

## TUESDAY, 2 APRIL 1996

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 9.30 a.m.

### LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.31 a.m.): I seek leave to move a motion without notice.

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

**AYES, 43**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, Cunningham, D'Arcy, 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 *Tellers*: Livingstone, Sullivan T. B.

**NOES, 43**—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, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers*: Springborg, Carroll

Pair: Baumann, Woodgate

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

Resolved in the **affirmative**.

### LEGISLATIVE ASSEMBLY AMENDMENT BILL

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.37 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Legislative Assembly Act 1867, and that so much of the Standing Orders and Sessional Orders be suspended as would preclude the Bill to pass through all its several stages at this day's sitting."

Motion agreed to.

### First Reading

Bill presented and Bill, on motion of Mr Beattie, read a first time.

### Second Reading

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.38 a.m.): I move—

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

The purpose of this Bill is to give the Speaker and Chairman of Committees, when they are presiding over debate in the Legislative Assembly, a deliberative vote. A fair and effective Parliament is fundamental to the proper functioning of a democratic Government, and essential to the Parliament is the independence of the Speaker— independence from party influences in the conduct of debates before the House and independence in the administration of parliamentary services.

**A Government member** interjected.

Mr BEATTIE: Perhaps the member would like to listen without being rude.

The Parliament would be better served by having an independent and continuing Speakership, that is, a Speaker who is sufficiently divorced from the pressures of party political affiliation to be able to conduct the affairs of Parliament—both within the Chamber and from an administrative point of view—without fear of interference from the Government of the day or the antagonism of the Opposition on the grounds of bias or unfairness. This view was supported in the Fitzgerald report, which stated—

"This can be prevented by mechanisms such as an impartial Speaker. Because of its necessary numerical strength, the Government in a parliamentary democracy is obviously able to change and ignore the rules. In these circumstances the authority and neutrality of the 'referee' is of critical importance. The Speaker cannot afford to adopt a partisan role, either voluntarily, or in order to retain the confidence and support of the Government party. If the Speaker enters the arena, there is a risk that Parliament will not be able to make the Government accountable."

Public confidence in the political process depends not only on the proper exercise of Parliament's constitutional functions but also on the way in which the business of Parliament itself is conducted. A strong and independent Speaker who is not only fair but is seen to be fair is a means of bringing Parliament back to its rightful prominence.

The practice with the Speakership in Queensland has been to change the Speaker when the Government itself has changed. The

upholding of independence and continuity on the one hand and the allocation of the Speakership as a political prize on the other are mutually exclusive and denigrate the perception of the Speaker as being the apolitical mediator of Parliament's proceedings.

A Speaker who is secure in the knowledge that neither the Government nor the Opposition acting alone can force dismissal will be more likely to be impartial and independent. A Western Australian parliamentary committee recently reported—and I think it is worth drawing this to the attention of the House—in these terms—

"There is no doubt that the record of governments in supporting a speaker from their own ranks who tries to administer the rules impartially is not good in Australia. For a number of reasons few Government MPs are ever suspended, at least in lower Houses and when, for example, speaker Cope in the Australian House of Representatives in 1975 tried to discipline a Minister of the Crown from the party of which he was a member he was openly repudiated by the Prime Minister and other members from the governing party.

Finding remedies for this situation which are both appropriate and realistic in the Australian context is not an easy matter. However, the members of this Committee are convinced that it is absolutely fundamental to achieving the objectives of this Report that everything possible must be done to encourage the development of an ethos amongst members that Parliament is superior to party considerations and that respect for the office of the Presiding Officer is the starting point for respect for Parliament itself.

It would be unrealistic to suppose that the situation could develop in Australia where Presiding Officers enjoy the relative immunity from opposition in their own constituencies which is the case in Britain. There are also considerable practical obstacles in overcoming the assumption that the Speakership is a prize to be awarded by the party which wins power. Nevertheless, the Committee would urge that the Parliament as a whole give very serious consideration to the process by which the practice could be developed by an incumbent Speaker (or President) who is returned at a general

election, may retain the post notwithstanding which party is in power."

There is little doubt that if a Speaker were subjected to a motion of censure that was validly based or party leaders indicated to a Speaker that he or she no longer possessed the confidence of members, it would be difficult even within the framework of a continuing Speakership for that Speaker to remain in office. There is an identifiable ground swell expressed through the media and elsewhere of public support for an independent continuing Speakership. Such an initiative on the part of the Parliament would be welcomed by the community and reflect favourably on the Government, the Opposition and Independents were they to support such a move. Gone would be the expectation and perception of Governments that the Speaker would protect them and of Oppositions that the Chair is biased against them.

The Queensland Parliament today faces a very historic opportunity. The philosophy underpinning the decision to restrict the Speaker to a casting vote stems from the House of Commons experience and is based on the desire that he or she should not take a politically partisan role when presiding in the House or when making decisions in relation to the business of the House. The scope of tied votes in our Legislature has increased considerably since the last State election. The Queensland Parliament has not followed the House of Commons' practice in relation to the use of the casting vote because this Parliament is very different from the House of Commons in a variety of ways.

Firstly, the Speaker is an active member of a political party and has to compete for preselection in his or her seat prior to each election. By not allowing the Speaker to have a deliberative vote on all issues decided by the Parliament the voters who elected him or her are effectively disenfranchised. No section of the public should be denied the opportunity for their elected representative to have a vote on the merits of an issue.

Secondly, the Queensland Parliament is unique because it is the only State Parliament with no Upper House and no opportunity for a review of decisions made in the Legislative Assembly. Thirdly, by comparison with the House of Commons, the Legislative Assembly is a very small Legislature with a greater likelihood of close numbers and no room for a Speaker independent of party support. The only time the Speaker has a deliberative vote is in Committee of the Whole and the

Chairman of Committees then has the casting vote.

It is against the interest of the Parliament that the Speaker should be placed in a position of deciding only major political issues. It must be recognised that the Speaker has dual roles—first, to control the debates of the House in a non-partisan manner and, second, to represent his or her electorate. It would recognise these roles if the Speaker had a deliberative vote only. The majority of the House should be required to decide a question rather than it being decided by a casting vote of the Speaker. Ultimately, it is not the Speaker's role to ensure that the Government's wishes are assisted in the House, but rather to ensure that all members are given a fair and equal voice in representing their electorates and in framing the laws for good government.

Mr Speaker, in recent times, the now Government and Opposition were supportive of your remaining as Speaker. It is rare that there is such support across the parliamentary process and, therefore, this amendment Bill today is appropriate because of your standing in this Parliament. No other member of this Parliament sits in your position and, therefore, it is appropriate that this legislation be supported by all members of the House. I urge them to adopt a non-partisan view today and to take this legislation in the spirit in which it is intended and to pick up this historic opportunity to give the Queensland Parliament the appropriate Speaker.

**Government members** interjected.

**Mr BEATTIE:** Today, I see that there is little support from the Government for the dignity of the Speakership, and that disappoints me. We can hear the rabble and that is part of the reason why we need to lift the standards of this Parliament. We need to make certain that the errors of the past—

**Mr Hobbs:** Why didn't you start five years ago?

**Mr BEATTIE:** Now that the interjections from Government members have subsided—it is important to the community that we lift the standards of this House. People want to see their members of Parliament perform in appropriate ways in this House. This legislation provides an opportunity. If we are serious about reforms of the Parliament—and we have heard the Premier make reference to them—here is the acid test, here is the opportunity.

**Mr Connor** interjected.

**Mr BEATTIE:** I would hope that the Minister who is interjecting would also support the Opposition's lifting the standards of this Parliament, and here is an opportunity to do so. I commend the Bill to the House.

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (9.48 a.m.): In response to the honourable the Leader of the Opposition, I make a few brief observations. Firstly, Mr Speaker, it is true that you were elected to your office with the full support of all members of this Parliament. I have indicated consistently that the new Government would welcome you staying in the role of Speaker—on the same rules, the same conditions and the same precedent that applied when you were elected. Today we are witnessing an attempt by the Leader of the Opposition not to depoliticise the office of Speaker but to politicise it.

Mr Speaker, I have to express some disappointment in your ruling earlier this morning. According to the Daily Program of the Parliament—the business sheet from which we operate—you were to report on the Governor's Opening Speech, we were to go on to petitions, statutory instruments, ministerial arrangements, Opposition appointments and then on to item No. 11, "Any other business", when the Leader of the Opposition was to introduce a Bill. Mr Speaker, I express disappointment because today in Parliament you gave precedence to the Leader of the Opposition over a report of the Governor's opening address to this Parliament.

Having said that, the fact is that the Parliament decided that we would turn the business sheet and the rules upside down and allow the Leader of the Opposition to introduce this Bill and have it debated in the House today. That is fine. Let us resolve it. However, Mr Speaker, I make the point that if you want to stay in your job—and I would say that, particularly since 15 July, you have treated the former Opposition, the current Government, fairly—my colleagues and I have no objection to that provided it is under the same rules, the same conditions and the same contract that existed when you were elected Speaker. Of course, things have changed. The then Government is now the Opposition. That Government had six years to talk about deliberative votes for the Speaker of the Parliament and six years to take matters to the Standing Orders Committee. It is now in Opposition. All of a sudden it sees an opportunity to change the rules so that a casting vote becomes a deliberative vote, which favours the Opposition and

disadvantages the Government, and we have this hoax presented to the Parliament today.

I have to say that I agreed with a great deal of what the Leader of the Opposition said in his second-reading speech. I take his second-reading speech made in this Parliament to be an argument as to why the present rules should remain. If the Speaker of the Parliament were to vote on each and every issue in a partisan manner, we would be blatantly politicising the office of Speaker. On each and every occasion—presumably, as he is a member of the Labor Party—we would have the Speaker saying that he would vote with the Opposition instead of reaching a stage at which we could have a Speaker who would be more impartial and objective.

The challenge today is to the Leader of the Opposition and honourable members opposite. They did not want this man in the job. They did everything to stop him from becoming Speaker. They knew that he occupied the Speaker's chair because of the attitude of the member for Gladstone and the coalition. Ultimately, the previous Government, of which they were members, gave in. Having been beaten on that occasion, the members opposite sought to again use the office of the Speaker of this Parliament in a way that would advantage the Labor Party. Today, the challenge to the Leader of the Opposition is very simple. We will see how genuine his commitment is to parliamentary reform and the role of an impartial Speaker. If Mr Fouras, the honourable member for Ashgrove, wants to remain Speaker under the rules by which he was elected to this office, why will not the Leader of the Opposition let him? Why is it that he is prepared to have a situation in this Parliament in which one set of rules apply to the Speakership when the Labor Party is in office and another set of rules apply to the Speakership when the coalition is in office?

This is a test for the Leader of the Opposition. The offer is on the table. If Mr Fouras wants to remain Speaker of this Parliament, the Government has no objection, provided he remains Speaker under the same rules, the same conditions and the same contract by which he was elected. However, what we see is a deliberate attempt by the Leader of the Opposition to gain advantage in the numbers in this place. Despite the fact that he is arguing that the Speaker should not be political, the Leader of the Opposition wants to have the Speaker cast a deliberative vote on each and every matter before the Parliament. We have this incredible irony that the honourable members opposite, who did everything to stop Jim Fouras from being

Speaker of the Parliament, are now seeking to manipulate the office of Speaker and the member for Ashgrove by changing the rules. For those reasons, the Government will be opposing the legislation.

**Mr HAMILL** (Ipswich) (9.55 a.m.): I want to make a few comments about the Bill that has been presented by the Leader of the Opposition. Mr Speaker, in making those comments, I make one point absolutely clear: contrary to the Premier's assertion that you had acted improperly in somehow subverting the Government's notice paper for the day, I place on record that the members of this House determined the order of business for today. That was the issue that this House determined first when we met today.

**Mr Borbidge:** It never happened before.

**Mr HAMILL:** It does not matter what the Premier says; this House has the right to determine the order of its business, and it should always be thus. This House saw that it was appropriate—indeed, imperative—that this matter be dealt with as the first item of business today, and quite properly so.

The second point that I wish to make is that it does the Premier no good whatsoever to demean himself in the way in which he did by casting aspersions on the propriety of the Speaker and the way in which Mr Fouras has fulfilled his role as Speaker, whether that be today or on any other occasion. Mr Speaker, it has been well recognised that you have conducted yourself in this place with impartiality and brought great dignity to the role of Speaker.

The other nonsense that the Premier has indulged in this morning is the business about the impartiality of the Speaker being impugned by the Speaker having to exercise, in this case, a deliberative vote in the House. I invite all members to ask themselves this question: in the life of this Parliament, how many times has the person in the chair had cause to vote on a matter before the House? It really does not matter very much whether that was a casting vote or a deliberative vote. When the numbers in the House are as evenly balanced as they are in this Parliament, then the person in the chair will frequently be called upon to exercise a vote.

**Mr Mackenroth:** On all except three occasions.

**Mr HAMILL:** I take that interjection by my colleague the member for Chatsworth—all except three occasions. On every other occasion, the person in the chair has

exercised a vote. I think it smacks of greater honesty if the person who is elected Speaker and who is also elected to this House to represent a constituency can in all honesty represent his or her constituency by exercising a vote—and I say "a vote"; I am not saying a deliberative vote and a casting vote, I am saying a deliberative vote—and be done with it.

The Premier seeks to conjure up the notion of the Speakership as it exists in the Westminster Parliament, which is almost seven times larger than this one. It has never been a feature of the constitutional arrangements of Parliaments in Australia that the Speaker follows the practice of the Westminster Parliament. The Speaker of the Westminster Parliament resigns from his or her party affiliation and, indeed, goes to the polls uncontested by candidates from other parties. Maybe that is a luxury that a Parliament that has more than 600 members can enjoy; it has certainly not been a luxury in which any Australian Parliament, State or Federal, has indulged. Consequently, in the Australian context, the Speaker of the Parliament has always been a member of a party or, indeed, supportive of or supported by a party.

That element of partisanship, that element of party membership, should not strike at the fundamental role of the Speaker of the Parliament, which is to uphold the Standing Orders of the Parliament in an impartial manner. A person can be a member of a party and still act impartially in the chair. That is the practice that we have seen from Mr Speaker Fouras, and indeed other Speakers from both sides of the House, in the Queensland Parliament. However, I would say that the way in which the member for Ashgrove has conducted himself as Speaker is a far cry indeed from one of his predecessors in that role, the then member for Fassifern, Mr Muller, who saw his role as Speaker in this place not as doing the bidding of the Parliament but rather as doing the bidding of the Government of the day.

**Mr Schwarten:** They put it on the mace.

**Mr HAMILL:** I take the interjection by the member for Rockhampton. That is indeed where they made the mistake of putting it on the mace, because the mace and the Speaker represent the authority of the Parliament and not the Government of the day.

A succession of Speakers has been able to uphold the rights and privileges of the Parliament, despite the fact that they may

have been members of political parties. Therefore, let us not have this nonsense from the Premier that party membership connotes a partisanship which extends to the way in which the Speaker conducts himself or herself from the chair of the House. A Speaker who is exercising that authority quite properly can be above that measure of partisanship.

This Bill will afford the person in the chair the same rights and privileges that every other member of the Parliament enjoys, that is, the right to cast a vote on a measure before the House in the way in which that person so chooses, to give full effect to the role that the person who fills that position in the chair has as a representative of his or her constituency. I commend the Bill.

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (10.02 a.m.): The introduction of this Bill is the greatest act of hypocrisy I have ever seen. The fact of the matter is that it is not following democratic traditions. According to Mr Hamill, that evidently is a luxury that only the members of the House of Commons can indulge in. I thought that democracy was every bit as important to Australians to as it is to the people of the United Kingdom.

Mr Speaker, following discussions with you, and as indicated to you by the Government, and knowing your commitment to the independence of the role of the Speaker in the House of Commons, I am surprised that we need this Bill that has been introduced by the Leader of the Opposition. It indicates that your commitments, ideas and concepts are not in keeping with those of the Labor Party. As we all know, the Speaker in the House of Commons—and this has been indicated by the member for Ipswich—resigns from his or her party and then sits as a truly independent Speaker and rules accordingly. Mr Speaker, you have certainly indicated that this was your preferred course of action. Indeed, you have been to London and seen the way the House of Commons operates. I understand that you believe firmly in the concept of democracy—although I do not think your own party does—and believe also that if a Government was going to be truly democratic then it should have a truly independent Speaker. I supported you in that view, and I have spoken in the House previously on the importance of the independence of the Speaker.

It should be made known clearly that this option was available from the Government had you so chosen it. Indeed, Mr Speaker, you have been elected to be the Speaker of

this Parliament and this Government had no wish to see an end to your Speakership. However, we do wish to see democracy really take hold in this House, and that is something which we certainly have not had for the past six years. Whatever hypocrisy Mr Beattie is carrying forth this morning, the hypocrisy being indulged in this morning by Mr Beattie has no bearing whatsoever on democratic principles; rather it shows that he is looking after his own political backside and protecting his party's numbers.

May I add, Mr Speaker, that if you had wished to follow that democratic principle, the Government would not have stopped you. Indeed, we as a Government indicated our support for the resignation of the Speaker from his or her party with no challenge for as long as the Speaker wished to hold that seat. That is a fair offer from any Government, but one which we did not see from the previous Government. It was a very genuine offer which, unfortunately, Mr Speaker, you have not accepted.

Erskine May refers to the independence of the Speaker in the House of Commons. It states that after the Speaker resigns from the party, he then presides as a truly independent Speaker. I think that is what the people of this State want to see—true independence. That can only come about in a situation such as that which applies in the House of Commons. The Leader of the Opposition might like to listen to a quote from Erskine May. Perhaps he will realise that what it says has not been upheld. That underlines the hypocrisy inherent in the Bill. Well may Mr Beattie grin, because he knows that he is very guilty. Erskine May, in referring to the Speaker, states—

"He votes only when the voices are equal, and then only in accordance with rules which preclude an expression of opinion upon the merits of a question."

I say to the Leader of the Opposition that that is not a deliberative vote, and I am sure the Speaker is fully aware of that fact. Because we are not, according to the shadow Treasurer, to have the luxury of democracy in this House, then indeed we see—

**Mr HAMILL:** I rise to a point of order. I find those comments personally offensive. At no time did I suggest this place was undemocratic. I ask for those comments to be withdrawn.

**Mr SPEAKER:** Order! The member for Caloundra will withdraw the comments.

**Mrs SHELDON:** I certainly withdraw any comments that the member thought were

offensive. However, I think it is fair comment to say that he and his party have absolutely no allegiance to the concept of democracy.

**Mr HAMILL:** I rise to a point of order. As a person who has been elected to this place on many occasions since 1983, I am an upholder of democracy. I find those comments personally offensive and I ask that they be withdrawn.

**Mr SPEAKER:** Order! The member for Caloundra will withdraw the comments.

**Mrs SHELDON:** I withdraw, but I would like to see an indication of when and where the Opposition has ever shown any support for democracy. Certainly that has not happened today given the hypocritical nature of the Bill that has been introduced.

It is unfortunate, when we are debating a democratic principle, Mr Speaker, that when on Friday you said that you intended to resign, you said you would be resigning because you had an allegiance to the Labor Party. That raises the question of why this Bill has been introduced by the Leader of the Opposition. I would like to place clearly on the record the indications that were given to the Speaker by the Government of our commitment to the independence of the Speaker, of our commitment to democracy, and of the Labor Party's commitment to itself. I consider that the people of Queensland are poorer because of today's lack of commitment by Mr Beattie and the Labor Party to the concept of democracy.

**Mr ELDER (Capalaba) (10.09 a.m.):** Being elected Speaker is one of the greatest honours that can be bestowed on any member of this Parliament. However, accepting the nomination can be one of the hardest decisions a member has to make, because on the day that she or he actually accepts that role and embraces all the pomp, ceremony, prestige and traditions that go with being Speaker of the Legislative Assembly, the member actually turns his or her back on many of the responsibilities that they swore to uphold upon entering Parliament. That is what happens in practice; it affects their ability to properly represent their constituency.

Certainly, Speakers have the opportunity to bring constituent matters to the notice of Ministers through delegations, letters and meetings. However, that is often not enough. From my own experience, I know that certain actions on electorate matters that I wanted implemented were undertaken only when I raised the matters in the House, either through questioning of Ministers or during debate. When members take on the role of Speaker,

they divorce themselves from that constituency role. They clearly cannot articulate to their constituents where they stand on certain pieces of legislation. Certainly those in the electorate cannot go to *Hansard* and read the opinion of the Speaker, because he or she does not have the opportunity to express an opinion. A reading of *Hansard* will give a constituent no idea of how the Speaker actually voted on a particular issue. None of those options is open to the Speaker. He or she is bound by the firm structures put in place to govern this Parliament.

In many ways, the role of Speaker is extremely restrictive. His or her primary responsibility is to represent the Parliament and uphold the rules and regulations of this place. He or she can be heard only on these matters and on matters pertaining to the administration of Parliament. That is basically the only opportunity that a Speaker has to play a role in the Parliament. He or she cannot speak out on important social issues for fear of being labelled, as the Deputy Premier said, as being biased on issues. Speakers cannot tackle the big social issues, be they juvenile justice, health care, social welfare, abortion or whatever; he or she would be seen to be biased if those issues were addressed.

The role of the Speaker impacts on that member's representation of his or her electorate. Unless an extraordinary member is elected as Speaker, there tends to be a vacuum in the Speaker's electorate due to his or her role within the Parliament. The role of the Speaker never makes the headlines—that is, of course, until now. I point out to the member for Caloundra that it is a simple fact that we have a hung Parliament and a minority Government. It is 44-all, with the member for Gladstone holding the balance of power in the Parliament.

Let us have a look at the implications of giving the Speaker a deliberative vote. Firstly, the Speaker will not be restrained and limited to being largely a passive member of this Parliament. That is a positive outcome for the person who takes on the Speakership of the Parliament. The Speaker would be able to have a say on each and every issue that comes before the Parliament. In spite of there being a hung Parliament, giving the Speaker a vote on every issue will not destabilise the Government. As I said, the balance of power in this Parliament rests with the member for Gladstone. If the member for Gladstone determines a position on an issue, that is what determines the outcome, not giving the Speaker a deliberative vote.

