have happened on the commencement of this section, and everything done under this Act before the commencement for filling the vacancy is of no effect.

(2) This section expires 2 months after it commences.'."

I fail to see why the Minister will not accept this amendment. I do not accept that the argument that he has put forward is a very valid one. He obviously thinks it is, but I do not. I really believe that the people who brought this problem to light in the first place should not be now left totally out in the cold by the changes that will validate the positions of the 76 councillors throughout the State but leave the candidates who would have liked to have stood still unable to stand.

I do not accept the Minister's claim that, if this amendment were agreed to, people could come and say that they would have stood at the last local government elections except for this provision in the Act. That would not be a valid claim, because this matter had not come to light then. It is not a valid argument for the Government to claim that, if it had known about this then, it would have fixed it then. I know that the Minister is a bit edgy about this

amendment because it is retrospective, but I do not accept his total rejection of the claim of these two people who wish to stand for a by-election. I do not suppose it matters what their politics are; it is really the principle. To me, in this particular case, it seems only fair that, having been the ones who brought the whole matter to light, they should not be the ones who are inconvenienced by this legislation. That is why the Opposition has moved this amendment.

Mrs SHELDON: I also cannot understand why the Minister will not agree to our amendment. Indeed, his whole legislation is retrospective, and our amendment is purely an addition to his Bill. I know the Minister mentioned that letters had been sent, etc., but we are talking about rectifying an injustice. This is not being argued on party political lines, as the Minister himself has said. One of these candidates is a Labor Party member, another is a Liberal Party member, and there may well be others of all persuasions who may wish to run in that by-election. It is a by-election—a seat is vacant. That is a little different to saying that this can be done in 18 months, because in 18 months there will be a councillor who has been elected—who is incumbent, one might say—and for whom it would be easier to win that war than someone new coming in.

I think it is quite an injustice for these people. They have been the whistleblowers in this case and they have been ignored by the Minister. As I said in my very brief speech to the second-reading debate, we in the coalition supported him in good faith; I think it is a great pity that he cannot support us in good faith.

Mrs Bird: That's a load of rubbish.

Mrs SHELDON: It is a load of rubbish that he cannot support us in good faith for something that is fair and equitable for everybody involved. It is peculiar to this particular by-election in Logan; no other areas are involved. It seems that, while the Opposition is prepared to be fair and reasonable on this, the Minister is not, because nothing the Minister has said would convince me of why he cannot agree to incorporate this amendment in the Bill.

Mr De Lacy: You have convinced me.

Mrs SHELDON: The Treasurer has agreed; he might persuade the Minister similarly.

Mr Gibbs: Oh, all right.

Mrs SHELDON: Mr Gibbs has also agreed. Are there any other takers over there? This is improving by the minute.

Mr FitzGerald: We'll support you, Bob.

Mrs SHELDON: We will support Bob, and Keith, in this instance. I ask the Minister to review his situation or forever stand in contempt of the people of Logan.

Mr MACKENROTH: I have already outlined my position, and I am sure that the Minister for Primary Industries and the Treasurer will support me.

Mrs McCAULEY: I neglected to say before that I have spoken to the returning officer in Logan and I know that not a lot of money has been spent so far on the by-election. I also consulted with the LGAQ, who said its position was that it was simply a matter for the Logan City Council and that Logan City Council was very ambivalent; it does not mind one way or the other. It does not feel that it has been particularly inconvenienced by the amendment I have moved tonight.

Question—That new clause 4 be inserted—put; and the Committee divided—

AYES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

NOES, 44—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, Woodgate *Tellers:* Livingstone, Sullivan T. B.

Resolved in the **negative**.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Mackenroth, read a third time.

The House adjourned at 12.42 a.m. (Friday).