I suppose some members of the National and Liberal Parties could bring down the minority Government if they decided to express a non-party view on a particular issue. Although that scenario is highly unlikely, that is the only other way in which the Government could lose a vote. We would take a very negative view of any member who crossed the floor; we generally take a very negative view of anyone who does that. However, that is the only other way in which the Government could lose a vote. At the end of the day, regardless of all the concerns and the pontificating from the Government, changing the Speaker's casting vote to a deliberate vote will not change the scenario one iota. At the end of the day, the member who has the casting vote in this House is the member for Gladstone.

I note that there are some purists on the Government side. It is amazing how pure they become when they are in Government. I never saw such purity at all when the member for Caloundra was in Opposition. Let us just say that the member has had an enlightening experience and has somehow seen the error of her ways. The purists would say that giving the Speaker a deliberative vote would corrupt the process. That is not so; it would enhance the parliamentary process and would give the Speaker the right to play a positive role in this Parliament. At the end of the day, the member for Gladstone has the casting vote in this Parliament.

**Hon. D. E. BEANLAND**  
(Indooroopilly—Attorney-General and Minister for Justice) (10.14 a.m.): This debate is yet another attempt by the Labor Party at factional number-crunching. Clearly, the Labor Party is out to further its lot in this place at the expense of democracy. For example, the Leader of the Opposition stated that a fair and effective Parliament is fundamental to the proper functioning of a democratic Government and that essential to the Parliament is the independence of the Speaker.

It is quite obvious that the Leader of the Opposition is unaware of the Speaker's statements last Friday in which he made quite clear his allegiance to the Australian Labor Party. Therefore, one cannot help being a little cynical when one views the private member's Bill which the Leader of the Opposition has put before the Parliament today. It is a sheer piece of Labor number-crunching. The Leader of the Opposition must think he is back organising the factions once again. The Labor Party is trying to change one of the fundamental features of this Parliament, and that is the role of the Speaker.

Mr Speaker, you would be well aware of the importance of your role to this place. This is a last, desperate move by the Labor Party in an endeavour to engineer a situation whereby the honourable member for Gladstone would support legislative changes to give the Speaker of this Parliament a deliberative rather than a casting vote in divisions. I understand that this is an exercise that has gone on for some weeks. The Labor Party has come up with all sorts of angles and ideas to achieve this change in an attempt to somehow cling on to power.

I thought it might be instructive to honourable members—in particular those in the Labor Party—to set out the role that the Speaker plays in the Westminster system. Erskine May states—

"The chief characteristics attaching to the office of Speaker in the House of Commons . . . are authority and impartiality . . . His authority in the chair is fortified by many special powers . . . confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their objective not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognised. He takes no part in debate either in the House or in committee. He votes only when the voices are equal, and then only in accordance with rules which preclude an expression of opinion upon the merits of a question."

That is particularly important to note in the context of this debate. It is a pity that the Speaker, after having served for over six years, in an endeavour to win for himself a deliberative vote, is seeking now to serve in a partisan political interest rather than in the interests of the House. The Labor Party's arguments in favour of change are based on false premises.

Mr Speaker, late last week, you were quoted in the *Courier-Mail* as saying—

"I explained to Mrs Cunningham that in the Senate, where the numbers are always tight, you would never get a person from the major parties to accept the presidency if they only had a casting vote."

Unfortunately, the Labor Party seems to have little understanding of the history of the development of the Senate. The Senate was designed to represent the interests of the States. The Senate's strength in that area is dependent upon each State having a full

complement of senators available to consider, debate and vote on issues. Of course, there were originally six senators from each of the States. Clearly, the reduction in a State's representation through one senator being disqualified from casting a deliberative vote would have struck at the very heart of the Senate's functions as a States' House. While the role of the Senate has changed in 95 years, there is no doubt as to its origins. To draw a parallel between an Upper House in a Federal system and Queensland's unicameral legislature is ridiculous.

The second ground on which the Labor Party has sought to achieve this objective was by drawing the most fanciful conclusion from the last State election result. I understand that some members have stated that the Queensland public voted for 44 Labor MPs, 44 coalition MPs and one Independent, and by supporting a deliberative vote the honourable member for Gladstone would only be setting into action what the wishes of the public were. That is utter nonsense. The simple fact is that Queensland's 1,800,000 electors voted for 89 members of Parliament in 89 single-member constituencies. They also voted decisively for a change of Government by 53.5 per cent of the vote to the coalition and 46.5 per cent of the vote for the Labor Party. To suggest that they voted to preserve the Speakership of this Parliament for the Australian Labor Party is an extraordinary assertion, and that is really what we have heard today.

The Premier has already pointed out that Mr Speaker may retain his current position under the existing arrangements. That is a pertinent point for all members to bear in mind. A change in political circumstances is no justification for now seeking to amend what has been a thoroughly satisfactory rule which has operated under Governments of all political persuasions. I did not notice a word being said by members opposite over the previous six and a half years about the need to change the current arrangements and the voting formula for the role of Speaker.

This episode does the Labor Party no credit at all. Mr Speaker, given that you proudly asserted your independence less than 12 months ago, this latest series of events is particularly disappointing. The Premier has stated clearly that, if you wish to retain the role of Speaker, you can do so under the current rules—the rules that have always existed in this House, that is, that the Speaker has a casting vote when the numbers are equal and not a deliberative vote. We need to keep in mind that this is an attempt by the Labor

Party—as it has attempted to do in the past—to change the democratic rules of this place and our society at large. For 32 years under the preferential voting system, members opposite never achieved over 50 per cent of the vote. When they finally did achieve 50 per cent of the vote, they took office in this State. Despite all their hoo-ha about the gerrymander and how it kept the Labor Party out of office and the need to change the rules—and the Leader of the Opposition may well smile, because he was the architect of much of that political propaganda—the fact is that it never kept the Labor Party out of office once in those 32 years. Of course, the former electoral system was introduced by a Labor Party Premier and members of the Australian Labor Party.

Now things have changed. The National/Liberal coalition achieved 53.5 per cent of the vote at a general election under the new Labor Party rules and boundaries, but the coalition could not claim office with a majority of seats. So much for the gerrymander! At that very election, the Labor Party achieved only 46.5 per cent of the vote and claimed that it should retain office. Never mind about the popular will of the people! The Labor Party did not have the popular will of the people when it sat on this side of the Chamber for the six or seven months prior to the change of Government earlier this year. The fact that it still does not have the popular will of the people was reinforced by the electors of Mundingburra, who, right in the Labor Party's heartland, gave it a thumping smack in the nose.

If members opposite are so brave and want to change all the rules, they should insist that the Premier call a general State election. I challenge the Leader of the Opposition to stand up and insist that the Premier call a State election. He should show a bit of gumption and strength rather than hiding behind the mealy-mouthed pieces of propaganda which he and his party are so fond of distributing. The honourable member for Brisbane Central knows what it is all about. For a long time he has been the architect of such material.

**Mr SPEAKER:** Order! I ask the Attorney to return to the legislation before the House.

**Mr BEANLAND:** I certainly will. I am seeking to point out that, if the members of the Australian Labor Party want to change the rules, let us take it to a general State election and let the people decide.

**Mr BRADY (Kedron) (10.23 a.m.):** We come to this debate against a background of

hypocrisy, and that hypocrisy has been displayed by Government members. What are the circumstances in which we come to this debate? The Government has indicated that it would like to see Mr Fouras remain as Speaker. The member for Gladstone similarly indicated that she had some interest in that occurring. Mr Speaker, I have to tell you that the Government gave that indication not out of a deep and meaningful regard for you—as it has tried to suggest on some occasions—but primarily to give itself a comfort zone, to establish a situation in which it has an extra deliberative vote in case the honourable member for Southport once again misses a division, or the member for Gladstone abstains or something of that nature. The coalition is supporting Mr Fouras staying on as Speaker because it gives the Government that extra vote. It is not out of a deep and meaningful desire for the Queensland version of democracy to continue. The Government has taken this step in the context that it is concerned that it will lose a deliberative vote, even though it has spread the nonsense that it has taken this step out of a deep concern for Mr Fouras.

We on this side have been put in this position by the Government and by the member for Gladstone both raising the possibility of Mr Fouras staying on as Speaker. Mr Fouras then said that he would be prepared to stay on as Speaker but that he would not do anything that would facilitate the formation of a coalition Government. I believe that that was a proper course for Mr Fouras to take, given that he was elected as an Australian Labor Party member. The Government is trying to secure a political advantage for itself by keeping Mr Fouras in the Chair. That is what this is about.

**A Government member interjected.**

**Mr BRADY:** Yes, but Government members would prefer Mr Fouras to stay because it gives them an extra vote.

This has occurred against a background in which, for the first time in the history of the Queensland Parliament, the numbers are as they are: 44 coalition, 44 Labor Party and 1 Independent. It has been pointed out that there are various versions of the Westminster system and that those versions have been developed in some places to take account of certain situations. The Parliament of New Zealand—which, like ours, is a unicameral Parliament—has adopted the system of the Speaker having a deliberative vote. Of course, the same applies in the Senate.

One always knows when the conservative parties are at their hypocritical worst. A sure sign is when they start referring to the Senate as the "States' House". Did members hear that nonsense from the member for Indooroopilly? As he finally conceded in his speech, it is no longer the States' House, yet the rules have not changed because the numbers are tight. Queensland does follow the Westminster system. Government members and the member for Gladstone have said that they would like the current Speaker to stay on, but that comes at a cost to the member for Ashgrove and to the Opposition of a vote in this place.

What has been proposed is not unique. It is being done as we speak in the Federal Senate in this country and in New Zealand. It is quite reasonable to say that in a very small Parliament—which this one really is—this is the proper time for such a course to be followed. There are two important reasons why this course has not been adopted previously. Firstly, the numbers in this place have never before been as they are now; and, secondly, never before have an Independent member holding the balance of power and the Government both indicated that they would be prepared to support a Speaker who is a member of the Opposition.

We have to consider the reality. The Opposition, the member for Ashgrove and the people of Queensland are entitled to say, "Let us do what other places have done in similar situations, namely New Zealand and the Federal Senate." We should consider this point: which is the most politicising act—to always have the Speaker giving the casting vote or, if the rules are changed, the person who will have the casting vote whenever she delivers her deliberative vote being the Independent member? So instead of the Speaker being seen as the one who politicises the vote, it will be the Independent member for Gladstone who, in exercising her deliberative vote, in effect will be making the casting vote. That is the way politics should be played.

Of course, if the member for Gladstone chooses to abstain the Government will lose, because in the event of a tied vote the Government—which in the normal course of events moves motions and presents legislation to the House—will not succeed. This Bill is about depoliticising the role of the Speaker in the way it has been done in the Senate and in New Zealand. This situation is unique for Queensland; it has never occurred here before. I believe that it is an appropriate way to behave, and the Opposition supports the Bill.

**Mrs CUNNINGHAM** (Gladstone) (10.30 a.m.): This is a very important issue from my perspective and, I am sure, from the perspective of everybody else in this Chamber. In his second-reading speech, the Leader of the Opposition stated—

"A fair and effective Parliament is fundamental to the proper functioning of a democratic Government, and essential to the Parliament is the independence of the Speaker—independence from party influences in the conduct of debates before the House and independence in the administration of parliamentary services.

The Parliament would be better served by having an independent and continuing Speaker . . ."

He went on to say—

"A strong and independent Speaker who is not only fair but is seen to be fair is a means of bringing Parliament back to its rightful prominence.

The practice with the Speakership in Queensland has been to change the Speaker when the Government itself has changed."

It has been indicated here today that that particular issue, that is, the continuation of the Speakership, can be addressed under the current regime.

During the run-up to this sitting of Parliament there has been some debate in the media at least about the appropriateness of change at this point in time. Some of my concerns have been expressed through the media, but I shall reiterate just a few of them. I agree that the Speaker should be independent and that, as much as possible, the use of the casting vote removes the Speaker from the politics of the House; that he is required to declare a position only in the event of a tied vote. I acknowledge that that has happened a lot recently. The situation with the numbers in the House at the moment is unique and unprecedented. A deliberative vote, that is, a vote on each issue, would place the Speaker within the political process, not adjudicating it.

The Speaker's ability to represent his electorate is an issue. He has raised that with me, and it has also been raised in the House this morning by members of the Labor Party. If there is a price to pay to become Speaker, it is the restriction of the Speaker's ability to express his constituents' point of view. There is also a great benefit to being Speaker, that is, the occupant of that position is given a unique

opportunity to ensure an atmosphere in the House which protects the democratic process.

The other point that I wish to raise—and this is not an argument for or against this motion; it relates to the concerns that I had to consider myself—is that it appears that the reason for change at this particular time is not just because the system needs addressing but because politics is involved. A previous Speaker has acknowledged that. The time for change is after objective, informed debate, not as a response to new and challenging balances in Government. Such an important position should not be manipulated to suit a difficult situation but should function independently of it.

I said to members this morning that I wanted to consider and hear the debate on whether a change in the Speaker's voting role should occur, and that is what I am doing: listening to both sides of the argument. My overall view is that any change must enhance the democratic process and protect the Speaker's independence, not compromise or politicise it. Irrespective of the result of this debate, it is clear that the present Speaker can remain, thus ensuring continuity of the Speaker's position. The independence of the Speaker—if this motion is agreed to—is a point of which I have yet to be convinced.

**Hon. K. R. LINGARD** (Beaudesert—Minister for Families, Youth and Community Care) (10.33 a.m.): Three very subtle things have occurred here today, and I want to bring them to the notice of the Parliament and the people of Queensland. It certainly would mean a lot if this motion on the deliberative vote of the Speaker were to be agreed to. The three subtleties are these: in the first place, the Leader of the Opposition was allowed to stand and speak before the return of the Governor's Speech. I believe that is a horrible thing to have occurred here this morning.

The second thing which occurred was that when all members were standing at the end of prayers, the Leader of the Opposition was called. Now, once again, to me that is an unprecedented thing to have occurred in the Parliament. The third thing—and the most subtle of the whole lot—is the exercise of the Speaker calling the Opposition as winning the division. I have never seen that occur except once in the Queensland Parliament, and that was when Speaker Powell called the Opposition, and he resigned immediately, because it is not the done thing for the Speaker to do that.

I ask the whole of the Parliament and the people of Queensland: how can the Speaker, in sitting in that position and supposedly to exercise a deliberative vote, call an Opposition, which has 43 members, when there are 44 members sitting on the Government side of the Chamber? How can he call an Opposition in those circumstances? Does he know his deliberative vote at that stage, and is he exercising his deliberative vote to call the Opposition? Does he know the proposed vote of the member for Gladstone? Does he also know the proposed way of voting of the whole Opposition? If he does, then he is not exercising his impartiality as a Speaker.

Those are the three very subtle things that have occurred here this morning. If we are to continue to have a Speaker who, in calling whoever wins a division by the voices, exercises at that stage his deliberative vote, then he is doing a very, very wrong thing by the Parliament of Queensland. As I said, that is something which has occurred only once before, with Speaker Powell resigning immediately afterwards. It is the role of the Speaker to always call the Government on a vote by the voices, because the Opposition then exercises the right to call a division. But if we have a Speaker who calls on the voices of the Opposition, then I believe that he is exercising his deliberative vote at that stage and doing something which a Speaker should not do. Therefore, I will certainly vote against this Bill.

**Mr FOLEY** (Yeronga) (10.36 a.m.): Let me deal with the last fallacy advanced by the Minister for Families, Youth and Community Care. Mr Speaker, your own calling of the vote was in fact correct and was subsequently found to be correct upon the division. So let us hear none of the criticism of the Minister—misconceived as it was.

Let me deal with the central thrust of the argument by the Government. The central thrust is that advanced by the Deputy Premier, who argues in this House that this proposal is not following democracy. One heard the Attorney-General make reference to Erskine May and the precedence in Westminster. But the basis of the Bill before the House is simply to give the democratic opportunity to the Speaker to represent the people who elected that Speaker. I refer to section 13 of the Legislative Assembly Act 1867. What this does is quintessentially democratic, because whatever other arguments might be raised in criticism of this Bill, it cannot be said that it is undemocratic, because it allows government

by the people or, more correctly, representation of the people.

The people who voted for the Speaker are entitled to have their view represented, and that is the essence of what democracy is. Democracy is government by the people for the people. So on this occasion the Deputy Premier's argument is totally misconceived. There may be a basis for an argument in respect of the role of the institution of the Parliament and the fairness in procedure that the Speaker ensures, but that is quite a separate matter. So let us put to bed once and for all the proposition that this Bill is somehow undemocratic. Indeed, democratic arguments are entirely in favour of this Bill, because it enhances rather than diminishes the opportunity for a member of this Parliament to represent his or her constituents.

This debate is not about whether the democratic basis of the Parliament is enhanced; it is really a debate about the institution of the Parliament and the ensuring of fairness in procedure through the office of Speaker. In considering that, one has to understand that this Parliament has a history. In understanding that, two elementary propositions seem to have been glossed blithely over by the honourable members of the Government: firstly, that the Parliament has profoundly changed over time in its relationship with the Crown; and, secondly, that in modern times the basis of the relationship between the Parliament and the people has also changed as a matter of change in the democratic realities of modern politics.

I will deal with the first point. The role of Speaker that comes to us through the Westminster tradition was, of course, to be the representative of the Parliament in speaking with the Crown. That is why we go through this quaint convention of having the Speaker dragged reluctantly to the Chair. However, that convention is very much something of medieval times. It is an anachronism. It demonstrates that times change in the function of the Parliament and its relationship with the Crown. Indeed, if one wanted any evidence of that in modern times, it was the action of Sir John Kerr in 1975 who refused to receive the Speaker at a time when there was a constitutional crisis in the Federal Parliament. What that demonstrated, if it needed demonstrating, is that the relationship of the Speaker as a representative of the Parliament in speaking with the Crown is one that has changed in modern times.

Secondly—and this is really the point that the honourable member for Kedron was

urging upon the House—the basis of parliamentary politics has changed in modern times. Parliament is not an institution that is locked in time never to change. One of the greatest changes that we have seen in modern times is the emergence of hung Parliaments or nearly hung Parliaments. That is a phenomenon that we are seeing in New South Wales, Tasmania and Queensland. The point is this: one of the great qualities of parliamentary history has been its dynamism. The fact is that, for Parliament to remain relevant, it must change and evolve in accordance with the changes in its relationship with the people. It is those issues that should really attract the attention of honourable members of this House. As the honourable member for Kedron observed, this development in parliamentary practice is not something that has dropped like a spark from heaven to illuminate our debate; it is a practice adopted in other Parliaments, namely, New Zealand and the Senate.

The question is: how is one to have a Parliament in modern times, when circumstances often exist in which the votes will be close, that represents a change in political demographics—the basis of the Parliament's relationship with the people? The arguments advanced in favour of this Bill really simply say that the time has come that the Speaker should be entitled to represent his or her constituents in the same way every other member of the Parliament does. The words proposed to be inserted are "of all members present". That is an attempt to respond to the realities of modern times. It is an attempt to ensure that this Parliament remains relevant. The basis on which Parliament has come to command respect in British history and in Australian history is not because it looked backwards. One will not find the answers to all of the twenty-first century's problems by looking back to medieval times; one finds them by an understanding of history, by an understanding of the way in which the Parliament's relationship with the Crown has changed and the way in which its relationship with the people has changed.

I turn now to the arguments advanced by the honourable member for Gladstone. She advanced two arguments by way of a cautionary note or by way of arguments against this Bill. The first is the proposition that a casting vote removes the Speaker from the politics of the House. With the greatest of respect to the honourable member for Gladstone, that is an idle argument. The reality is that in matters of contention in this House—and this is not just an accident

because it occurs in other Houses in modern times when votes are close—it will come to a situation where the vote of one will decide. To say that the casting vote removes the Speaker from the politics of the House is, with great respect, simply false. The issue is not one of removing the Speaker from the politics of the House; the issue is one of ensuring the integrity and fairness of the approach of the Speaker.

Mr Speaker, it has been pleasing to hear from both sides of the House that no attack has been made upon your fairness and integrity. I put to one side the somewhat churlish remarks of the Minister for Families, Youth and Community Care in that respect. As to fairness and integrity, we are in the happy position in which both sides of the House are confident in your ability to carry on the tradition of fairness and represent integrity in this House.

The second argument advanced by the honourable member for Gladstone is one of timing: the time for change is after objective, informed debate. Well, if the time for change is not now, when is it? If the place for change is not here, where is it? This is an opportunity to seize the time, to deal with the matter upon informed debate. There can be no suggestion after the debate that has occurred here that this is a matter that is rushed: it is a matter that has attracted debate from both sides of the House; it is a matter that has been abroad for some time.

If one is concerned about the principle of democracy, then one will vote in favour of this Bill because it simply puts the Speaker in the same position to represent the people as other members of the House. If one is concerned with making the House relevant to the needs of modern times, one will vote in support of this Bill. As the Leader of the Opposition eloquently observed, it is to this Parliament that we must cast our mind. The distinctions between this Parliament and the Westminster Parliament are obvious. One of them is the vastly greater numbers of the Westminster Parliament, which means that the issue of hung Parliaments does not excite so much attention as it does here in Australia. In short, this is a Bill worthy of support. The arguments that have been advanced against it are without foundation and I urge honourable members to support the Bill.

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (10.48 a.m): I join in this debate to express the view that the Government certainly does not agree with the Bill that has been put forward by the Leader of

the Opposition. Mr Speaker, in recent times, particularly last Friday, you indicated that you would be resigning and I think you called a press conference. I am not aware of any move that was made by any Government member to force you into that position, that you should resign. It is a decision that you made at the time. Any influences that were brought to bear upon you, I understand, did not come from the Government side of the House. Mr Speaker, if you were subjected to pressure, it came from the opposite side of the House. Mr Speaker, why did you say it? Why was it so? What happened this morning at the caucus meeting?

**Mr Mackenroth** interjected.

**Mr FITZGERALD**: No, I am not casting a reflection. I say to the member for Chatsworth that we are debating this issue.

The Deputy Leader of the Opposition argued that the Speaker cannot raise a matter in the Parliament and his constituents do not know where he stands on issues. It has been pointed out that if one takes on the office of Speaker, one gives up that right. However, in this Parliament, debate on contentious Bills is held at the Committee stage. The member for Ashgrove has come into this place and voted on contentious issues in the Committee stage. He has every right to do so. So the argument that the Speaker cannot make a stand on an issue is shot to pieces.

The member for Kedron said that the Government is seeking to keep Mr Fouras in the Speaker's chair. Mr Speaker, you have every right at any time to resign. If you are of such a mind, I do not know how the Government can prevail upon you to try to keep you as Speaker. Equally, a member may refuse to take on the office of Speaker. Certainly the Government has never indicated at any time that it is going to move that Mr Fouras vacate the office of Speaker. Mr Speaker, as has been pointed out by the Premier, it is quite acceptable to the Government that you stay as Speaker under the same rules by which you were appointed. I believe that we are engaging in a political argument about numbers.

We have been talking about conventions of Parliament. This morning, we saw demonstrated one of the great conventions of Parliament. When a division was called on the issue of whether leave should be granted to introduce a Bill, the member for Albert walked from this Chamber and did not vote. That occurred because, for the first time that I can remember, the Opposition asked the Government for a pair owing to one if its

members being indisposed. The Whips agreed to that request and that agreement was honoured by the Government.

**Mr MACKENROTH:** I rise to a point of order. If the Government did not agree to that request, the absent member would have received a proxy vote. The member should not gild the lily.

**Mr FITZGERALD:** That is true. However, owing to different circumstances, another request has been made for a pair tomorrow. I assure the member that that parliamentary convention will be honoured. Therefore, I am saying that the conventions of this House have been honoured by the Government. Mr Speaker, you know that if there is a dispute about such a matter, you have to say it is an informal arrangement between the Whips. I just wanted to point out that, in honouring that agreement, the member for Albert was asked by the Whip to leave the Chamber, and he did so.

The Leader of the Opposition put forward the argument that a strong and independent Speaker who is not only fair but is seen to be fair is a means of bringing Parliament back to its rightful prominence. Mr Speaker, I am sure that those comments—that we need to have this change now to bring Parliament back to its rightful prominence—were not a reflection on your speakership over the last couple of years. Mr Speaker, I cannot recall a vote of no confidence in the Speaker since you have held that office. Certainly, at one stage there were a number of dissent motions made against your rulings. They were debated properly in this House and the Parliament made decisions. However, never was there a reflection on the fact that Mr Speaker did not have the confidence of this House.

The Leader of the Opposition stated that the practice in Queensland has been to change the Speaker when the Government itself has changed. That is not true on this occasion. The Leader of the Opposition knows, as well as all the other members know, that there has been no request from this Government to ask Mr Speaker to resign. From where did he get such a request on this occasion? What is his story this time? He may have been looking into the history, but I can assure him that the Government has no intention of asking Mr Speaker to resign. I believe that the present rules should apply, and I will be voting strongly against the Opposition's Bill.

**Hon. D. M. WELLS** (Murrumba) (10.55 a.m.): The practical reality of this debate is that the issue is going to be

determined finally by the vote of the honourable member for Gladstone. The honourable member has spoken in this debate and indicated to us her concerns. For that reason, in the few words that I have to say on the subject, I am going to address primarily those concerns.

One of the matters that concerned the honourable member for Gladstone was that the use of the casting vote rather than a deliberative vote, in her mind, tended to remove the Speaker from the everyday rough and tumble of politics in this House. I will attempt to show the honourable member for Gladstone and other members of this House that the very reverse is the case.

She also said that the present Speaker could remain. I will endeavour to show the honourable member for Gladstone and other members of the House that this could scarcely occur. We have heard from the Government side high-minded words about Westminster conventions. We have heard quotes from Erskine May. Mr Speaker, we have heard expressions of warmth for you. I am sure we all cherished hearing such expressions of warmth, but we will see the sincerity of those expressions in the sequel.

The practical reality of this debate is that, if the Bill is defeated, the position of Mr Speaker is going to be very difficult indeed. If a Minister urges that a particular measure be adopted and he or she does so extremely publicly and is then rebuffed and is unable to bring that measure forward, that Minister has to consider his or her position. The honourable member for Gladstone can say that the Speaker can remain as Speaker, but we all know that that is just a technicality. Unless this Bill, which has been sponsored by the Speaker in the public arena, is passed in this arena, it is obvious that the Speaker will have to consider his position. That is what is at stake. That, and the institution of the speakership, which is an institution that goes back many years, is the subject of this debate today.

Given that the Speaker has supported this in the public arena, I now turn to the practical realities of a defeat of this Bill. They will be that the Speaker will become another member of the House—a member of the Labor Party as he now is—but he will become a rank and file member of the Labor Party rather than the Speaker. The Opposition will then have 44 votes on the floor. A member of the Government will have to elect one of its number to be Speaker and then all votes, where the Government is kept in place with

the support of the honourable member for Gladstone, will be 44/44. Let me emphasise the practical reality of that: the Government's opposition to this Bill will, therefore, politicise the office of Speaker like nothing else could because every vote in this House will be carried by the casting vote of the Speaker. It will not just be the case that the Speaker's vote will be a deliberative vote like everybody else's vote; it will be a vote that will be handed down from on high—from the Speaker's rostrum. As it is handed down, the Government will be engaging the mystique of the Speaker's Chair in an appearance of the role of an adjudicator being played but it will not be so; it will simply be camouflaging the reality of the situation.

The impartiality of the Speaker is a source of the dignity of this House and a scarce currency, but it is a currency that Government members will be spending all the time. I urge the honourable member for Gladstone, when she comes to make her final decision as to how she will vote on this Bill, to consider this fact: if she votes against this Bill the Speaker can scarcely remain in his present position. The other side will have to elect a Speaker who will, because of the numerical arrangements in this House, have to vote on every single Bill which the honourable member for Gladstone supports; and the consequence of that is that the Speaker's role will be politicised all the time.

The passing of this Bill would be an advantage to the Opposition. We do not hide from the practical realities of what is going on in this Parliament; we do not conceal from the people of this State that we have a Parliament of 44 Government members, 44 Opposition members and one Independent. Why should we camouflage that fact? Why should we try to camouflage with a legal fiction or hide from the people of Queensland the consequences of the election results? Why should we use procedural devices and constitutional jargon to camouflage this fact? The truth is that the Government wants a member of the Opposition in the chair so that it can achieve an artificially inflated majority. That is the truth of the matter and that is the truth against which this Parliament will be voting if this Bill is defeated.

**Hon. S. SANTORO** (Clayfield—Minister for Training and Industrial Relations) (11.02 a.m.): Three concepts have been amply debated today: bona fides, precedent and convention and the actual working of this Parliament. A lot has been said about those concepts and I wish to address my remarks specifically to them.

The first concept is bona fides, and we have heard several comments from Opposition members. Members opposite, including Mr Elder, have said, among other things, that rarely has the Speaker in this place been in the limelight. We have also just heard from the member for Murrumba that there is an enormous amount of respect for the current Speaker. As we debate that particular point, and convention prevents from us from getting too partisan in a debate such as this—and out of respect for convention, I will not get partisan—I remind honourable members that the reason why you, Mr Speaker, are still the Speaker following the 15 July election is that you enjoy the support of the Government and that of the member for Gladstone. Your own party had no confidence in you; when in Government those members did not display any of the goodwill that they are now saying they have towards you.

In this very brief contribution, Mr Speaker, I wish to debunk the myth that Opposition members are trying to promote in this place that somehow we must support you because you have the respect of their side of the House and, somehow or another, we are trying to prevent you from remaining the Speaker under the current rules because we have no respect for you.

The other side is subtly telling a lie, and the history of the State and the history of this place following the 15 July election clearly shows that the Opposition caved in for two reasons: firstly, that you, Mr Speaker, enjoyed the respect of the majority of the Parliament, made up exclusively of this side of the House and the member for Gladstone; and, secondly, your own courageous resolve when you told the hacks on the other side, "I am not going to cop your prostituting the position of Speaker by indulging in a factional deal and contrivance to put somebody else in the position that I have served with distinction." Therefore, when we talk about bona fides, let us not allow the people opposite to rewrite history. Let us not allow the people of Queensland, and particularly honourable members in this place, to forget that incredibly nasty, poisonous incident which involved the Speaker and which Opposition members are now trying to gloss over with glib political rhetoric. We will not forget it and we will not allow it to be washed over.

In terms of why we should be voting in favour of this amendment Bill, two former Attorneys-General tried to outdo each other by quoting precedent, tradition and convention. I will not indulge in trotting out examples from medieval history; every time we hear from the

member for Yeronga, we get a lesson in history. He went back to medieval history and told us that we should look at more recent examples of what good convention and good precedent is. Firstly, I want to refer to conventional wisdom as contained in an authoritative text, and then, rather than go back to medieval history, I will refer to the thoughts of the founding fathers in relation to the matters that are before the House.

**Mr Schwarten:** And mothers.

**Mr SANTORO:** I take the interjection, "And others." We are entitled to hear the views of others, including all honourable members in this place. We must afford everybody the respect that members of Parliament in this place deserve. One of the underlying themes of this whole debate is that the political circumstances have changed. The operational processes within this place have not changed, but the politics have changed. In order for the Opposition to gain political advantage, it is seeking to effect change in this place. In the six years that they were in Government, Opposition members had the opportunity to introduce parliamentary reform, and they pontificated that they formed a reformist Government, but they were not. In a moment I will illustrate precisely which was the reformist Government of the two that occupied this place for the past six years.

For the benefit of honourable members, I will quote from Wilding and Laundry's famous textbook, *An Encyclopedia of Parliament*, the definition of deliberative vote. I quote from that particular text because it demonstrates clearly the paucity of the examples that members opposite have been using to sustain their case. When members from the other side interject and say, "Give us an another example", they know that those examples, which support the case that they are seeking to convince us of today, do not exist in the abundance that they pretend. That text states—

"The normal vote cast by a member of a legislative chamber whenever a question is put, as distinct from a casting vote which can only be exercised by the occupant of the chair in the event of the 'ayes' and the 'noes' being equal."

The authors go on to say—

"In the majority of legislatures the occupant of the chair is in circumstances empowered to exercise a deliberative vote."

I stress that it states, "in the majority of legislatures". It is true that there are some

exceptions to the general rule, but the only notable one that these authors gave was the Constitution of South Africa. Therefore, the idea of the Speaker having a deliberative vote is an exception to the rule within the Westminster system. When it is allowed, in most cases it is for important constitutional reasons. Those are the conclusions of those very eminent authors. I do not believe that members opposite have established that this change should occur within this place for any valid constitutional reasons. Accordingly, those seeking to introduce a concept which in effect gives a member of Parliament two votes have a heavy onus of proof put upon them. The idea of a deliberative vote is basically undemocratic and capable of misuse. I suggest to all members in this place that it should be approached with some caution.

I wish to address a couple of other technical points made by Opposition members. One of the points is that the Speaker in this place under the current circumstances should, in fact, be empowered to vote for his electorate. However, Mr Speaker, in the six years prior to the 15 July election, you have not been voting for your electorate. You have not had to cast a vote for your electorate, because the numbers have been on your party's side. So, Mr Speaker, who was looking after your electorate when you were not casting a vote? It does not follow. Because the numbers were its way for a period of six years, the Labor Party cannot say to the Speaker, "Do not cast a vote; do not record the vote." I never saw the Speaker's vote recorded in the record of the Parliament.

**Mr Welford:** Precisely.

**Mr SANTORO:** That is right: precisely. He never voted and, facile as the argument may be, it absolutely debunks the argument of Opposition members. That particular argument does not bear up. That is an argument from a party which has shown no respect for this Parliament and its integrity.

Let me take the newer members in particular through a bit of history. We have talked about proxy votes today, and I will address the issue briefly. Perhaps honourable members will come to appreciate the subtlety of intention on the other side of the House. In 1921, when the numbers were tight, the party of the members opposite introduced the concept and practice of proxy votes. It was a shameful precedent which was rightly condemned throughout the Westminster world. Such votes were used 121 times in one session alone just to keep the Labor Party

afloat in this place. That is the sort of sleight of hand that members opposite are trying to effect today in this place. The record speaks for itself. When it was time to stack the Upper House because it was controlled by people not of the Labor persuasion—unlike this place at the time—what did the Labor Party do? Its members contrived with Labor members in the Upper House, and they abolished it.

**Mr Foley** interjected.

**Mr SANTORO:** I take the interjection from the former Attorney-General, the honourable member for Yeronga. The record of Labor members in this place is one of seeking to bastardise the practice of Parliament. Proxy voting, the abolition of the Upper House, and the introduction of the zonal system or the gerrymander—which was its crowning glory—were all introduced by the Labor Party. When we have a Labor Opposition in this place and the numbers are so finely balanced, we need to look beyond the rhetoric of its commitment to parliamentary democracy to see what it is really up to.

I have illustrated three examples which show clearly that members opposite have not learned from their mistakes and have not accepted the fact that it is because of the arrogant attitude they are displaying today that they are on the Opposition side of the House. The Labor Party and Mr Fouras need look no further than the provisions of section 40 of the Commonwealth Constitution. I return to the point that I was making in relation to the interjection by the honourable member for Yeronga. We do not have to go back into medieval history to come up with supporting constitutional argument. Section 40 states—

"Questions arising in the House of Representatives shall be determined by a majority of votes other than that of the Speaker. The Speaker shall not vote unless the numbers are equal, and then he shall have a casting vote."

So the issue of whether the Speaker should have both a casting vote and a deliberative vote was in fact discussed at the Federal Constitutional Convention debates in the 1890s and it was specifically rejected. It was not considered desirable or appropriate for a Speaker to be placed in such a position. Obviously, the framers of our Constitution, our founding fathers, addressed the issue that is occupying our attention and time today quite deliberately and found against what the Labor Party is trying to have passed by this Parliament today. We need not go back to the 1200s or the 1300s to come up with precedent that is very authoritative. All we

have to do is go back into the history of our nation to the time when the founding fathers deliberated on this very serious subject. They were in favour of the argument that the Government is putting forward.

The other point that I wish to address before I conclude my remarks is the assertion from the other side of the House that because we are opposing this amendment Bill we do not favour proper processes within this Parliament. As I read the list of benefits for members of Parliament which have been made possible by this Government, I want honourable members opposite to reflect in shame at six years of lost opportunities that they had to introduce the reforms that I am about to outline. These reforms, which have the support of the Government, will make the Opposition a better one than it is now—and God knows, members opposite need a lot of help! Even before taking up the Government benches in this place, this Government demonstrated its total commitment to the workability of this place and its total respect for the parliamentary tradition—something for which members opposite had absolute contempt, as demonstrated by their inaction.

As evidence of that commitment, I cite part of a weighty list of constitutional and parliamentary reforms that this Government will introduce. Already the Opposition has been guaranteed resources by this Government which were recommended by the Electoral and Administrative Review Commission five years ago but which the Goss Government refused to deliver. It is shameful for the honourable member for Yeronga to pontificate in this debate. He was the chairman of the parliamentary committee overseeing EARC and he supported EARC's recommendations but never once rose in this place to give effect to them.

This Government has already brought this State into line with all of the other States and the Commonwealth by its introduction of a system of parliamentary secretaries. The proceedings of Parliament will be reformed so that there is better debate and more time for private members' proceedings—in other words, so that the Parliament can operate in the way that it should. Legislation relating to parliamentary committees will be amended so that the parliamentary Criminal Justice Committee is re-established and there is an equal number of Government and Opposition members on parliamentary committees. When did we see that sort of far-reaching and far-sighted parliamentary reform when members opposite were in Government? How often did we on this side of the House call for

that reform only to be subjected to the brutal application of numbers which the other side no longer enjoys? We do not need overwhelming numbers.

**Mr Foley:** You were in Government before.

**Mr SANTORO:** I take the interjection from the honourable member for Yeronga.

**Mr Foley:** What did you do?

**Mr SANTORO:** If the honourable member keeps quiet for a minute, I will tell him what we did. It was the Liberal Party and the National Party in previous Governments that advocated the introduction of a parliamentary Public Accounts Committee. It was the outgoing National Party Government in 1989 that set up EARC, the CJC and the various committees from which members opposite eventually benefited. Now the Government is going one step further. Without the security of the vast majority that members opposite enjoyed, we are not afraid of making this Parliament a more accountable and respected institution by treating the Opposition with respect. Some people will say that members opposite do not deserve it, but we respect the institution. We may not have an enormous amount of respect for some individuals opposite, but we respect the institution. As a consequence of that respect, we will introduce those far-reaching amendments in legislation.

The Government rejects the Opposition's facile arguments. We do not believe for one moment that the argument of members opposite in relation to the deliberative vote that the Opposition wants the Speaker to have is a respectable argument. We think that it is politically based—and it is with great regret that I say that—and, as a result, the Government will not be supporting the amendment Bill.

**Mr T. B. SULLIVAN** (Chermside) (11.17 a.m.): The people of Queensland have elected to this House 44 ALP members, 44 coalition members and one Independent member. If the member for Gladstone cherishes her independence, as I believe she does, she will support this Bill. By supporting this Bill, the member for Gladstone will be in the position to cast her vote to determine the outcome of the deliberations of this Assembly.

This matter has been in the public arena since July last year and especially in people's minds since the Mundingburra election. There has been more than ample time for research, thinking and deliberation. By supporting this Bill, the member for Gladstone will be truly an independent member of the Legislative

Assembly. I support the Bill and I trust that she will.

**Dr WATSON** (Moggill) (11.18 a.m.): It gives me pleasure to participate in the debate on the Legislative Assembly Amendment Bill introduced by the Leader of the Opposition. I listened intently to the Leader of the Opposition, the Deputy Leader and the litany of other Labor lawyers who have tried to put a democratic or parliamentary twist on what is patently, blatantly a political exercise.

This Bill is not about a simple change in the voting rights of the Speaker of this House. That is what members opposite would like to have us think it is. This Bill is not about a rational examination of the role of the Speaker in this place, although that is what I heard the former Attorney-General and others on the Opposition side of the House try to tell us it is. If we want a rational consideration of the role of Speaker, if we want to examine how the Parliament has changed over the past decade, century or whatever time frame the member for Yeronga chooses, let us examine it.

Let us look at the issues surrounding the role of the Speaker, the positives and negatives of the current position and how they might be addressed. The proposal for a change from the Speaker having a casting vote to he or she having a deliberative vote is only one of the options available to us, as can be seen by examining other systems around the world. If that is the objective of the Opposition, then let us get down and do it. Let us examine how this Parliament should operate. Let us consider the role of the Speaker and how the Speaker should be elected and should represent his or her constituents.

Let us not bring into this place without any significant warning a Bill which is designed to preserve the position of one person. This Bill is not about changing the rights of the Speaker. This Bill is about affecting the rights of every member of this place. This Bill seeks to make a special deal for one person.

**Mr Foley:** Where does it say that in the Bill?

**Dr WATSON:** The intent of the Bill is making a special deal for one person.

Let us go back to 1990 when Mr Fouras was first elected as Speaker. At that time Mr Fouras stood as the nominee of the Labor Party, Mr Lingard stood as the nominee of the National Party and I was put forward as the nominee of the Liberal Party. Each of those candidates for the position of Speaker knew

what it entailed. They knew—as every member of this place knows—that being elected as Speaker would take away the deliberative vote of the person who was elected. It would, if you like, remove their ability to vote for their constituents on particular issues and instead give that person only a casting vote. Every candidate knew the rules of the game when they stood for the position of Speaker. When Mr Fouras was re-elected as Speaker in 1992 and in 1995, the same rules applied. Everyone knew precisely what they were. There was no changing of horses in the middle of the stream; there was no changing the rules on those occasions.

When Mr Fouras stood as the candidate for the electorate of Ashgrove in 1992 and when he stood again in 1995, every constituent who voted for him did so knowing that he was the Speaker and knowing that, by continuing as Speaker, he was not able to cast a deliberative vote on their behalf. Reference has been made to democracy. The constituents of Ashgrove voted for a person who held the position of Speaker and who expected to continue as Speaker—a person who did not have a deliberative vote in this place but had only a casting vote. Opposition members should consider that point when referring to democracy. When the 1992 and 1995 elections were held, the constituents of Ashgrove voted for Mr Fouras knowing full well what his position entailed.

**An Opposition member:** That's a farcical argument.

**Dr WATSON:** Members opposite have referred to democracy and the rules of the game. Everyone understood the rules of the game. But now, because they do not suit the Labor Party, members opposite want to change the rules of the game in this place. This Bill is designed to preserve the position of the Labor Party and has nothing to do with the position of Speaker.

Let us review how we arrived at this position. On 15 July 1995, a State election was held. At that election, 100,000 more Queenslanders voted for the coalition than voted for the Labor Party. I acknowledge that in single-member constituencies there will be some aberrations. The fact is that the coalition did not achieve a sufficient number of seats at that time to claim Government. However, subsequent to that the result in the electorate of Mundingburra, which saw the seat claimed by Labor was declared to be invalid. The Court of Disputed Returns deemed—

**Mr Braddy:** Yeah, but you rorted it.

**Dr WATSON:** Is the member for Kedron claiming that we rorted the court? The former lawyer and former Minister for Police claims that we rorted the system. So much for the Labor Party's alleged support for the separation of powers—the concept of the Legislature being separate from the judiciary! We had no way of influencing that judge, except through the arguments put forward in open court.

The Court of Disputed Returns, operating under an electoral law introduced and passed in 1992 by the Labor Party, after considering the evidence presented by the Liberal Party, the Labor Party and the Electoral Commission, declared that the result of the 15 July 1995 election in the seat of Mundingburra did not hold. It was held that that election in effect never occurred. A by-election was ordered by the court. That by-election was caused not by the resignation or the death of a member but by the fact that the Court of Disputed Returns held that the original election of 15 July 1995 was not valid. We had a re-run of the 15 July election in February this year. In that by-election, the people voted overwhelmingly for the coalition. They confirmed the fact that they wanted a Liberal member to represent them in this place.

**Mr SPEAKER:** Order! I am having some difficulty in seeing the relevance of the member's comments to the Bill. I suggest that he return to the contents of the Bill.

**Dr WATSON:** Mr Speaker, I accept your ruling. At the outset, I stated that we are in this position because of the events that flowed from 15 July.

**Mr SPEAKER:** The member is taking too long to get to his point; that is what I am saying.

**Dr WATSON:** The point is that the by-election held in February this year saw the proper resolution of the 15 July 1995 election. The end result was 44 seats each to the coalition and the Labor Party with one Independent. I ask: if that had been the numerical position in August 1995 when Parliament resumed, would Mr Fouras be the current Speaker? He did not have the support of the Labor Party; the Labor Party intended to nominate the member for Inala for the position of Speaker. If the numbers had been 44-all at that point, the then Opposition would have been quite entitled to nominate its own candidate for Speaker. We do not know what the result of that would have been.

**Mr Ardill:** Well, why talk about it?

**Dr WATSON:** The member for Archerfield asks: what is the point of talking about that? The point is that it is very likely that history would have been completely different and that we would not be debating this Bill if the numbers had been 44-all in August 1995. We are debating this legislation today partly because of the series of events that occurred during and subsequent to the 1995 election. We cannot ignore that series of events. This legislation has been proposed because of them.

This legislation has been presented by the Labor Party today because it now suits that party to reconsider the voting rights of the Speaker. It is because of the series of events to which I have referred that it suits the Labor Party to reconsider those rights. This legislation has nothing to do with the Labor Party's respect and admiration for the member for Ashgrove or its wish to have him as Speaker. It has nothing to do with the way the Labor Party perceives this Parliament operating in the future, whether it be under a Westminster system or another system. Rather, this legislation has everything to do with the Labor Party securing a political advantage for itself. This legislation has been introduced for the political benefit that it can bring to the Labor Party.

I find it interesting to reflect on when members met here in February and how Opposition members absolutely regaled the member for Gladstone. I cannot believe that I am sitting in the same place, because there has been a sudden, fantastic change in the attitude and respect that is suddenly being demonstrated by members opposite. That would not be politically inspired, of course, would it? I invite Opposition members to read the *Hansard* record of that particular day. They did not talk about how the member for Gladstone ought to have a casting vote then. They did not talk about those kinds of issues at that time. They had a completely different viewpoint. Their position today with respect to the member for Gladstone is like their position on this particular Bill: it suits their political purposes and has nothing to do with their moral position or the way in which they perceive the Parliament. It has nothing to do with the good running of the Parliament for the people of Queensland. It is only to do with how the Labor Party can continue to manipulate this place and how it can gain a political advantage. For that reason, if for nothing else, members have to reject this particular Bill because it would turn this place into nothing more than a moral vacuum in which something would be done simply for

political gain rather than being good for the Parliament and Queensland.

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (11.32 a.m.), in reply: I remind members what we are debating today, because after hearing some of their contributions one could be forgiven for thinking that members are debating a much broader issue. The Opposition is proposing legislation that amends section 13 of the Legislative Assembly Act to remove the words "of such members as shall be present other than the speaker and when the votes shall be equal the speaker shall have the casting vote" and insert "of all members present". That would have the effect of giving the Speaker a deliberative vote.

I am concerned that this debate has not been as focused as it should have been. I will cover a number of the issues that have been raised and respond to them one by one. The Premier and the Minister for Families, Youth and Community Care made reference to the fact that this was the first item on the agenda today as a result of my motion. Mr Speaker, I remind all members of the House that, had you resigned, the first item of business today would have been the election of Speaker. Therefore, it is appropriate that this piece of legislation be the first item of business for today, this being the first working session of the Parliament. I also spoke by leave of the Parliament, so you called it correctly, Mr Speaker. Had leave not been granted—and Parliament is, after all, master of its own destiny—I would not have been in a position to have moved the motion.

**Mr Mackenroth:** He called the Government first and they wouldn't agree to it.

**Mr BEATTIE:** Exactly. What happened this morning was appropriate. I believe it was quite wrong for the Premier and the Minister for Families, Youth and Community Care to seek to denigrate the Speaker during this debate and to attack him for making appropriate rulings. I am disappointed in both the Premier and the Minister for Families, Youth and Community Care for seeking to attack the Speaker.

The focus of this legislation is very important, and I want to deal with that focus because I need to address the issues raised by the honourable member for Gladstone. The first point to be made is that a casting vote of the Speaker in this Parliament has been used basically on every occasion in a division since the last State election. If the Government's nominee for Speaker, that is, Mr Turner, was sitting in that chair, he would have a casting

vote on every matter that was deliberated by this Parliament. In other words, in effect he would have a deliberative vote. Members know that, so let us face up to this honestly. He would have that casting vote by virtue of the numbers in this Parliament. If Mr Turner were sitting as the Speaker, the Government would have 43 members on its side of the Chamber, the Opposition would have 44 members on this side, and the honourable member for Gladstone—on those matters on which she has indicated support to the Government—would vote with the Government. The result of any division would therefore be 44 all. So what would the Speaker do? The Speaker would have a casting vote. Because of the numerical nature of this Parliament the Speaker would have what amounts to a deliberative vote on every occasion of a division. So through this legislation the Opposition is seeking to give to Mr Fouras what, in effect and in practice, would be given to Mr Turner. There is nothing more or less than that to the argument. It would be spurious, dishonest and wrong to argue otherwise, because that is the position.

Let me correct an issue to which the Premier referred. The proposed change to this legislation before the House is not my proposal. This proposal has been publicly canvassed by Mr Speaker. It is Mr Speaker's proposal, appropriately supported by the Opposition at its caucus meeting this morning. I argued support for this proposition because I support the dignity of this Parliament and the impartiality of the Speaker. It is true that after the last State election there was some debate in our party about support for the Speaker's position. However, Opposition members are prepared to put those issues aside. We are prepared to say that the Speaker, Mr Fouras, is the most appropriate person to be the Speaker of this Parliament. We are prepared to do the right thing by this Parliament, yet the Premier is not. He is prepared to continue playing the political game.

Opposition members are prepared to turn the page of history and ask what is in the best interests of this Parliament, but the Premier is not. He knows that his argument about Mr Speaker staying on under the current circumstances grossly disadvantages the Opposition and advantages the Government. He also knows that, unless this legislation goes through enabling the Speaker to have a deliberative vote, it would be unfair to 44 members of this Parliament. The proposal that the Opposition is putting forward is the only fair proposal. It still leaves the member for Gladstone with the deciding vote. Let me be

very clear: the Premier's opposition today is for political purposes and political purposes only.

Opposition members have made it clear that this proposal, put forward by the Speaker and supported by the Opposition, advantages no side of the Parliament. However, it does enhance this institution; it enhances its respect in the community; and it enhances the standing of the Parliament. All members would know that many people in the community are sick and tired of the goings-on of political parties and politicians and the unruly nature of this House. We have to work cooperatively to improve it. All members have been guilty at different times of not behaving appropriately in this House. This is a test for the Premier and his Government to join with the Opposition in a non-partisan approach to lift the standard of the House. If they fail in doing so, they will fail the test, and the people of Queensland will make their appropriate judgment.

As to the issue raised by the honourable member for Gladstone in terms of having time to consider these issues—today the Opposition's caucus felt that, in light of the fact that this was the first working day of this session of Parliament, there should not continue to be uncertainty about the future of the Speaker of this Parliament because that would reduce the dignity of the office of Speaker and the effectiveness of this democratic institution. We believed that this matter needed to be resolved today in the interests of this important instrumentality and this important House of which we are all members. That is why we have proceeded in this way.

It is simply wrong for the honourable member for Clayfield to suggest that the Speaker would have two votes. That is clearly not correct. Simply, a deliberative vote would be given to the Speaker. Under this proposal, the Speaker will not have a casting vote. All this amendment will do is ensure that the current Speaker has what any Government nominee for Speaker would have, in effect, anyway.

The honourable member for Clayfield made reference to the fact that parliamentary committees would consist of three members from both sides of the House.

**Mr Santoro:** Don't you want that?

**Mr BEATTIE:** The honourable member for Clayfield said, "What's wrong with that?" There is nothing wrong with that at all. What he is not telling the House and the people of Queensland is that, in committees which have three members from each side of the House, the Government is intending to give the Chair

a deliberative vote and a casting vote as well. I have tried not to be inflammatory in this debate and I will continue to try not to be, but what we are witnessing is hypocrisy.

**Mr Borbidge:** Tell me what you want.

**Mr BEATTIE:** Isn't that typical! In a petulant way, the Premier just suggested, "Let's go back to 4:3."

**Mrs Sheldon** interjected.

**Mr BEATTIE:** If the Deputy Premier would cease interjecting, I would be happy to respond to the Premier's interjection in a cool, calm, sensible way and with the appropriate respect to which this institution is entitled. I see that the Attorney continues to join the rabble in the Government.

We are quite relaxed about 3:3. I am simply highlighting that the Government's proposal gives the chairman a deliberative vote, and I am highlighting the hypocrisy of the Government's position—nothing more and nothing less. I put to the members opposite: what is wrong with giving the Chair of a parliamentary committee a deliberative vote? The Opposition supports the Premier's proposal to have membership of the committees being three-all with the chairman having a deliberative vote, and Opposition members applaud the Premier for his initiative. However, the Opposition believes that the Premier has to go one step further and apply in a parallel manner the precedent that he has adopted in relation to parliamentary committees to the position of Speaker of the House.

The honourable Leader of the House, Mr FitzGerald, said that the Honourable Speaker had voted many times in Committee. He is quite right. That is a very strong argument in favour of our case and we thank him for it. That statement illustrates that the Speaker, whether he be Mr Fouras or Mr Turner, will be voting in Committee in a manner that amounts to a deliberative vote. We are putting into effect what will, in fact, be the effect of votes in this House. That is all we are doing—nothing more and nothing less. This amendment does not advantage the Labor Party; however, it does enhance the dignity of this House. The proposal of the members opposite advances the Government and the coalition.

Let us not forget that the presiding officers of the Senate, the Parliament of New Zealand—which has a unicameral system like ours—the Netherlands and Germany all have deliberative votes. Precedents for this legislation exist around the world. The Australian Senate has this practice. The sister

Parliament in New Zealand has this practice. As I mentioned, it is also the practice in the Netherlands, Germany and other countries. It is not a unique circumstance particular to this State. Under those circumstances, it is appropriate.

The honourable member for Clayfield trumpeted some reforms that have been initiated by the Government. We will welcome and respond in a positive way to those reforms and welcome reforms to this Parliament. Indeed, I am happy to advise the House that—

**Mrs Sheldon:** What do you think of the pay rise for you and all your shadow Ministers?

**Mr BEATTIE:** If the honourable member for Caloundra would let me finish, I would be happy to respond. Opposition members are prepared to adopt a positive attitude to the running of this House. Indeed, yesterday caucus passed a resolution that, in relation to pairing, the Opposition is prepared to consider requests in writing to give pairs.

**Mr Livingstone:** Something they didn't do.

**Mr BEATTIE:** Yes, that is something that the Premier did not do. We are prepared to consider giving a pair to a Minister to enable him or her to attend a ministerial council meeting, provided that Minister makes available a copy of the meeting program. As a gesture of goodwill, the Opposition is prepared to let Ministers attend ministerial councils. The Premier was never prepared to do that, but we are. We would be prepared also to give pairs in extenuating family circumstances. Mr Speaker, you would appreciate, as other members of this House appreciate, that that unanimous decision by caucus indicates that members of the Opposition are prepared to ensure the smooth running of the governance of this State and the running of this Parliament because we are prepared to start lifting the standards. The question is: are Government members?

Much has been said by Government members about this Bill affecting the impartiality of the Speaker. The fact is that, in this Parliament, the Speaker already has a vote. It may be a casting vote, but the Speaker already has a vote. As pointed out by the honourable Leader of the House, during the Committee stage of a Bill, the Speaker has a clear vote, a deliberative vote. So that is already the case. We are not seeking to give the Speaker a vote for the first time. Since 15 July, the Speaker has regularly used his casting vote, in effect amounting to a deliberative vote because of the numbers in

this House. I stress that point because it is a response to one of the appropriate issues raised by the honourable member for Gladstone. If we do not change the traditional and accepted practice of this Parliament, the Speaker will be drawn from the Government side resulting in a clear advantage.

On party lines, the voting outcome is likely to be coalition, 43; ALP, 44; with the honourable member for Gladstone as the Independent either adding to the Opposition majority or voting with the Government to provide a 44-44 tie. I stress that, every time that happens, a Speaker such as Mr Turner would presumably exercise his casting vote in favour of the Government—in effect, a deliberative vote. He would constantly be the member deciding whether a motion succeeds or fails. On the other hand, under terms of this Bill, with the member for Ashgrove as Speaker, the votes are likely to be coalition, 44; ALP, 44; with the Independent for Gladstone being cast in the role as the member who regularly exercises the deciding vote, about which nobody argues. That is the appropriate position for the honourable member for Gladstone. It would be far better for the operation of the Parliament for the Independent member to have the casting vote instead of the Speaker. Members of the Opposition see that as an appropriate role for the honourable member for Gladstone. That is the effect of this Bill. That is why I believe it deserves the support of all members of the Parliament.

Mr Speaker, you have demonstrated your commitment to impartiality and independence. It is appropriate that this legislation be passed while someone of your standing is in the chair. The Premier referred to a test. I conclude by saying that the test is whether we are prepared, in a very bipartisan way, to lift the standards of this House. We have tried today; the ball is in the Premier's court.

**Question**—That the Bill be now read a second time—put; and the House divided—

**AYES, 42**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, 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, *Tellers*: Livingstone, Sullivan T. B.

**NOES, 44**—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, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers*: Springborg, Carroll

Resolved in the **negative**.

### RESIGNATION OF SPEAKER

**Mr SPEAKER:** Honourable members, I am going to ask the Clerk of the Parliament to step forward and receive my resignation. Under the circumstances, I am happy to resign. I have been proud and privileged to have served this institution and I go with a warm heart and a big smile on my face. Thank you.

**Honourable members:** Hear, hear!

**The CLERK:** Honourable members, I have to report that I have received the following letter of resignation from the Speaker—

"Mr R. D. Doyle,  
Clerk of the Parliament,  
Parliament House,  
Brisbane,  
2 April 1996,

Dear Mr Doyle, I hereby tender my resignation as Speaker of the Queensland Parliament.

Yours sincerely,  
D. Fouras, Speaker.

Queensland Parliament."

I have to inform the House that in accordance with the provisions of Standing Order No. 9A, I have to report that, by reason of the resignation of the Speaker, a vacancy now exists in the office of Speaker.

### ELECTION OF SPEAKER

The Clerk having called upon the longest serving member, not being a Minister, to preside—

Mr T. J. Burns (Lytton) took the chair as the Presiding Member.

**The PRESIDING MEMBER:** Order! Honourable members, before calling for proposals for the Speaker I draw to the attention of honourable members the Standing Order which provides that any member present in the Chamber may be proposed as Speaker. Every proposal shall be seconded. Any member who has been proposed as Speaker is required to indicate if the proposal is acceptable. When all proposals have been made, seconded and accepted,

debate may ensue. Debate shall be relevant to the question. Speeches shall not exceed five minutes for each member. I remind all honourable members that the provisions of the Standing Orders apply to this debate. If you give me any trouble, I will sentence you to stay here forever to listen to your speeches. I now call for nominations.

**Mr ELLIOTT** (Cunningham) (11.57 a.m.): Mr Presiding Member, I have much pleasure in nominating the former member for Warrego and the current member for Nicklin, the Honourable Neil John Turner, MLA, to the high and honourable office of Speaker of the Legislative Assembly of Queensland.

The member for Nicklin was first elected, together with the Honourable Vince Lester and myself, in 1974 and rose to become Minister for Transport and then Minister for Primary Industries before resigning in 1986. In 1989, we saw the member for Nicklin achieve what in the circumstances may have been considered an impossibility, and that was to contest the coastal seat of Nicklin and win after a long and trying process. He then became shadow Minister for Police and afterwards the Deputy Chairman of the Parliamentary CJC.

Neil, as he is best known by both sides of the House and most of the staff in this place, is a people's person with a wonderfully dry sense of humour and a friendly, strong disposition. However, he has, I suggest, a very independent streak. I believe that he will not be stood over by anyone, and I think that is something that we all need to remember.

I believe that Neil Turner will go down in history as one of this State's best Speakers. As someone who has acted twice as Presiding Member, many people asked me whether I had an interest in running for this position. In fact, I had much pleasure—

**An honourable member** interjected.

**Mr ELLIOTT:** I know that one member opposite is pleased that I am not going to be Speaker.

In fact, I had much pleasure in our party room in nominating Neil for the position because I believe that he has the experience acting in the role of one of the temporary chairmen; therefore, he knows the procedures. Also, he has a memory like an elephant—and I suggest that all honourable members remember that—and I think he will do the job particularly well. On the one condition that he does not recite his horse poem to this House, I formally nominate him.

**The PRESIDING MEMBER:** Is the proposal seconded?

**Mr STEPHAN** (Gympie) (12.02 p.m.): It gives me a great deal of pleasure to second the nomination of Neil Turner for the position of Speaker in this House. As members would be very well aware, Mr Turner has been around for quite some time; in fact, except for one brief period, he has spent almost 20 years in this place. During that time he has shown himself to be a trustworthy man and a man who gets things done. Before coming to this place, Mr Turner was a councillor in his local authority, which in itself is a fair indication of his interest in his local area and in being able to make a contribution to the community in which he lives.

As has been stated previously, Neil will do a fantastic job as Speaker. He will demand respect from the House but, at the same time, he will show respect to the House. Neil has gone through the school of hard knocks. He was brought up out west; he has had to face droughts and floods. His background will stand him in good stead if he should ever find that members do not agree with every ruling that he might make. He will be working within the confines of the Standing Orders which, I believe, will be adhered to and implemented very, very vigorously. With those few words, it gives me a great deal of pleasure to second Neil's nomination.

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (12.05 p.m.): The Opposition will not be nominating a candidate for the Speakership. Our only candidate, of course, would have been Mr Fouras, the honourable member for Ashgrove, who, as members know, is not prepared to continue in that position under the existing voting rules of this House.

We wish Mr Turner well in his role as Speaker. He has a very difficult job in filling the shoes left by Mr Fouras, as we all know. Unfortunately, in the past, National Party Speakers have had a mixed record in this Parliament. However, I pledge to Mr Turner today that we will work with him, we will cooperate with him, and we look forward to him demonstrating the independence already referred to and showing fairness to the Opposition in this place. I hope that he will take the opportunity to talk about matters with the Opposition. If he does go down the road followed by his predecessor, then I believe—and I hope—that the dignity of this House will continue to be improved upon.

I repeat what I said earlier: we all have an obligation to lift the standards of this House.

The role of Mr Speaker is fundamentally important to that. The Speaker needs the confidence of both the Government and the Opposition as well as the Independent member for Gladstone, and therefore there needs to be a clear demonstration of impartiality and fairness. I guess the proof of that pudding will be in the eating over the next two years, but, as I said before, I pledge to Mr Turner the full cooperation of the Opposition.

In common with one of the previous speakers, I have heard the horse poem. In fact, I might briefly share an anecdote. I was present at a farewell function for a number of CJC officials, including Sir Max Bingham, when the outgoing parliamentary committee was leaving and the incoming committee was present. During a lull in one of the conversations, Mr Turner offered the horse poem. I must say that many of us nodded off, but those who remained awake were appreciative of Mr Turner's very fine memory. It was not until quite recently that Sir Max Bingham was game enough to return to Queensland!

I conclude by wishing Mr Turner well. We look forward to working cooperatively with him.

**The PRESIDING MEMBER:** There are no further nominations. Does the honourable member accept the nomination?

**Mr TURNER:** I will be honoured to accept the nomination.

**The PRESIDING MEMBER:** Order! There being only one member proposed and seconded, and no further proposals, I declare Neil John Turner to be Speaker.

Mr Turner submitted himself to the pleasure of the House and, on being called, was conducted to the chair by the mover and the seconder.

**Mr SPEAKER:** I thank this Parliament for electing me to this exalted office of Speaker. I take the opportunity to thank my proposer and seconder and the Leader of the Opposition for their kind words in relation to my election. I am humbled and honoured. I am acutely aware, as I assume this historic mantle of Speaker, that I inherit the dignity, duties and responsibilities that go with this office. We all know that this office is above the individual; it is the office which commands respect.

As Speaker, I have the constitutional function of spokesman for this House, and on behalf of this House I am the members' representative in external relations with Her Excellency the Governor, who in turn is the representative of Queen Elizabeth II. While ever this remains a constitutional fact, the

Union Jack representing these connections shall be restored to its rightful flagstaff. Once again it will fly proudly over these precincts for as long as I remain Speaker, unless the people of Queensland choose otherwise.

The royal mace, displayed in this Chamber, is a reminder of our heritage and history, of our freedoms and of the obligations such privileges place upon us. As Speaker, it will remind me to discharge my duties and obligations with fairness and impartiality. We—and I refer to the whole Parliament—must work collectively to uphold the authority, the dignity and the decorum of this Parliament in the interests of improving the future public perception of this institution. I look forward to the challenge ahead and I again thank the House for the honour it has bestowed upon me.

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (12.08 p.m.): Mr Speaker, on behalf of Government members of the Parliament, I take this opportunity to congratulate you on your unanimous election to that high and ancient office. You have a great sense of the traditions of the Speakership, and I want to assure you, on behalf of the Government, that we will respect the independence of the office and the need for the Parliament to provide members on both sides of the House with the resources and the facilities to do the job.

Mr Speaker, you come to this important job at an historic time in Queensland. I think all honourable members would agree with me when I say that being Speaker in such a finely balanced Parliament will not be easy. It will present enormous challenges. I agree with the comments made earlier by the Leader of the Opposition that there is a tremendous responsibility on members on both sides of the House to make this Parliament work. That does not mean that we will not have interjections, that we will not have fights, that we will not have robust political debate, because robust political debate is what Parliament is all about. However, at the same time, we have to respect the conventions, the traditions and the Standing Orders of this Parliament as the Government proceeds—I would anticipate in a fair and just manner—to place its legislative program before the Parliament and, subsequently, the people.

Mr Speaker, you are unique in this Parliament in more ways than one. I do not think there have been too many members of Parliament who have represented a vast western electorate for very many years and who have had to face all the problems

associated with the representation of the people of the inland and the problems confronting them—for example, drought, commodity prices, remoteness and lack of Government services—and who have left the Parliament and returned to this place for a second parliamentary career representing a great growth area such as the seat of Nicklin, which has a high urban composition and has all of the problems of growth areas of this State.

Mr Speaker, I believe that you bring to this office the experience, wit, talent, good humour and also, can I suggest, the dignity that is required and will be required to preside over a Parliament in which the numbers are so finely balanced. Mr Speaker, I extend to you personally my sincere congratulations. There appeared to be many goings-on around the Parliament last night and this morning. I think it is probably now safe to say that at about 28 minutes past 9 no-one quite knew what was going to happen at 9.30. However, as always, the Parliament—

**Opposition members:** We did.

**Mr BORBIDGE:** I welcome the confirmation that obviously a deal had been done earlier in regard to the previous Speaker. Mr Speaker, when Government members came into the House this morning, we had plans A, B, C and D, and what happened was a bit different from all of those. It is important that the Parliament, as is its duty, resolved the matter and resolved it in a way consistent with the due and proper processes of parliamentary debate. Mr Speaker, I offer my congratulations. May you have a long, successful and happy tenure.

#### **PRESENTATION OF MR SPEAKER**

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (12.12 p.m.): I desire to inform honourable members that His Excellency the Administrator will receive the House for the purpose of presenting the Speaker to His Excellency at Government House today at 1.30 p.m.

Sitting suspended from 12.12 to 3 p.m.

#### **PRESENTATION OF MR SPEAKER**

**Mr SPEAKER:** Honourable members, I have to report that today I presented myself to His Excellency the Administrator as the member chosen to fill the high and honourable office of Speaker of the Legislative Assembly and that His Excellency was pleased to congratulate me upon my election.

#### **GOVERNOR'S OPENING SPEECH**

**Mr SPEAKER:** I have to report that Her Excellency the Governor on Thursday, 28 March 1996, delivered a Speech to Parliament of which, for greater accuracy, I have obtained a copy. I presume honourable members will take the speech as read?

**Honourable members:** Hear, hear!

#### **PETITIONS**

The Clerk announced the receipt of the following petitions—

##### **Acacia Ridge Soccer Club House**

From **Mr Burns** (20 signatories) requesting the House to note and act upon the electors of Archerfield's concerns regarding excessive noise, in particular the closeness of the Acacia Ridge Soccer Club House to residential homes and their occupants, and their objections to the removal of the condition that "amplified music/entertainment on the premises is prohibited".

##### **Whitfield Range Development**

From **Mr De Lacy** (81 signatories) praying that the Parliament prevent the proposed development of the Whitfield Range area above Hillview Crescent and McManus Street, Whitfield, which would litter hillslopes with some seventy-odd homesites.

##### **Teachers' Superannuation**

From **Mr Dollin** (24 signatories) praying that the Parliament support the buy-back proposal and investigate methods of funding a buy-back scheme for teachers, mostly women, who have been severely financially disadvantaged in terms of their superannuation retirement expectations.

##### **Wide Bay University Campus**

From **Mr Dollin** (525 signatories) regarding the location of the new university campus for the Wide Bay region.

##### **Hughenden-Muttaburra Road**

From **Mr Elder** (572 signatories) praying that the Parliament will earnestly consider that priority work be applied to the Hughenden-Muttaburra Road instead of the proposed sealing of the Torrens Creek/Aramac Road.

### **Murphys Creek Water Tank**

From **Mr FitzGerald** (401 signatories) requesting that the House retain the water tank at Murphys Creek for community use.

### **Queensland Transport Customer Service Centre, Everton Park**

From **Mr J. N. Goss** (389 signatories) requesting the House to reopen the Queensland Transport's Village Fair Customer Service Centre or establish a new centre in the Everton Park area to service the residents in the north-west corner of Brisbane.

### **Services for People with Physical Disabilities**

From **Mr Horan** (2,803 signatories) praying that the Parliament will designate a single department of the Crown as holding full responsibility for the adequate provision of physiotherapy, occupational therapy, speech therapy and specialist equipment services for people with physical disabilities and furthermore allocate moneys to ensure that an adequate level of service is provided to all people with physical disabilities throughout the State of Queensland to offer them a quality of life equivalent to their peers without a disability.

### **Truth in Sentencing; Compensation for Victims' Families**

From **Mr Laming** (1,237 signatories) requesting the House to ensure that convicted murderers serve their sentences in full and that further assistance, counselling and compensation is provided for the families of victims.

### **Mandatory Life Sentences; Capital Punishment**

From **Mr Laming** (107 signatories) requesting the House amend laws in Queensland to ensure that convicted murderers serve a mandatory life sentence and at the earliest opportunity hold a referendum on the reintroduction of capital punishment.

Petitions received.

### **STATUTORY INSTRUMENTS**

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

Aboriginal Land Act 1991—

Aboriginal Land Amendment Regulation (No. 3) 1995, No. 386

Ambulance Service Act 1991—

Ambulance Service Amendment Regulation (No. 2) 1995, No. 357

Animals Protection Act 1925—

Animals Protection (Use of Animals for Scientific Experiments) Amendment Regulation (No. 1) 1995, No. 396

Art Unions and Public Amusements Act 1992—

Art Unions and Public Amusements Amendment Regulation (No. 1) 1996, No. 27

Associations Incorporation Act 1981—

Associations Incorporation Amendment Regulation (No. 1) 1996, No. 59

Brisbane Forest Park Act 1977—

Brisbane Forest Park Regulation 1995, No. 395

Canals Act 1958—

Department of Environment and Heritage (Variation of Fees) Regulation (No. 1) 1995, No. 404

Casino Control Act 1982—

Casino Control Amendment Regulation (No. 1) 1996, No. 25

Casino Gaming Amendment Rule (No. 1) 1996, No. 2

Chemical Usage (Agricultural and Veterinary) Control Act 1988—

Chemical Usage (Agricultural and Veterinary) Control Amendment Regulation (No. 2) 1995, No. 315

Chicken Meat Industry Committee Act 1976—

Chicken Meat Industry Committee Amendment Regulation (No. 1) 1995, No. 363

Children's Services Act 1965—

Children's Services Amendment Regulation (No. 1) 1996, No. 18

Coastal Protection and Management Act 1995—

Proclamation—the provisions of the Act that are not in force commence 1 February 1996, No. 8

Commission of Inquiry Continuation Act 1989—

Proclamation—the Governor appoints 23 November 1995, as the proclaimed date for the purposes of the Act

Commissions of Inquiry Act 1950—

Commissions of Inquiry Regulation 1996, No. 51

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 1) 1995, No. 354

- Constitution Act 1867—  
 Proclamation—prorogation of the Legislative Assembly to Thursday, 28 March 1996, No. 44  
 Proclamation—for the holding of a session of the Legislative Assembly for the dispatch of business on Thursday, 28 March 1996, No. 50
- Consumer Credit (Queensland) Act 1994—  
 Consumer Credit Regulation 1995, No. 410
- Contaminated Land Act 1991—  
 Contaminated Land Amendment Regulation (No. 1) 1995, No. 316
- Cooperative and Other Societies Act 1967—  
 Cooperative and Other Societies Amendment Regulation (No. 1) 1995, No. 409
- Criminal Justice Act 1989—  
 Criminal Justice Regulation 1995, No. 313  
 Criminal Justice Amendment Regulation (No. 1) 1995, No. 314
- Criminal Offence Victims Act 1995—  
 Criminal Offence Victims Regulation 1995, No. 384  
 Proclamation—the provisions of the Act that are not in force commence 18 December 1995, No. 383
- Dairy Industry Act 1993—  
 Dairy Industry (Market Milk Prices) Order (No. 2) 1995, No. 333
- Dental Act 1971—  
 Dental Amendment By-law (No. 1) 1995, No. 371
- Dental Technicians and Dental Prosthetists Act 1991—  
 Dental Technicians and Dental Prosthetists Amendment By-law (No. 1) 1995, No. 343
- Disposal of Unexecuted Warrants Act 1985—  
 Disposal of Unexecuted Warrants Amendment Regulation (No. 1) 1996, No. 52
- District Courts Act 1967—  
 District Courts Amendment Rule (No. 4) 1995, No. 349
- Drugs Misuse Amendment Act 1995—  
 Proclamation—section 6 of the Act commences 8 December 1995, No. 358
- Education (General Provisions) Act 1989—  
 Education (General Provisions) Amendment Regulation (No. 3) 1995, No. 399
- Education (Senior Secondary School Studies) Act 1988—  
 Education (Senior Secondary School Studies) Amendment Regulation (No. 1) 1996, No. 57
- Education (Teacher Registration) Act 1988—  
 Education (Teacher Registration) Amendment By-law (No. 1) 1995, No. 311
- Electricity Act 1994—  
 Electricity Amendment Regulation (No. 5) 1995, No. 375
- Emergency Services Legislation Amendment Act 1995—  
 Proclamation—the provisions of the Act that are not in force commence 8 December 1995, No. 355
- Environmental Legislation Amendment Act (No. 2) 1995—  
 Proclamation—the Act (other than sections 24 and 27) commences 2 February 1996, No. 16
- Environmental Protection Act 1994—  
 Environmental Protection (Interim) Amendment Regulation (No. 1) 1996, No. 32  
 Environmental Protection (Interim) Amendment Regulation (No. 2) 1996, No. 38  
 Environmental Protection (Interim) Amendment Regulation (No. 3) 1996, No. 43  
 Environmental Protection (Interim Waste) Regulation 1996, No. 17
- Explosives Act 1952—  
 Explosives Amendment Regulation (No. 2) 1995, No. 328
- Fire Service Act 1990—  
 Fire Service Amendment Regulation (No. 1) 1995, No. 356
- Fisheries Act 1994—  
 Fisheries Regulation 1995, No. 325 and Explanatory Notes and Regulatory Impact Statement for No. 325  
 Fisheries (Torres Strait Emergency Closed Waters) Declaration 1995
- Fluoridation of Public Water Supplies Act 1963—  
 Fluoridation of Public Water Supplies Amendment Regulation (No. 1) 1996, No. 13
- Forestry Act 1959—  
 Forestry Amendment Regulation (No. 6) 1995, No. 324  
 Forestry Amendment Regulation (No. 7) 1995, No. 339
- Fossicking Act 1994—  
 Fossicking Amendment Regulation (No. 3) 1995, No. 329  
 Fossicking Amendment Regulation (No. 1) 1996, No. 7
- Fruit Marketing Organisation Act 1923—  
 Fruit Marketing Organisation Amendment Regulation (No. 1) 1996, No. 28

- Health Act 1937—  
Environmental Protection (Interim Waste) Regulation 1996, No. 17  
Health (Private Hospitals) Amendment Regulation (No. 1) 1996, No. 42  
Poisons Amendment Regulation (No. 7) 1995, No. 370  
Poisons Amendment Regulation (No. 1) 1996, No. 31
- Health Services Act 1991—  
Health Services Amendment Regulation (No. 1) 1996, No. 14  
Health Services Legislation Amendment Regulation (No. 1) 1995, No. 402
- Higher Education (General Provisions) Act 1993—  
Higher Education (General Provisions) Regulation 1996, No. 46  
Proclamation—the provisions of the Act that are not in force commence 15 March 1996, No. 45
- Indy Car Grand Prix Act 1990—  
Indy Car Grand Prix Amendment Regulation (No. 1) 1996, No. 37  
Indy Car Grand Prix Amendment Regulation (No. 2) 1996, No. 47
- Justices Act 1886—  
Justices Amendment Regulation (No. 3) 1995, No. 403  
Justices Amendment Regulation (No. 1) 1996, No. 48
- Land Act 1994—  
Land Amendment Regulation (No. 1) 1995, No. 385
- Local Government Act 1993—  
Local Government Amendment Regulation (No. 2) 1995, No. 340  
Local Government Amendment Regulation (No. 3) 1995, No. 398  
Local Government Finance Amendment Standard (No. 1) 1996, No. 20  
Local Government Legislation Amendment Regulation (No. 1) 1995, No. 327
- Local Government (Aboriginal Lands) Amendment Act 1995—  
Proclamation—the provisions of the Act that are not in force commence 1 December 1995, No. 326
- Local Government (Planning and Environment) Act 1990—  
State Planning Policy 1/95 (Conservation of Koalas in the Koala Coast) Order
- Lotteries Act 1994—  
Lotteries Amendment Rule (No. 1) 1995, No. 411  
Lotteries Regulation 1995, No. 338  
Lotto (On-Line) Amendment Rule (No. 1) 1996, No. 49
- Proclamation—the provisions of the Act not in force commence 8 December 1995, No. 337
- Lotto Act 1981—  
Lotto (On-line) Amendment Rule (No. 1) 1995, No. 320
- Mental Health Act 1974—  
Mental Health Amendment Regulation (No. 1) 1996, No. 30
- Mineral Resources Act 1989—  
Mineral Resources Amendment Regulation (No. 7) 1995, No. 330  
Mineral Resources Amendment Regulation (No. 8) 1995, No. 350  
Mineral Resources Amendment Regulation (No. 9) 1995, No. 351  
Mineral Resources Amendment Regulation (No. 10) 1995, No. 377  
Mineral Resources Amendment Regulation (No. 1) 1996, No. 24
- Mines Regulation Act 1964—  
Mines Regulation (Exemption) Order (No. 1) 1996, No. 34  
Mines Regulation (Inner City Railway Tunnels) Repeal Regulation 1995, No. 376
- Nature Conservation Act 1992—  
Nature Conservation Amendment Regulation (No. 1) 1995, No. 408  
Nature Conservation Legislation Amendment Regulation 1995, No. 352  
Nature Conservation Legislation Amendment Regulation (No. 2) 1995, No. 406  
Nature Conservation (Macropod Harvest Period) Notice 1995, No. 359  
Nature Conservation (Problem Crocodiles) Conservation Plan 1995, No. 407  
Nature Conservation (Protected Areas) Amendment Regulation (No. 15) 1995, No. 312  
Nature Conservation (Protected Areas) Amendment Regulation (No. 16) 1995, No. 331  
Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 1996, No. 9  
Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 1996, No. 23  
Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 1996, No. 53  
Nature Conservation (Protected Plants Harvest Period) Notice 1996, No. 1  
Nature Conservation (Protected Plants in Trade) Conservation Plan 1995, No. 405

- Occupational Therapists Act 1979—  
Occupational Therapists Amendment By-law (No. 1) 1995, No. 372
- Officials In Parliament Act 1896—  
Proclamation—that certain officers of the Crown are liable to retire from office on political grounds and are capable of being elected members of the Legislative Assembly and sitting and voting in the Legislative Assembly at the same time, No. 35
- Optometrists Act 1974—  
Optometrists Amendment By-law (No. 1) 1995, No. 344
- Parliamentary Members' Salaries Act 1988—  
Parliamentary Members' Salaries Regulation 1995, No. 335
- Petroleum Act 1923—  
Petroleum (Entry Permission) Notice (No. 2) 1995, No. 387
- Pharmacy Act 1976—  
Pharmacy Amendment By-law (No. 1) 1995, No. 346
- Physiotherapists Act 1964—  
Physiotherapy Amendment Regulation (No. 1) 1995, No. 345
- Podiatrists Act 1969—  
Podiatrists Amendment By-law (No. 2) 1995, No. 373
- Police Superannuation Act 1968—  
Police Superannuation Legislation Amendment Regulation (No. 1) 1996, No. 12
- Police Superannuation Act 1974—  
Police Superannuation Legislation Amendment Regulation (No. 1) 1996, No. 12
- Primary Producers' Organisation and Marketing Act 1926—  
Primary Producers' (Levy on Cane Growers) Amendment Regulation (No. 1) 1995, No. 323  
Primary Producers' Organisation and Marketing (Commercial Fishers General Levy) Notice 1995, No. 334
- Public Sector Management Commission Act 1990—  
Public Sector Management Commission Amendment Regulation (No. 2) 1995, No. 336
- Public Service Management and Employment Act 1988—  
Public Service Management and Employment Amendment Regulation (No. 2) 1995, No. 394  
Public Service Management and Employment (Departmental Changes) Order 1996, No. 33  
Public Service Management and Employment (Departmental Changes) Order (No. 2) 1996, No. 36  
Public Service Management and Employment (Departmental Changes) Order (No. 3) 1996, No. 41
- Public Trustees Act 1978—  
Public Trustee Amendment Regulation (No. 4) 1995, No. 332
- Queensland Law Society Act 1952—  
Queensland Law Society (Indemnity) Amendment Rule (No. 1) 1996, No. 15
- Registration of Births, Deaths and Marriages Act 1962—  
Registration of Births, Deaths and Marriages Amendment Regulation (No. 1) 1995, No. 319
- Senate Elections Act 1960—  
Proclamation of 29 January 1996 for the purpose of the election of senators for this State to the Senate of the Commonwealth, No. 19
- South Bank Corporation Act 1989—  
South Bank Corporation Amendment By-law (No. 2) 1995, No. 361
- South Bank Corporation Amendment Act 1995—  
Proclamation—the provisions of the Act that are not in force commence 1 January 1996, No. 360
- Speech Pathologists Act 1979—  
Speech Pathologists By-law 1995, No. 374
- State Transport Act 1960—  
State Transport Amendment Regulation (No. 2) 1995, No. 341
- Statute Law (Miscellaneous Provisions) Act 1994—  
Proclamation—amendments 5 to 8 of the Brisbane Forest Park Act 1977, in the Statute Law (Miscellaneous Provisions) Act 1994, schedule 1, commence 15 December 1995, No. 322
- Statutory Bodies Financial Arrangements Act 1982—  
Statutory Bodies Financial Arrangements (Application of Part 5) Regulation 1995, No. 321  
Statutory Bodies Financial Arrangements (Application of Part 5) Amendment Regulation (No. 1) 1996, No. 26  
Statutory Bodies Financial Arrangements (GOCs) Regulation 1995, No. 362  
Statutory Bodies Financial Arrangements (Investment) Amendment Regulation (No. 1) 1996, No. 56  
Statutory Bodies Financial Arrangements (Queensland Railways) Amendment Regulation (No. 1) 1995, No. 318

- Stock Act 1915—  
 Stock Amendment Regulation (No. 1) 1996, No. 21
- Sugar Milling Rationalisation Act 1991—  
 Sugar Milling Rationalisation Regulation 1995, No. 364
- Superannuation (Government and Other Employees) Act 1988—  
 Superannuation (Government and Other Employees) Amendment of Articles Regulation (No. 1) 1996, No. 6  
 Superannuation (Government and Other Employees) Amendment of Articles Regulation (No. 2) 1996, No. 54  
 Superannuation (Government and Other Employees) Notice 1996, No. 10  
 Superannuation Legislation (Repeals) Regulation 1996, No. 4
- Superannuation Legislation Amendment Act 1995—  
 Proclamation—sections 56 and 64 of the Act commence 1 February 1996, No. 3
- Superannuation (State Public Sector) Act 1990—  
 Superannuation Legislation (Repeals) Regulation 1996, No. 4  
 Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 1996, No. 55  
 Superannuation (State Public Sector) Notice 1996, No. 11  
 Superannuation (State Public Sector) Regulation 1996, No. 5
- Supreme Court of Queensland Act 1991—  
 Barristers' Admission Amendment Rule (No. 1) 1995, No. 348  
 Solicitors' Admission Amendment Rule (No. 1) 1995, No. 347
- Traffic Act 1949—  
 Traffic Amendment Regulation (No. 2) 1995, No. 368  
 Traffic Amendment Regulation (No. 1) 1996, No. 40  
 Transport and Traffic Amendment Regulation (No. 1) 1995, No. 401 and Explanatory Notes and Regulatory Impact Statement for No. 401  
 Transport Legislation Amendment Regulation (No. 1) 1996, No. 29
- Transport Infrastructure Act 1994—  
 Department of Environment and Heritage (Variation of Fees) Regulation (No. 1) 1995, No. 404  
 Transport Infrastructure Regulation 1995, No. 342
- Transport Infrastructure (Roads) Act 1991—  
 Transport and Traffic Amendment Regulation (No. 1) 1995, No. 401 and Explanatory Notes and Regulatory Impact Statement for No. 401
- Transport Operations (Marine Pollution) Act 1995—  
 Transport Operations (Marine Pollution) Amendment Regulation (No. 1) 1996, No. 39
- Transport Operations (Marine Safety) Act 1994—  
 Transport Operations (Marine Safety) Exemption Regulation (No. 1) 1996, No. 22  
 Transport Operations (Marine Safety) Regulation 1995, No. 369  
 Transport Operations (Marine Safety—Commercial and Fishing Ships Miscellaneous Equipment) Interim Standard 1995, No. 389  
 Transport Operations (Marine Safety—Crewing for Commercial and Fishing Ships) Interim Standard 1995, No. 391  
 Transport Operations (Marine Safety—Designing and Building Commercial and Fishing Ships) Interim Standard 1995, No. 392  
 Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Interim Standard 1995, No. 393  
 Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Interim Standard 1995, No. 390
- Transport Operations (Passenger Transport) Act 1994—  
 Transport Operations (Passenger Transport) Amendment Regulation (No. 2) 1995, No. 367  
 Transport Operations (Passenger Transport) Amendment Regulation (No. 3) 1995, No. 400
- Transport Operations (Road Use Management) Act 1995—  
 Transport and Traffic Amendment Regulation (No. 1) 1995, No. 401 and Explanatory Notes and Regulatory Impact Statement for No. 401  
 Transport Legislation Amendment Regulation (No. 1) 1996, No. 29
- Transport Planning and Coordination Act 1994—  
 Transport Planning and Coordination Regulation 1995, No. 366
- Transport Planning and Coordination Amendment Act 1995—  
 Proclamation—the provisions of the Act that are not in force commence 15 December 1995, No. 365

Vocational Education, Training and Employment Act 1991—

Vocational Education, Training and Employment Commission Amendment Rule (No. 1) 1995, No. 412

Water Resources Act 1989—

Water Resources (Kelsey Creek Water Supply Area and Board) Regulation 1995, No. 397

Water Resources (Transfield Collinsville Pty Ltd and NRGenerating Holdings (No. 1) B.V.) Agreement Approval Regulation 1996, No. 58

Workers' Compensation Act 1990—

Workers' Compensation Amendment Regulation (No. 2) 1995, No. 353

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Advisory Standards) Notice 1995, No. 388

Workplace Health and Safety Amendment Regulation (No. 1) 1995, No. 317

Workplace Health and Safety Amendment Regulation (No. 2) 1995, No. 382

Workplace Health and Safety (Confined Spaces) Compliance Standard 1995, No. 378 and Explanatory Notes and Regulatory Impact Statement for No. 378

Workplace Health and Safety (Hazardous Substances) Compliance Standard 1995, No. 379 and Explanatory Notes and Regulatory Impact Statement for No. 379

Workplace Health and Safety (Lead) Compliance Standard 1995, No. 380 and Explanatory Notes and Regulatory Impact Statement for No. 380

Workplace Health and Safety (Noise) Compliance Standard 1995, No. 381 and Explanatory Notes and Regulatory Impact Statement for No. 381.

Environment and Heritage; Minister for Lands; Minister for Emergency Services and Minister for Consumer Affairs;

Joan Mary Sheldon, as Deputy Premier and Minister for Tourism, Sport and Youth; Treasurer; Minister for Housing, Local Government and Planning; Minister for Rural Communities and Minister for Provision of Infrastructure for Aboriginal and Torres Strait Islander Communities; Minister for Education; Minister for Justice and Attorney-General; Minister for Industrial Relations and Minister for The Arts; Minister for Administrative Services; Minister for Business, Industry and Regional Development; Minister for Employment and Training and Minister Assisting the Premier on Public Service Matters; Minister for Family and Community Services and Minister Assisting the Premier on the Status of Women; and

(b) Appointed—

Robert Edward Borbidge, to be Premier and to be a Member of the Executive Council of Queensland.

(c) Appointed—

Joan Mary Sheldon, to be Deputy Premier, Treasurer and Minister for The Arts;

Kevin Rowson Lingard to be Minister for Families, Youth and Community Care;

Denver Edward Beanland to be Attorney-General and Minister for Justice;

Theo Russell Cooper to be Minister for Police and Corrective Services and Minister for Racing;

Michael James Horan to be Minister for Health;

Robert Joseph Quinn to be Minister for Education;

Douglas John Slack to be Minister for Economic Development and Trade and Minister Assisting the Premier;

Bruce William Davidson to be Minister for Tourism, Small Business and Industry;

Brian George Littleproud to be Minister for Environment;

Thomas John George Gilmore to be Minister for Mines and Energy;

## MINISTERIAL STATEMENT

### Changes in Ministry; Appointment of Leader of Government Business

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (3.03 p.m.): I desire to inform the House that on 26 February 1996, Her Excellency the Governor—

(a) Accepted the resignations of—

Robert Edward Borbidge, as Premier and Minister for Economic and Trade Development; Minister for Primary Industries and Minister for Racing; Minister for Transport and Minister Assisting the Premier on Economic and Trade Development; Minister for Police and Minister for Corrective Services; Minister for Health; Minister for Minerals and Energy; Minister for

Trevor John Perrett to be Minister for Primary Industries, Fisheries and Forestry;

Diane Elizabeth McCauley to be Minister for Local Government and Planning;

Santo Santoro to be Minister for Training and Industrial Relations;

Howard William Thomas Hobbs to be Minister for Natural Resources;

Vaughan Gregory Johnson to be Minister for Transport and Main Roads;

Raymond Thomas Connor to be Minister for Public Works and Housing; and

Michael Desmond Veivers to be Minister for Emergency Services and Minister for Sport.

(d) Appointed—

Joan Mary Sheldon,  
Kevin Rowson Lingard,  
Denver Edward Beanland,  
Theo Russell Cooper,  
Michael James Horan,  
Robert Joseph Quinn,  
Douglas John Slack,  
Bruce William Davidson,  
Brian George Littleproud,  
Thomas John George Gilmore,  
Trevor John Perrett,  
Diane Elizabeth McCauley,  
Santo Santoro,  
Howard William Thomas Hobbs,  
Vaughan Gregory Johnson,  
Raymond Thomas Connor, and  
Michael Desmond Veivers

to be Members of the Executive Council of Queensland.

I lay upon the table of the House a copy of the *Queensland Government Gazette Extraordinary* of 26 February 1996 containing the relevant notifications.

I also desire to inform the House that Mr Tony FitzGerald, the member for Lockyer, has been appointed as Leader of Government Business in the Legislative Assembly.

#### OPPOSITION APPOINTMENTS

Mr **BEATTIE** (Brisbane Central—Leader of the Opposition) (3.08 p.m.): I desire to

advise the House of the Opposition shadow Ministry following an election by caucus and the allocation of shadow portfolios. I have assumed the responsibility for economic and trade development, industry and small business; the Deputy Leader of the Opposition, Jim Elder, has the responsibility for transport, youth, sport and recreation; the honourable Terry Mackenroth has the responsibility for housing, local government and planning as well as Leader of Opposition business in the House; Bob Gibbs, primary industries and racing; David Hamill, shadow Treasurer; Paul Braddy, employment, training and industrial relations; Matt Foley, Attorney-General, justice and the arts; Wendy Edmond, health; Tom Barton, police and corrective services; Tony McGrady, minerals and energy and regional development; Margaret Woodgate, families, community care and Aboriginal and Islander affairs; Stephen Bredhauer, education; Rob Welford, environment and heritage; Robert Schwarten, emergency services and rural communities; Judy Spence, consumer affairs and women, as well as adviser to the leader on Federal/State relations; Lorraine Bird, tourism; Henry Palaszczuk, natural resources and multicultural and ethnic affairs; Anna Bligh, public works, administrative services and public service matters. I table that detail for the information of the House.

#### PAPERS

The following papers were laid on the table—

(a) Minister for Mines and Energy (Mr Gilmore)—

Report on an accident at Moura No. 2 Underground Mine on Sunday, 7 August 1994

Coroner's Report—Moura No. 2 Fatal Inquiry

(b) Minister for Local Government and Planning (Mrs McCauley)—

Final Report of the Local Government Commissioner on the review of the external boundaries of the Esk Shire and Kilcoy Shire Councils

Copies of the 38 references to the Local Government Commissioner for examination, report and recommendation of reviewable local government matters in respect of each of the following local governments—

Banana, Belyando, Biggenden,  
Boulia, Bundaberg, Burnett,  
Caboolture, Caloundra, Cambooya,  
Chinchilla, Clifton, Cook, Crow's  
Nest, Dalrymple, Esk, Gatton, Hervey

Bay, Jondaryan, Kilkivan, Kingaroy, Laidley, Mackay, Mareeba, Maroochy, Maryborough, Mirani, Nebo, Noosa, Pine Rivers, Redland, Rockhampton, Rosalie, Torres, Townsville, Warwick, Whitsunday, Logan, Sarina.

## MINISTERIAL STATEMENT

### Century Zinc Project

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (3.10 p.m.), by leave: I wish to inform the House of negotiations in relation to the future of the Century Zinc project. They are now at a quite perilous stage. Notwithstanding the fact that the Century Zinc Limited offer to the Aboriginal people of the north west has been on the table since last August, when some half a million dollars of taxpayer and company money has been spent under the auspices of the Carpentaria Land Council to brief those people on the pros and cons of the project, there remains considerable confusion in the region about the most basic issues concerning the development and no decision on the company's offer.

The stakes in these negotiations are absolutely massive. They are not related simply to the fate of Century. They are also about the workability of the native title legislation and about the very future of the entire north-west minerals province. It is not going too far to say that they could have major ramifications for the future of mining investment in this country. It is also not going too far to say that the decisions made in relation to Century will have a far-reaching impact on the process of reconciliation in this State in particular, and potentially in the country as a whole.

I suspect the next few weeks, maybe the next two months at the outside, could well decide whether the north-west minerals province is to become one of the engines of Australia's prosperity over the next few decades or whether it becomes testimony to the failure of this country to get its collective act together. It will also decide whether the native title legislation is viable or unviable. Many honourable members will be aware that at Century there is a land claim by the Waanyi people over a small camping and water reserve which, in a quite extraordinary circumstance, covers much of one of the richest zinc ore bodies ever found on this planet.

The National Native Title Tribunal initially rejected that claim by the Waanyi because

underlying the camping and water reserve is a pastoral lease which Mr Justice French at that time presumed, in line with conventional thinking, to have extinguished native title. That view was upheld twice—first by Mr Justice Drummond of the Federal Court, and then by the Full Court of the Federal Court. A few weeks ago the judgments of those three authorities were overturned by the High Court, which ordered the National Native Title Tribunal to accept the Waanyi claim and to mediate under the right to negotiate provisions laid down by the Native Title Act.

That process, with time-consuming procedural requirements, will take at least six months and possibly much longer. But the bottom line is that CZL management has to go before the CRA board in May—in other words, in a matter of weeks, not months—to try to get the go-ahead for the project. They are not likely to get it if the project is still locked in the right to negotiate procedures on the camping and water reserve claim and with other Mabo-based claims now rapidly backing up. Patently, as things stand, CZL will be asking its parent company to invest around a billion dollars in a project which has the very strong potential—the inevitability, almost—of being tied up in native title claims for years. If that happens, the project is dead. If that happens, the future of other major projects in the region could also be in doubt, not to mention the negative impact on mining investment right around the country.

My message to the Aboriginal people of the north west of the State, to the mining industry, to the Commonwealth Government, to this House and to the National Native Title Tribunal is simply this: if Century fails, the north-west minerals province could fail. If Century fails, the economic loss to the region, the State and the nation will be absolutely massive—vast—and it will reach far beyond the loss of a single project.

Tragically, one of the biggest losers in that scenario would be the Aboriginal people. There is an offer on the table. It has been there since last August. It is a very significant offer. In saying that, I do not presume it is the offer that the Aboriginal people ought accept. I would stress and I would stress emphatically that the Aboriginal peoples of the north west have an absolute right to a good and a just return from projects in the region. Century is just the beginning of their opportunity to achieve very significant returns from mining investment in that region.

In that regard, some recent comments from mining unions, the Australian

Conservation Foundation and from Mr Murradoo Yanner, the coordinator of the Carpentaria Land Council, are, to put it mildly, deeply disappointing and disturbing. For the mining union to actively work against Century is an absolute abrogation of what that union ought be about, which is to secure employment in the mining industry for as many Queensland workers as possible. I suspect that Mr Maitland's motives are more about scoring points off CRA than they are about his core responsibilities to his membership, his State, his country and the Aboriginal people. I would suggest to him that if he were to visit the mine site at Century and talk to that small number of his membership who still retain jobs on a project that is now effectively in mothballs, he might get a far better idea of what his membership expects from him.

Similarly, the ACF—which has elsewhere sought to establish a constructive relationship with Aboriginal people to meet joint goals—should recognise that to deny the Aboriginal people the opportunity for empowerment which will flow from Century and other projects in the region is grossly irresponsible. I would appeal to the elders of those various language groups and tribes in the north west to exercise the authority their communities have given them. I would appeal to them to inform their constituency accurately and promptly about the pros and cons of the project and the deal as they see it.

The silent majority of the Aboriginal peoples of the north west has to be informed quickly and it has to speak out quickly. I am greatly encouraged in that regard by recent efforts of senior Aborigines in the region, particularly at Doomadgee and at Mornington Island. I am prepared for the Government to help that effort in every way possible, and I am prepared to help that effort in every way possible, up to and including visiting the communities of the north west to personally carry this message to Aboriginal Queenslanders. To that end, I wrote last week to the leaders of the Aboriginal communities in the north west calling for a meeting at Normanton over the weekend after Easter to give all the interested parties a chance to talk to as wide a cross-section of the Aboriginal community as possible. Those people deserve to know the pros and cons, and they then need to brief their representatives to engage in meaningful negotiations quickly.

I note that this morning Mr Yanner has told ABC radio in Mount Isa that it is now his intention to boycott the proposed meeting in Normanton and to try to ensure that a truly

representative group does not attend. I can assure Mr Yanner that his efforts to sabotage the role of the elected Premier of this State in seeking to ensure that all Aboriginal people of the north west are properly informed about the project, which would appear to continue to be his intent, will fail. An alternative to the Normanton meeting is for me to visit the main Aboriginal communities personally and independently and to put the case in relation to the benefits that can flow from Century for the Aboriginal people, this State and this nation. Officers of my department are now investigating the feasibility of that and will be discussing my preparedness to adopt that course with the leadership of those communities. I await with interest the position of the Australian Labor Party in regard to proposed amendments to the native title legislation.

## MINISTERIAL STATEMENT

### Budget Overview

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (3.19 p.m.), by leave: In this statement I wish to outline for the benefit of the House the forecast Budget outcome for the current financial year and the outlook and challenges the new coalition Government faces for the 1996-97 year.

The current forecast outcome for the 1995-96 Consolidated Fund budget is a small surplus of \$2m to \$3m. While on the face of it this appears to be a reasonable result, it is achieved only by running down or squandering—which is what the party opposite did when it was in Government—an opening Consolidated Fund balance of \$51m. In other words, expenditure this year is expected to exceed revenue by around \$48m. Even more disturbing is the fact that some of the revenues in 1995-96 used to support expenditure programs are one-off in nature. For example, there has been \$50m in transfers into the Consolidated Fund from trust funds and a one-off corporatisation payment of \$87m. So rather than operating at a \$2m to \$3m surplus, the underlying position in 1995-96 is a deficit that has blown out to \$185m. This is the real inheritance which we have been left by the previous Government. Clearly this presents a major funding gap that needs to be addressed to balance the 1996-97 Budget.

However, there are further challenges in framing the 1996-97 Budget which the former Labor Government left us with. Between July and February the former Government put in

place: a range of new funding commitments related to its election commitments, such as the farcical \$50 school uniform cheques; more spending commitments through a new Capital Works Program announced in November; and a range of further expenditure approvals as part of the mid-year review of the Budget in December. If all these commitments of the previous Government were to be met without any allowance for the implementation of coalition policy commitments, we would face a prospective deficit of around \$240m in 1996-97.

While the situation we are facing is daunting, it can be retrieved with the application of sound management and a fresh approach to getting value for money and focusing on service delivery. As a first step in this process the Government has instituted a rigorous review of expenditure. To provide the maximum opportunity to generate savings through the review, all Ministers are taking action to curtail expenditure on the former Government's initiatives. Clearly the scope for savings to be achieved during the balance of this financial year will be limited. In the circumstances, the primary focus of the current review of initiatives will be to achieve savings in 1996-97 and on an ongoing basis which can be redirected to the achievement of our policy initiatives and commitments. The Government is very conscious that this review exercise should not impact on core service delivery.

This Government, in contrast to the former Government, is about responding to the service and infrastructure needs of Queenslanders. Accordingly, all Ministers have been given full discretion to ensure that the curtailment of expenditure is well targeted and does not affect ongoing day-to-day business, minor works, maintenance projects and the like. In fact, the review begins a process of ensuring that the Queensland community gets value for money for the taxpayer dollars spent by the Government. The previous Government could point to increased expenditure, but clearly it failed to deliver the goods.

A key area for attention is the Health portfolio, which in particular suffered chronic mismanagement under the previous Government. There is clearly a lot of room to improve value for money in our Health expenditure. As a start, the expensive and ineffective regional health administration system is being dismantled by the Health Minister, and the savings from excess bureaucracy will be put into frontline service delivery. The Minister for Health will be making a ministerial statement on the Health situation at a later time.

The outcome of the review of expenditure will be detailed in an Interim Budget Statement that I will present to the House in May. As well as outlining the measures to be taken to restore the Budget to a sound position, the statement will set the scene for the 1996-97 State Budget to be delivered in September, including: providing an updated economic outlook for the State for 1996-97; outlining the Government's strategic priorities and direction for the State Budget; and setting the broad fiscal parameters for the Budget.

Feeding into our deliberations on the State Budget will be the report of the Commission of Audit, headed by Dr Vince Fitzgerald, which is to report to Government by 30 June. Key issues that are to be addressed by the Commission of Audit are: a review of the State's asset base, debt, unfunded liabilities and contingent liabilities; an assessment of the condition of Queensland's public social and economic infrastructure; and measures to improve the efficiency and accountability of the public sector. As I have previously stated, the audit is not a witch-hunt but a genuine exercise to obtain an independent and rigorous assessment of these issues. In particular, the audit will greatly assist the Government in establishing a strategic direction that will deliver faster and stronger development for Queensland.

In conclusion, I want to stress that the overall fiscal position is fundamentally sound. While there has been an unsustainable blow-out in spending left by the former Government, it can and will be corrected by the coalition Government. The House may be assured that the coalition Government is unequivocally committed to the maintenance of Queensland's strong fiscal position—a legacy of past conservative Governments in Queensland through sound and disciplined management.

## MINISTERIAL STATEMENT

### Compulsory Third-party Insurance Premiums

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (3.25 p.m.), by leave: I would like to inform this Parliament that the Government has approved a general 39 per cent increase in compulsory third-party insurance premiums to take effect from 1 July. This move, I know, will not be welcomed by the paying motor vehicle owner, and equally the business sector will feel the impact. However, this action has had to be taken to ensure that private insurers underwriting the CTP business in this State

receive an adequate premium to cover the risk. This is in accord with the previous Government's undertaking to the insurance industry to maintain a fully funded premium.

The Insurance Commissioner reported to the Government in January this year that the independent actuaries engaged to examine the scheme had established that the current premiums were inadequate to meet the cost of claims. The primary cause of the increase, as noted by the actuaries, is an underlying increase in claims being made under the scheme. It was clear to the private insurers, and subsequently identified by the independent actuaries, that a pattern has developed in the community whereby more people are bringing common law damages actions. This experience is similar to that which has occurred in the workers' compensation scheme.

Key factors giving rise to the increase in CTP claims are: members of the community are now aware of their rights and obligations under CTP and hence more inclined to bring common law actions; solicitors no longer have any restrictions on their right to advertise for work; and the road toll over the past couple of years has increased. Department of Transport figures show, by comparison of 1995 and 1993 calendar years, that there was a 15 per cent increase in fatalities and a 12 per cent increase in hospitalisations.

**Mr SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mrs SHELDON:** All of this means that the private insurers are receiving more claims, and unfortunately the premium levels have to rise to reflect the risk, otherwise there will be no-one to write the business.

As a Government we hear what people say, and we understand that it would be more palatable to look at alternate methods of handling the increase, for example, phasing in the increase or maybe considering deregulation of premiums. I would like to give some explanations in this regard. Firstly, the concept of phasing in the increase is totally unacceptable to the underwriting insurers and the Government. Like all businesses, they cannot be expected to underwrite the scheme when they know that they will be in a loss situation. It should also be noted that the CTP legislation requires an annual review of premiums. If there is a fall in the underlying number of claims next year and no significant rise in average claim size, the actuaries would be able to recommend a fall in the premium and the Government will allow that fall to be passed on to motorists.

Total deregulation of the CTP scheme is appealing in some respects, but I am reminded that the members of the insurance industry in their submissions on the premium review were seeking a much higher level than that approved by the Government. Furthermore, deregulation was fully considered by the former Government's advisers in developing the new scheme introduced in 1994 and was not considered appropriate for Queensland. I am aware that such a scheme operates in New South Wales.

**Mr Hamill** interjected.

**Mrs SHELDON:** The member for Ipswich may note that the average premium for cars in that State currently stands at \$415—substantially more than the amount Queenslanders will be asked to pay from 1 July 1996. Under the New South Wales scheme restrictions apply to benefits available to injured parties. No such restrictions apply in Queensland. This Government is in the unfortunate position of having to announce the first significant increase in CTP premiums in 11 years. This action is necessary, based on the independent advice of actuaries and on the recommendation of the Insurance Commissioner, who has taken into account all of the trends developing in the scheme. It is an unavoidable step if the Government wishes to maintain a fully funded CTP scheme in this State.

What angers me about having to make this decision is that the former Labor Treasurer, Keith De Lacy, was given the same information in January this year and sat on it, saying and doing nothing. Mr De Lacy and the former Labor Government did not have the courage to make this decision even though they had actuarial advice that the CTP scheme would be unfunded if action was not taken this year. This is not the coalition State Government's increase in premiums; it is Labor's increase which Labor put off to try to hide from political damage during the Mundingburra by-election. The former Treasurer even took this to Cabinet and Cabinet rejected it because they did not have the gumption to make the decision that needed to be made to safeguard people injured in accidents in this State. This Government was prepared to make those tough decisions, even though the problem was a legacy we inherited from the former Government, which did not have the internal gumption to make that decision to safeguard those who are unfortunately injured in accidents on our streets.

## MINISTERIAL STATEMENT

### Moura No. 2 Mine Disaster; Coroner's Report

**Hon. T. J. G. GILMORE**

(Tablelands—Minister for Mines and Energy) (3.31 p.m.), by leave: This afternoon I tabled the reports of the Mining Warden's Court inquiry into the 1994 disaster at the Moura No. 2 underground mine, and of the coroner's inquiry into the same accident. It is an appropriate time to outline this Government's commitment to providing, in conjunction with the coal industry and its work force, a swift and substantial response to the findings contained in those reports.

However, before doing so, I want to reflect for a moment on the findings of Mr Frank Windridge in his report as coroner. Those findings are a damning indictment of the inaction of the previous Government and its Minister for Minerals and Energy.

To read this report is a profoundly moving experience—one in which sadness continually mingles with anger: sadness at the deaths of 11 men going about their daily work and anger at the lamentable attitude to so many issues of mine safety by the Goss Government. That attitude is reflected in Mr Windridge's impression that—

"As far as head office was concerned, safety, health, and enforcement of the regulations were secondary to budget considerations."

I also refer to the nearly two pages of conclusions which on nine occasions are prefaced with the words, "It is a matter of regret".

"It is a matter of regret that the Department has allowed positions in the Inspectorate which affect health and safety issues to go unfilled for a number of years.

...

It is a matter of regret that due to the actions of others and low morale, valued qualified and experienced members of the staff left to find alternative employment.

...

It is a matter of regret that while there are announcements of new mining developments in Queensland, there is no counter announcement that the resources of the Inspectorate will be similarly increased to monitor the health and safety of miners."

Mr Windridge went on to say—

"It is a matter of regret that the 1 per cent per annum dividend payback to the Treasury was applied to field staff with health and safety responsibilities. This infers that the department was prepared to accept a level of death and injury in the industry so long as budget targets were met."

I repeat: he said—

"This infers that the department was prepared to accept a level of death and injury in the industry so long as budget targets were met."

He went on, "It is a matter of regret," and so on.

I seek leave to have the Coroner's report in its entirety incorporated in *Hansard*.

Leave granted.

#### CORONER'S REPORT - MOURA No. 2 FATAL INQUIRY

Since the close of evidence, the reviewers have met a number of times to formulate their findings and recommendations.

The Reviewers have been absent from their place of work and the family home for a considerable time during the course of this Inquiry and the writing of the Report. I thank those employers and the families for their understanding. I am sure all concerned understand the importance of the matters under consideration.

I thank the Reviewers for the impartial manner in which they approached their task. It is important in these matters that Reviewers be selected for their experience in the industry or their expertise in any special discipline of mining. If representation is going to be divided between various industry interest groups, as is proposed in the future under new draft legislation or amendments, then I feel that the impartiality of and the neutrality of the findings and recommendations could be thrown into some doubt. Such a result is not in the long term interest of the industry.

While an examination into the nature and cause of the accident necessarily implies that only those events surrounding the nature and cause should be examined to make those particular findings, the Reviewers have a duty to make recommendations in order that similar events in the future are avoided. Therefore a deal of evidence surrounding the operation of Moura No. 2 Underground Mine was examined, not to attribute blame, but to ascertain the facts and lay the foundations for the recommendations that the Reviewers must make. I am satisfied that the recommendations are based on the evidence that the reviewers considered worthy of belief and which is uncontradicted by other evidence.

The Reviewers are aware that the recommendations, 25 in number on 16 major matters, will have a significant impact on many aspects of the industry, particularly in Queensland. Hence long and careful considerations were necessary.

I turn now to some aspects of the Coroners Act 1958 as they relate to these proceedings.

Section 24(1) of the Coroners Act 1958 sets out the scope of an inquest on death. It reads as follows:

24(1) Where an inquest into a death is held under this Act, it shall be for the purpose of establishing so far as practicable -

- (a) the fact that a person has died;
- (b) the identity of the deceased person;
- (c) when, where, and how the death occurred;
- (d) the persons (if any) to be charged with murder, manslaughter, the offence of dangerous driving of a motor vehicle causing death as set forth in section 328A of the Criminal Code, or any offence set forth in section 311 of the Criminal Code.

Section 34(1) relates to the admission of evidence, and it reads as follows:

34(1) In any inquest the coroner may admit any evidence that the coroner thinks fit, whether or not the same is admissible in any other court, provided that no evidence shall be admitted by the coroner for the purpose of the inquest unless in the coroner's opinion the evidence is necessary for the purpose of establishing or assisting to establish any of the matters within the scope of such inquest.

Section 43(5) of the Coroners Act reads as follows:

(5) the Coroner shall not express any opinion outside the scope of the inquest except a rider which, in the opinion of the coroner, is designed to prevent the recurrence of similar occurrences.

It will therefore be seen that the provisions of section 71 of the Coal Mining Act 1925 and the provisions of section 24(1) and section 43(5) of the Coroners Act 1958 are similar as to "scope" and "recommendations".

One procedural difference is that the Coroner does not sit with Reviewers, and the findings and recommendations (in the form of a rider) are his own. However one might interpret section 43(5) of the Coroners Act to restrain the expression of any opinion, I am not so specifically restrained by Section 74 of the Coal Mining Act 1925, or by any prohibition in the Mineral Resources Act 1989.

Further, while section 74 of the Coal Mining Act 1925 and section 24 of the Coroners Act might attempt to place some limit on the jurisdiction of the Warden and the Coroner to make comment, one might look to the report of His Honour BR.

Thorley in the Azzopardi Inquiry, paraphrasing Bowen JA in *Bilbao V Farquhar* (1974) NSWLR 377:

the purpose underlying coronial inquiries include the satisfaction of legitimate concern of relatives, the concern of the public in the proper administration of institutions and matters of public and private interest.

It is generally agreed that one role of the Coroner is to alert the community and public authorities to the existence of perils or dangers which have been revealed in the course of an inquest or inquiry. (Coronial Law and Practice - Deputy State Coroner D.Hand - N.S.W.)

The deaths of eleven men at the Moura No. 2 Underground Mine is the third underground disaster at Moura in 20 years, and as such the public interest must be invoked, and the concern of relatives must be answered. On those grounds I put forward the following points.

#### DISCUSSION OF EVIDENCE - THE INSPECTORATE:

The Coal Mining Act 1925, Regulations and Rules thereunder are, with other legislation, administered by the Minister for Minerals and Energy through the Department of Minerals and Energy. Enforcement of the act, regulations and rules is carried out by certain statutory officials appointed under the act with the power to approve certain things and the power to enforce the act, regulations and rules by prosecution if necessary.

Principally those duties fall to the local Inspector of Mines, Electrical Inspector of Mines and the Mechanical Inspector of Mines.

There are a number of coal mines in Central Queensland, both open cut and underground, currently operating, with further mines to come into production in the very near future. Inspection duties in relation to those mines are shared between staff of the Rockhampton Inspectorate and the Mackay Inspectorate.

The examination and cross examination of Inspector Walker of the Rockhampton Inspectorate (transcript 4141 - 4177) brought forward evidence that was most disturbing. The evidence indicates that for a number of years, the staffing levels of the Rockhampton Office were lamentably inadequate. The Moura No. 2 Underground Mine is within the Rockhampton Inspectorate District. The evidence indicates that Walker raised a number of issues, both orally and in writing, particularly staffing levels and the work load of the remaining members of the Inspectorate a number of times with his senior officers in the department, only to be rebuffed with what I consider to be spurious excuses.

Some positions were left unfilled for extra-ordinary lengths of time, namely years.

It is apparent from the evidence of Walker, which I accept, that the Rockhampton Inspectorate exhibited a high degree of concern for the health, welfare and safety of coal miners that appeared to be sadly lacking in others.

Reviewing the evidence of Walker, one is left with the impression that as far as head office was concerned, safety, health and enforcement of the regulations were secondary to budget considerations.

The concerns of Walker were finally brought into the open in a meeting with Paul Breslin the then Director General of the Department of Minerals and Energy. It is obvious that Breslin went into that meeting with a predetermined opinion and a lack of understanding. If anything, the events of 7 August 1994 proved that Walker was right, and Breslin was wrong, or badly informed, or both. It is noted that Breslin had none of the relevant practical experience or qualifications which would have allowed him to make a personal definitive assessment of any particular situation relating to health or safety of miners.

Members of the Inspectorate are recruited from the industry because of their qualifications, experience, and commitment to the industry. Their appointment is a statutory appointment, ie they are empowered to act under the relevant legislation. They themselves must exercise their own discretion as to how and when those duties are carried out, and they must not be subject to the orders or directions of any administrative officer. Any Inspector can exercise his powers under Section 63 of the act at any time.

The Mining Warden can exercise his powers under Section 64, or the inherent jurisdiction of the Wardens Court under the Mineral Resources Act 1989 to ensure that the Inspectorate carries out its statutory duties as prescribed in the act without undue hindrance. Any action taken would be in the form of injunctions and restraining orders, and any breach of those orders would be a serious matter.

#### CONCLUSIONS AND RECOMMENDATIONS.

After consideration of the evidence and the submissions, I have come to the following conclusions:

- it is a matter of regret that the department has allowed positions in the Inspectorate which affect health and safety issues to go unfilled for a number of years.
- it is a matter of regret that staffing levels in the Rockhampton Inspectorate appear to have affected their capacity to carry out their duties in the manner that they as statutory officers see fit.
- it is a matter of regret that due to the actions of others and low morale, valuable qualified and experienced members of the staff left to find alternate employment.

- it is a matter of regret that under the circumstances imposed upon them, members of the Inspectorate have not been able to carry out inspections on a more regular basis and establish regular face to face contact so necessary in health and safety issues.

- it is a matter of regret that although recruited for their qualifications and experience, the department appears to place the operational needs of those statutory officers secondary to budget considerations.

- It is a matter of regret that while the Inspectorate lacked resources, a level of administration comprised of persons not necessarily qualified or with industry experience was created within district offices.

- it is a matter of regret that some appointments to the Department lack the qualifications or relevant experience and background in the industry, and those persons do not perceive the safety role that the Inspectorate must play in the industry.

- it is a matter of regret that while there are announcements of new mining developments in Queensland, there is no counter announcement that the resources of the Inspectorate will be similarly increased to monitor the health and safety of miners.

- it is a matter of regret that the one percent per annum dividend payback to the Treasury was applied to field staff with health and safety responsibilities. This infers that the department was prepared to accept a level of death and injury in the industry so long as budget targets were met.

I note that in the recommendations of the Reviewers, members of the Inspectorate will have extra duties if the Minister honours his commitment to implement the recommendations. In addition, new mines will come into production within the next 12 to 18 months. The recommendations will have an immediate effect on those new mines, and the implementation of those recommendations will stretch the resources of the Inspectorate as it now stands. At the very least, the Inspectorate should not be under the administrative control of Managers or Directors who have neither the qualifications, experience, nor the legislative authority to direct such Inspectors.

It is recommended that if the Inspectorate cannot be fully funded within the department to the level necessary to allow those statutory officers to perform their duties, the Inspectorate be placed under the control of SIMTARS for all funding, operational and staffing purposes.

In the alternative, it is recommended that SIMTARS be given the power to investigate and report on fatal or serious injuries, and to achieve that purpose a special investigation unit be established within SIMTARS, modelled on overseas institutions such as MSHA.

#### DISCUSSION OF EVIDENCE - FUTURE INVESTIGATIONS:

During the Inquiry, some attention was given to the method and manner of taking statements from witnesses and other persons. While I understand that the circumstances that existed at the time were traumatic and stressful to all concerned, the statements were taken in such a manner that it would not be possible to rely on such statements for prosecution purposes if it was considered that the evidence of a serious criminal charge existed, such a charge being one on which the police could initiate proceedings or on which the Coroner might commit a person for trial. It is clear that although the Inspectorate have the qualifications and experience to investigate mining accidents, they are not trained in the method and manner of investigating criminal offences of a serious nature. I consider they should not be burdened with that responsibility. They do not have the resources or the training to do so. I consider that police officers have the training and the resources in manpower and equipment to conduct those interviews. I have some concern that evidence which might be available to substantiate a prosecution could "fall through the cracks" due to unsatisfactory investigatory methods used by the Inspectorate. For instance, no interviews were electronically recorded.

I am aware that there might be some sensitivity in some parts of the industry to this course of action. However, the matter must be addressed in the interests of justice. The legislation should be amended to give some protection against self incrimination to those persons who come forward to assist in the accident investigation.

#### CONCLUSION AND RECOMMENDATION.

After consideration of all of the evidence and the submissions on this point, I have come to the conclusion that the whole system of accident investigation must be overhauled. If the Inspectorate is to continue its investigative role, then further training in such matters is urgently required.

It is recommended that police investigators take a more active role in the investigation of fatal accidents, at least to the stage where they satisfy themselves that there is no evidence or insufficient evidence to substantiate a criminal charge.

To assist police in the discharge of their duties, it is recommended that all police officers stationed adjacent to operating mines be given induction and familiarisation tours in addition to participation in disaster planning and disaster exercises.

In the event that it is considered that the Inspectorate should not be involved in such investigations, it is recommended that a specialist unit be created within SIMTARS to supervise and conduct detailed investigations of mining accidents both fatal and non-fatal.

It is further recommended that the legislation be amended to give protection against self incrimination to those who come forward to assist in any accident investigation.

In accordance with Section 74 of the Coal Mining Act 1925, I have arranged for a copy of the findings as to nature and cause, and the recommendations of the Reviewers to be handed to the Attorney General in Brisbane this morning. I formally adopt those findings and recommendations under section 45(5) of the Coroners Act 1958, and add my own recommendations as riders to my formal findings under section 24(1) as previously handed down.

#### COMMITTAL FOR TRIAL:

I have, at a previous hearing, heard submissions in relation to paragraph (4) of section 24 of the Coroners Act 1958, ie should any person be charged with murder or manslaughter. That is the final matter for consideration.

I am aware that there is some perception in some minds that although thirty-six miners have lost their lives in underground incidents at Moura, nothing has been done. I am unable to comment on the two previous inquiries involving incidents at Moura.

However, in relation to this incident, there are four levels at which "action" may be taken.

- The Minister for Minerals and Energy may refer this file to the Board for Examiners for any action that they consider necessary. The Minister only has the right of referral. He has no legal power to direct or request the Board to take any particular action. Any action taken is taken at the discretion of the Board of Examiners, and no other person. Any notice to show cause action is directed through the Wardens Court, and hence I wish to say nothing further in relation to this point.
- The Inspector or Chief Inspector has the power to commence a prosecution for any offence under the act or regulations. That has not been done, and due to the effluxation of time, can now not take place, not withstanding the definition of "negligence" in section 104.
- A prosecution action for a criminal offence under the statutes as they existed in Queensland at the time of the incident may be commenced by the Police or the Director of Prosecutions. That has not been done to date and is unlikely to occur for several reasons which are given below.
- A "committal for trial" from the Coroners Court.

After reviewing the evidence and upon consideration of the submissions on the evidence and the law, I have reached the conclusion that there is insufficient evidence on which I could commit a person for trial on a charge of murder or manslaughter, the only two offences available under the Coroners Act on which I could act. To commit for trial, I would have to be satisfied that the evidence disclosed a reckless action with grave moral guilt in the knowledge that the death of a person was most likely to be the result. I consider the evidence falls short of this requirement.

There is also the difficulty relating to the statements which I have previously mentioned.

No person is committed for trial.

#### CLOSING REMARKS.

Given our foreign debt and balance of payments situation, the mining industry is particularly important to the economy of Australia, and coal mining is a major stakeholder in the mining industry. Coal is our largest export in volume and value. It will continue to be so for a number of years. From coal mining, we produce a very large part of our export income, and the flow on effect in meaningful employment opportunities, and the generation of other skills and services, is almost incalculable.

It is important that we, as a nation, acknowledge the importance of the coal mining industry and the efforts of all those persons who work in the industry.

Governments, which derive large benefits from such an industry, have a duty to ensure that mining is carried out in as safe a manner as possible. Governments have, through legislation, given themselves the right to regulate the industry and to enforce the acts, regulations and rules that govern the day to day operations of the industry. With the right to regulate comes the responsibility to ensure that the work place is made as safe as possible for those men and women who work in the mines, shift by shift, day by day, year in and year out.

Governments have no moral right to walk away when a disaster happens and decline to accept any responsibility. They are, by association and legislation, clearly involved. Put bluntly, they must either regulate the industry properly or they hand the regulatory duties over to some other authority.

It goes without saying that all those witnesses, including Walker, that came forward and gave evidence at the hearing will receive protection from the Court if necessary.

Any attempt to "shoot the messenger" as predicted by Walker will cause the Court to consider the remedy it might take under the wide powers that are available to it. It is not the function of the Wardens Court to protect the Minister or to act as a rubber stamp for the Department of Minerals and Energy.

If our wide ranging search for "truth and justice" uncovers inadequacies within the Department, then the Court has a duty to draw attention to such matters. If the Minister or the Department cannot accept this situation, then under the separation of power principles, the administration of the Wardens Court should be removed to another appropriate body.

Given the lack of accommodation and resources that we have suffered over the last five years, such a change of administration may be beneficial to the Court and the stakeholders. The Court, during the term of the Moura Inquiry, has been physically re-located three times.

For some people, this Inquiry and Inquest marks the end of proceedings. However, for others, much work needs to be done. I suspect that for the next of kin and the families, it will never be over.

The matters that the Reviewers considered, and the matters that I have dealt with are of grave importance. We are dealing with the health, safety and financial security of miners and their families, perhaps even into the next generation.

No doubt there will now be a plethora of steering committees, advisory panels and consulting groups. I concede that such things are necessary, given the impact of the recommendations.

Research into better mining methods, education, and training must be ongoing, and health and safety must always be paramount in our minds. It is with some satisfaction that I, as Warden, will be in a position to closely monitor the recommendations. In particular, new applicants for coal mining leases will be required to address the recommendations contained in the Moura Report prior to achieving any favourable recommendation from the Wardens Court.

I would urge the Minister to take action to implement the recommendations as soon as possible, keeping reviews and restructuring to a minimum, and dealing with the real issues.

Those miners who have died on the Moura Lease in the last 20 years deserve that commitment, and nothing less.

This inquest into the deaths of the eleven miners trapped underground at Moura No. 2 Underground Mine is formally closed.

The Inquiry under Section 74 of the Coal Mining Act 1925 is formally closed. The Report is formally released.

Dated at Rockhampton this 17th day of January 1996.

(Sgd) (Seal)

F.W.WINDRIDGE

WARDEN and CORONER.

**Mr GILMORE:** I incorporate that report because I want it to be seared into the minds of every member of this House and the people

of Queensland. All Queenslanders—and coalminers are no different from those in any other industry—are entitled to a safe workplace. Achieving this requires care and commitment from all those involved—employers, workers and their unions, and, where there is an identified role, Governments. It also requires a readiness to accept that improvements can and should be made.

As many in the House, and most particularly my colleague the Minister for Local Government and Planning, are aware, 11 men died tragically on 7 August 1994 at Moura No. 2. The Wardens Court inquiry into their deaths has provided us with a far-reaching program of reform aimed at ensuring that the failings identified at the mine at the time of the accident can be addressed on an industry wide basis. The coroner's report has provided us with concerns about the resourcing and activities of the mines inspectorate within my Department of Mines and Energy. We owe it to those who died, to those they left behind, to those of their colleagues who daily go underground in coalmines throughout this State and to the broader community to ensure that the Moura findings are not some nine-day wonder, but rather that they represent a turning point in the history of coalmine health and safety in this State.

With this in mind I am pleased to inform the House today that the Cabinet has agreed that all of the findings of the Wardens Court inquiry will be implemented as quickly as is practicable, and that careful consideration will be given to the contents of the coroner's report. The timetable as first proposed for implementation of all of the recommendations is tight but not impossible, and we shall stick to it. I expect the full cooperation of industry, unions and the Government, who most remain focused throughout entire implementation process.

At the time of receiving the Wardens Court and coroner's reports, my predecessor announced the formation of a number of implementation committees, including a review of the inspectorate. In very large part I will leave the implementation process established by the former Government intact. Implementation activities are well under way, and I will not make change for change's sake. However, I will make two alterations to the composition of two of the bodies engaged in Moura implementation activities. The first, and most far-reaching change, is the appointment of Mr Neil Galwey, former Commissioner of the Queensland Electricity Commission, to head up the overarching Moura Implementation Committee. This committee is responsible for

implementation, planning and monitoring, and for providing advice directly to me on the status of implementation activities by all stakeholders. As the independent chair of the committee, Mr Galwey will act as a direct point of contact for industry and unions and a source of outside advice and expertise to my department and to other committee members, and will have a clear charter to ensure that the interests of all stakeholders are taken into account in the implementation process.

The appointment of Mr Galwey is an indication of the importance that the Government attaches to these tasks. As well, my parliamentary colleague Mr Tony FitzGerald, the member for Lockyer, has accepted my invitation to serve on the committee overseeing the review of the inspectorate. I will also arrange for the whole implementation process, as well as proposed changes to regulations and legislation, to be overviewed by the mining warden.

In addition to these changes, I already have stressed to industry stakeholders two other matters. The first is that this will be a tripartite implementation process. The working groups set up to progress particular recommendations will contain employer, work force, and Government representatives. Each player has a worthwhile point of view, and a differing perspective on the issues, and it is only by the involvement of all parties that we will achieve practical, implementable results. The second point I have stressed is that implementation of the Moura findings will be treated as a major priority and will occur without delay. The coal industry is littered with sporadic bursts of activity aimed at safety improvements, followed by gradual dissipation of effort and, ultimately, failure to effect any real change. It is in all of our hands to ensure that this pattern is broken. This Government is determined to see that it is.

## MINISTERIAL STATEMENT

### Eastlink

**Hon. T. J. G. GILMORE**

(Tablelands—Minister for Mines and Energy) (3.39 p.m.), by leave: On 18 March the Queensland Government made good its promise to the people of Queensland to cancel the Eastlink connection. This had been a longstanding policy, announced prior to the 15 July 1995 election and widely debated in the community and in the press. The decision was based upon our view that interconnection was of low priority, that the Eastlink route was environmentally unconscionable and that due to the failure of the Goss Government to

appropriately plan for the future generation needs of Queensland, radical and urgent action was required to rectify the problem.

The Goss Government made one and only one decision in respect of major power generation in six years. That was to scrap the Tully/Millstream hydroelectric scheme. That in itself was forgivable as the sovereign right of the Government of the day. What was not forgivable was that nothing was planned to replace it. At a later time it was agreed that Eastlink would be the saviour of the Government; that it would disguise the failures of the Government to understand and plan for the future needs of Queensland's homes and industries. Then as time passed on and further decisions were not forthcoming, it became a panic measure to be pushed through at any cost, and that decision along with the koala toll road cost the Labor Party Government at the last election.

Our Government has taken the view that, in the best interests of Queensland, this hiatus of planning and construction in the power industry ought to be broken in Queensland. Therefore, we have called tenders for the provision of new generation. The documents will be released later this week and finalised by 29 July 1996. Later this year a further tender for power supplies post the year 2000 will be called. This process will bring the electricity supply industry back into synchronisation with the future needs of Queensland's homes and industries.

We are not afraid of competition or a competitive market. We will not, however, join from a position of weakness—a mendicant State seeking desperately for salvation. We will join as a strong, competitive, equal partner in the process. Interconnection carries no fears for us, either. However, when we interconnect, it will be over a route of our choosing, at a time of our choosing, and in the best interests of Queensland, not in the interests of Bob Carr or Jeff Kennett, not to provide an out for the New South Wales Government, which has planned unwisely and desperately wants to sell us power and a power station.

The outrage emanating from the southern States would deny us, a new conservative Government, the right to review the policies of two failed Labor administrations—one here in Queensland and one in Canberra—and would force us to follow blindly, with no evidence, dogma designed for the benefit of others.

Information provided to the Government at the time of this decision was a single view of the world unsupported by detail and untested in the marketplace. We considered it and

chose to take another view. Reports by the *Courier-Mail* on the subject would have us accept such advice uncritically without question. That is not how this Government operates, and neither should it.

One of the cornerstones of our policy is tariff equalisation. That policy will not be compromised. Our entry into the market will be contingent upon arrangements being made to provide power at equal prices to those Queenslanders who live remote from generators. It would be easy for Government, through short-sighted, expedient decisions, to depopulate the regions of this State in favour of the south-east corner. It will take a Government of rare wisdom—and, might I add, some guts—to continue and strengthen our legacy of decentralisation. The power industry is central to that.

In conclusion, I reiterate that this Government is the Government in Queensland. Our decisions in all things will be for the benefit of Queensland first and if the interests of Australia and the southern States are well serviced by that, then that will be a bonus. The future of our power supplies is now assured, due to the fact that we now sit on the Government benches, and our position as the pre-eminent producer of electric energy is reasserted. We will not be diverted from this course.

**Mr SPEAKER:** Order! That was a powerful contribution! I call the Honourable Minister for Training and Industrial Relations.

## MINISTERIAL STATEMENT

### Workers Compensation Fund

**Hon. S. SANTORO** (Clayfield—Minister for Training and Industrial Relations) (3.43 p.m.), by leave: I wish to inform the House about the ongoing financial problems of the Workers Compensation Fund and the Borbidge Government's initiative to deal with the problems we inherited from those opposite. During debate on the amendments to the Workers' Compensation Act last year, I criticised the former Government for concealing information about the financial position of the fund and Labor's unpreparedness to consult properly with all the stakeholders on the issues.

Unlike our predecessors, this Government has acted immediately on two fronts in relation to the workers' compensation system in this State. The first was calling for an independent actuarial assessment of the state of the Workers Compensation Fund and an update

on the fund's current and projected end-of-financial year positions.

**Mrs Edmond:** I was able to make a decision.

**Mr SANTORO:** The decision that the previous Minister made was so good and so competent that she was moved out of that area of her portfolio responsibility immediately!

The second was arranging for the conduct of a wide-ranging public inquiry into workers' compensation in Queensland. On Tuesday, 27 February 1996, Mr Richard Anderson was appointed to undertake an independent assessment of the Workers Compensation Fund. Mr Anderson, a partner in the firm Coopers and Lybrand, is a member of the Queensland Treasury Corporation Board and also chairs the QTC Accounts and Audit Committee. Mr Anderson's report verified the deficit position of the Workers Compensation Fund as reported in its 1994-95 annual report, and the current trends to 29 February 1996 indicate that there will be a further deterioration in the Workers Compensation Fund as at 30 June 1996, resulting in a projected trading loss for the year of \$102.49m and a resultant balance sheet deficit of \$216.74m compared to \$114.3m as at 30 June 1995.

I divert from the prepared text by informing the House—and stressing to the House—that what we have done here this morning is actually inform the House—the Parliament—in a manner that the previous Government was not prepared to do.

There has been a sustained rise in the number of new common law claims this financial year and the resulting incurred costs—payments plus provisions. The board's actuaries have completed their mid-year review of all claims costs. Their estimated increase for outstanding claims liability for the 1995-96 year of \$280m is reflected in the balance sheet deficit figure.

Over the past 10 years, statutory claim numbers have increased at a rate lower than the growth in the labour force. Statutory claims costs have been very stable also, continuing the long period of stability in the statutory claims system. However, the number of new common law claims continues to be of concern. For the first eight months of the 1995-96 year when compared with the same period in the 1994-95 year, common law claim numbers have increased by 55.8 per cent for the non-Government sector and 95.1 per cent for the Government sector. Again, this represents the first time that those figures have been stated publicly within this

Parliament, and that is what is happening within those areas. The combined common law claim costs for both non-Government and Government increased by 19.5 per cent over the same period.

On Monday, 11 March 1996, the Government announced the appointment of Mr Jim Kennedy, AO, CBE, to undertake an inquiry into workers' compensation and related matters in Queensland. The Government is fortunate to have been able to secure the services of Mr Kennedy, whose acknowledged business experience makes him an ideal choice for this task. Mr Kennedy has experience with other inquiries and has a reputation as someone who applies a rational approach to all issues and arrives at a balanced outcome—unlike members opposite.

The inquiry has been structured to operate independently and is resourced by the commissioner and his personal staff. To further ensure the independence of the inquiry, officers have not been seconded from Government departments. The inquiry is the first—and I stress this for the information of honourable members—of its type in Queensland and represents a concerted effort by the State Government to address this legacy of Labor's neglect. It is expected to take three months to complete and cost approximately \$500,000, which will be met by the Department of Training and Industrial Relations, thereby not placing any further burdens on the Workers Compensation Fund.

The terms of reference for the inquiry were developed following consultation with the Workers Compensation Board members and other major stakeholders, including the ACTUQ, the AWU, the SPSFQ, the MTIA, the QCCI, the QFF, the Queensland Mining Council, the AMA, the Bar Association, the Queensland Law Society and the Insurance Council of Australia, and provide for a wide-ranging review of workers' compensation policy and administration in the State, including the advisability of the board's role as a sole insurer. At this point, I stress to the House that those terms of reference were accepted unanimously by all those stakeholders, who regarded the consultation process leading up to the determination and the finalisation of those terms of reference as an exemplary one.

The inquiry will consult widely with interested stakeholders and will hold public hearings throughout major Queensland centres. Advertisements calling for submissions to the inquiry appeared in metropolitan and regional newspapers in the

week ending 22 March 1996. For the interest of honourable members, I point out that the closing date for submissions is 30 April 1996.

A comprehensive resources kit for stakeholders intending to make a submission is available from the inquiry office. The kit consists of trends in statutory and common law claims, projected profit and loss accounts and actuarial reports. An honourable member interjected earlier, asking whether I would table the actuarial reports. Those actuarial reports, as well as jurisdictional workers' compensation scheme comparisons and other relevant documents will be made available to all stakeholders and all interested parties who want to make submissions. Again, that is a very big departure from the secrecy provisions that the previous—

**Mrs Edmond:** I made the information available.

**Mr SANTORO:** I will take the interjection from the now-defunct Minister. The previous Minister did not make all the information available. She refused to table it in this place; the former Treasurer refused to allow her to do so.

In addition, a detailed independent examination of the structure, staffing, operation, administration and overall efficiency of the division of workers' compensation has been commissioned by Mr Jim Kennedy. Mr Des Knight has been appointed to undertake this examination and to submit a report to the inquiry by 30 April 1996. Mr Knight's examination is under way already, and I am pleased to say that he has the complete cooperation of the board in undertaking an objective analysis of the operational issues. The scope and priority given to this inquiry will reflect the depth of the Government's intention to derive a workers' compensation system which will meet Queensland's current and future needs, and which will sort out the financial mess left by the Goss administration.

In conclusion—unless I decide to take a few more interjections—I will say that the process that I have outlined in this statement exemplifies the Government's determination to act quickly and decisively in addressing major problems, and at the same time will ensure that all stakeholders who have an interest are properly consulted and, where possible, will have ownership of the outcomes. In this particular case, the Government's aim is to consider reform which provides a fair balance between the rights and interests of workers and employers while maintaining Queensland's pre-eminent position as the low tax State that it is.

## MINISTERIAL STATEMENT

### Flooding in Far North Queensland and Tropical Cyclone Ethel

**Hon. M. D. VEIVERS** (Southport—Minister for Emergency Services and Minister for Sport) (3.54 p.m.), by leave: Mr Speaker, I take this opportunity to congratulate you on being elevated to the high office of Speaker. I hope that that precludes me from being the first one to be thrown out of the House.

I wish to inform the House about the recent flooding in far-north Queensland, the impact of tropical cyclone Ethel and counter-disaster operations in support of affected communities. On Monday, 4 March 1996, flood warnings were issued for the Herbert, Tully and Johnstone Rivers, with minor to moderate flooding predicted. The cause of the flooding was rainfalls of between 150 millimetres and 200 millimetres in the catchment areas of these river systems due to an active monsoonal trough.

Although not severe, the flooding of the river systems between Ingham and Innisfail caused widespread traffic problems and left approximately 400 motorists stranded in Tully and Cardwell after the Tully River cut the highway. The majority of these motorists were able to care for themselves, but a small number required assistance with accommodation and food. Flooding in the Innisfail area, from the North and South Johnstone Rivers, inundated some low-lying suburbs and necessitated the evacuation of some 20 people from a riverside caravan park. Some of these people were to later receive personal hardship assistance from the Department of Families, Youth and Community Care. In the Ingham area, the flooding from the Herbert River caused only minor inconvenience. The Herbert and Johnstone rivers remained in flood for two days, and the Tully River for four days.

During Tuesday, 5 March, the heavy rains that had caused the initial flooding from Ingham to Innisfail moved north of Cairns and began to affect communities from Port Douglas to the Daintree. Rainfalls recorded for the 24-hour period to 9 a.m., Wednesday, 6 March, ranged from 284 millimetres at Port Douglas to 745 millimetres at Cape Tribulation. These heavy rainfalls caused major flooding to several river and creek systems in the area. The worst affected was the Daintree River, which reached record flood heights, causing severe damage to local infrastructure, businesses and personal assets. The level of flooding also required the use of aircraft to resupply some communities with essential

food, medical supplies and other items such as generators. Some communities and residents were also resupplied by boat.

The electricity supply to Cooktown was disrupted when the powerlines crossing the Daintree River were damaged by the rising floodwaters. In actual fact, they were totally covered. Cooktown remained without electricity from the afternoon of Tuesday, 5 March, until the morning of Friday, 8 March. Without electricity, the pumping of water at the water treatment plant could not be undertaken and perishable food supplies in stores were at risk.

In the Mareeba district several motorists were trapped between flooded rivers and creeks, requiring the Department of Emergency Services rescue helicopter to fly food supplies to them and to evacuate a number of people to Mareeba. Resupplies were also taken to isolated properties by boat and tractor.

On Thursday, 7 March, I saw first-hand the devastation caused by the flooding in a visit to the area with the Department of Emergency Services Acting Director-General, John Hocken, and Counter Disaster Services Executive Director, Allan Windsor. Flood levels in most areas had receded by the afternoon of Saturday, 9 March, allowing commencement of damage assessment and clean-up operations. Some communities to the north of Cooktown, however, are still isolated due to road damage and the continuing wet conditions.

That will probably be the last sporting grant that the member for Chatsworth gets.

**Mr MACKENROTH:** I rise to a point of order. I hope that the Minister is only joking, that he would not threaten the junior clubs in my electorate by taking money off them.

**Mr VEIVERS:** Absolutely not. At least I have the honourable member's attention.

The Premier, Mr Rob Borbidge, travelled to the area on Saturday, 9 March, to also get a first-hand overview of the flooding and the clean-up operation. At the same time as the flooding was taking place, tropical cyclone Ethel was forming in the Gulf of Carpentaria near Mornington Island. By Sunday, 9 March, tropical cyclone Ethel was 40 kilometres north-west of Weipa and had been upgraded from category 1 to category 2, with winds of 125 kilometres per hour within 20 kilometres of the centre.

**Mr Fouras:** Is this a weather report?

**Mr VEIVERS:** If this came down on the honourable member, he would be worried. He

would definitely be looking for my Emergency Services.

Fortunately, damage to Weipa township was minor, with powerlines and trees blown down and only minor damage to buildings, although a private industrial site north of the township sustained an estimated \$1m damage. By Sunday night, Ethel had crossed the cape to the north of the Lockhart River and was over the Coral Sea, at this stage being classified as a category 1 cyclone. It continued on a south-easterly course, parallelling the coast until early on the morning of Tuesday, 11 March, when it intensified again to a category 2 cyclone and began a rapid westerly movement towards the coast. The cyclone crossed the coast at Cape Melville, causing wind gusts of 140 kilometres per hour within 60 kilometres of its centre, and continued to travel west.

**Mr Ardill:** What was the barometer reading?

**Mr VEIVERS:** Very low, as far as we are concerned here. The Government activated the natural disaster relief arrangements on Wednesday, 7 March, in accordance with State and Commonwealth agreements. To date, NDRA issues covered include counter-disaster operations, disaster relief assistance schemes, the restoration of public assets, concessional loans to small businesses and concessional loans to primary producers.

**An Opposition member** interjected.

**Mr VEIVERS:** Opposition members can laugh, but this Government looked after these people. A full breakdown of costs is not yet available as assessments are continuing. Five businesses and eight houses, as well as roads and utilities, were damaged by flooding in the Daintree area. The Department of Families, Youth and Community Care set up a one-stop shop in Mossman to deal with claims of personal hardship from residents of the area.

There was a serious disruption, as I have said, to the electricity supply at Cooktown, which highlighted the lack of back-up generating capacity to run essential services such as water supply and the storage of perishable goods. Another area of concern was the lack of generating capability for the ABC transmitter at Cooktown. This meant that normal radio services could not be provided to residents of Cooktown and other areas of far-north Queensland. These radio services are crucial when cyclones are threatening an area and warnings need to be issued. To alleviate the immediate problem, counter-disaster services arranged to fly a generator into Cooktown to power the transmission station in

the event of further power cuts during the cyclone season.

The Honourable Minister for Primary Industries, Fisheries and Forestry, Mr Trevor Perrett, travelled to Gordonvale on Friday, 15 March with the member for Mulgrave, Ms Naomi Wilson. Together they met with a deputation of canegrowers from the Innisfail/Mareeba area. Growers estimated that crop damage would be worth more than \$10m. The Minister and the member for Mulgrave also met a deputation from fruit and vegetable growers, who said that initial estimates of damages to crops—and members opposite should listen to this—could be worth approximately \$30m. Both deputations said that the situation regarding damage would be clearer after the harvest seasons.

During this disaster, the disaster management system was fully operational and there was extensive consultation between counter-disaster services and Government departments with lead agencies responsible under the State Disaster Plan. Extensive consultation was also conducted between the Counter-disaster Services Division, disaster district coordinators and local governments.

Finally, I put on record the excellent job carried out by the volunteer State Emergency Service personnel and staff of all Government departments with a functional role in the State Disaster Plan. Everyone responded efficiently and effectively in performing their designated roles. Adequate and timely support was also provided to disaster districts and local governments in the affected area.

## **SITTING DAYS AND HOURS; ORDER OF BUSINESS**

### **Sessional Order**

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.01 p.m.), by leave, without notice: I move—

"That except for this day of sitting, for this Session unless otherwise ordered and notwithstanding anything contained in the Standing Orders—

- (a) The House shall sit on Tuesday, Wednesday and Thursday from 9.30 a.m. until 1 p.m. and 2.30 p.m. until 7.30 p.m. unless by its own resolution the House adjourns earlier than 7.30 p.m.
- (b) The Order of Business for each Sitting Day shall be as follows—

9.30 a.m. - 10.30 a.m.—

Prayers  
 Messages from the Governor  
 Matters of Privilege  
 Speakers Statements  
 Motions of Condolence  
 Petitions  
 Statutory Instruments  
 Ministerial Papers  
 Ministerial Notices of Motion  
 Government Business Notices of Motion  
 Ministerial Statements  
 Any other Government Business  
 Personal Explanations  
 Committee Reports  
 Notices of Motion for debate from 6 p.m. to 7 p.m. on Tuesday, Wednesday and Thursday  
 Private Members Bills  
 Private Members Statements, during which Members may speak on any subject for 2 minutes

10.30 a.m. - 11.30 a.m.—

Question Time

11.30 a.m. - 1 p.m. (Wednesday and Thursday)—

Government Business

11.30 a.m. - 12.30 p.m. (Tuesday)—

Matters of Public Interest

12.30 p.m. - 1 p.m.—

Government Business

2.30 p.m. - 6 p.m. (Tuesday, Wednesday and Thursday)—

Government Business

6 p.m. - 7 p.m. (Tuesday, Wednesday and Thursday)—

Private Members Motions. Time limits - mover 10 minutes, other Members 5 minutes

7 p.m. - 7.30 p.m. (Tuesday and Wednesday)—

Adjournment Debate

7 p.m. - 7.30 p.m. (Thursday)—

Grievances Debate, during which a Member may speak for a time not exceeding 2 minutes.

At 7 p.m. on Tuesday, Wednesday and Thursday if the Question before the House has not been resolved, the motion lapses.

The motion 'That this House do now adjourn' may be proposed at the conclusion of the day's sitting by the Member occupying the position of Leader or Acting Leader of Government Business in the House."

**Mr SPEAKER:** Order! If this motion is to be debated, it requires a seconder.

**Hon. K. R. LINGARD** (Beaudesert—Minister for Families, Youth and Community Care) (4.03 p.m.): I second the motion moved by the Leader of Government Business.

**Mr MACKENROTH** (Chatsworth) (4.03 p.m.): The Opposition will oppose this motion because of what is being attempted by the Government. We received a copy of the motion as we came in for question time at 3 o'clock.

**Mr Borbidge:** We didn't get your Bill this morning.

**Mr MACKENROTH:** That does not matter. I am telling the Premier what happened. I received it at 3 o'clock. What is being attempted in this Sessional Order is censorship of this Parliament. Through the Chair, I will direct my comments to Mrs Cunningham and ask her please to consider it. The Government is attempting to take away from the Opposition or any other member the opportunity to raise any other business in the morning. From 9.30 a.m. till 10.30 a.m. the Government is taking away the right of any member other than a Government member to raise any other business. The Government is trying to say that it is giving members the opportunity to put motions on notice to be debated between 6 o'clock and 7 o'clock at night. So if a controversial issue arises and we give notice of it in the morning, the Government will ensure that it will be debated at 6 o'clock—after the television coverage has been put to bed.

**Mr Borbidge:** You have got MPI.

**Mr MACKENROTH:** No, hang on. The motion goes on to state that "if the Question before the House has not been resolved, the motion lapses." That is any motion that we want to move. What the Government is in fact attempting to do is ensure that the member for Gladstone never, ever has to vote on a controversial motion moved in this Chamber by the Opposition.

**Opposition members** interjected.

**Mr MACKENROTH:** Government members are ensuring, firstly, that we cannot raise any other business in the morning and, secondly, they are saying that with respect to any business that is raised between 6 o'clock and 7 o'clock at night, if the debate does not finish by 7 o'clock, the motion lapses and so no vote is taken. By doing this, the Government is ensuring that the member for Gladstone, as the only Independent member in this Parliament, never has to make a decision in relation to any controversial issues.

**Opposition members:** That's wrong.

**Mr MACKENROTH:** That is not wrong. That is exactly—

**Mr Borbidge:** Read it.

**Mr MACKENROTH:** I am reading it; I have read it. If the Government had given it to us yesterday, we may have had time to consider it. If it had been put forward as a notice of motion, we could have debated it tomorrow. I move the following amendment to the motion—

- "1. That after 'Any other Government Business' we insert 'Any other Business'; and
2. On page 2, that we delete 'At 7 p.m. on Tuesday, Wednesday and Thursday if the Question before the House has not been resolved, the motion lapses.' "

What that does is this: if a member of the Parliament other than a Minister wishes to raise something in the morning, that member can seek leave of the House and, if leave is granted, that member can raise that issue. That opportunity would be there for a member to move a motion in the morning. The second amendment ensures that the notices of motion that are debated at night are voted on. If the Government wishes to say that it is trying to make this Parliament more relevant and if it is trying to ensure that non-Government members can have a say, it will also ensure that we are given the opportunity to have a vote and to decide what is being done.

I urge members—in particular Mrs Cunningham—to support the amendments that I have proposed. If that is not done, the honourable member will ensure that the people of Gladstone will have no say whatsoever in this Parliament. They will never have a say on any controversial issue that is attempted to be raised in this Parliament. The Government will do this by giving notice of a motion, the debate will go until 7 o'clock, and no vote will be taken on it. That is what the

Government is attempting to do with this motion.

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (4.08 p.m.): I second the amendment and, in doing so, I point out to the House that this is the first working day of the new Government. What do we have? The Government is winding back the rights of ordinary members in this Parliament. On its first working day, it is taking away the opportunity for the Opposition to raise matters under "Any other Business". The Government did not even seek the opportunity to consult with us or discuss this with us. On the first working day, it is trying to wind back the rights of members. That is typical of the half-truths that we hear in regard to these measures.

In the public forum, the Government says that it wants to reform the Parliament and improve it. If the Government wants to improve the proceedings in the Parliament, it will support the amendment.

**Mrs Sheldon:** Mr Elder wants the old system back. We will give it back to you.

**Mr BEATTIE:** Is the honourable member happy to support the amendment?

**Mrs Sheldon** interjected.

**Mr BEATTIE:** The members opposite are not prepared to support the amendment. If the Government is genuine and serious about retaining the right of members on this side of the House and the right of the honourable member for Gladstone to raise issues under "Any other Business", then it will accept the amendment. If the Government is not prepared to accept the amendment, it will be condemned for winding back the rights of members in this House. If Government members believe that this Parliament is the home of democracy and that members should have the right to raise matters, they should support the amendment. If they do not support the amendment, they will be condemned for winding back the rights of honourable members, and all the statements that the Premier has made about reforming this House and improving democracy will be revealed as nothing more than a fraud.

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.09 p.m.), in reply: I was moved by the members opposite who spoke on my attempt to reform this Parliament. I put forward the suggestion that the sittings of this House commence at 9.30 in the morning. I put forward the suggestion that this House should rise at the cut-off time of 7.30 in the evening, and those matters are included in this motion. It has been the

tradition in this place that when any member sought leave to move a motion without notice, while the Government of the day had control of the House such leave was never granted unless it was to embarrass a member who was not prepared for the debate that ensued.

I have proposed that in the morning session a member has the right to raise any matter, and such matters will be debated that afternoon. I have been moved by the arguments put forward by the member for Chatsworth with regard to putting the question. It is not my intention to prevent a division occurring. Therefore, if it will please honourable members, I will accept the second part of the amendment moved by the member for Chatsworth so that the debate can be adjourned and continued on another day. If there is objection to the motion lapsing, I will remove that clause. It is not my intention to stifle debate.

We must have set aside in the Sessional Orders a specified time for Government business. Governments must be allowed to govern. I recognise that private members are not given many opportunities to raise issues. We are doing away with the Special Public Importance debate, which formerly was held for one hour per week. In my view, that debate did not work very well. Mr Speaker would accept one subject from the Government and then one subject from the Opposition and members would read prepared notes for 10 minutes. Opposition members must acknowledge that that question was never put. I have proposed that a similar style of debate can still be held. I hope that it will be a lively debate.

**Mr Hamill:** But who's going to choose the issue for debate?

**Mr FITZGERALD:** It will be non-Government members, and I am quite willing—

**Mr Borbidge:** Non-Government business.

**Mr FITZGERALD:** It is not Government business. I will not approve of Ministers moving ministerial business during that time to filibuster and fill up that debate. It is not my intention to allow that, and I do not want that to occur. It is time that will be dedicated to honourable members—

**Mr Borbidge:** For an hour each day.

**Mr FITZGERALD:** It will go for an hour each day. I want a lively debate. I am allowing the mover to have 10 minutes in which to speak, and all other members who participate in the debate will have five minutes in which to

speak. I am not stopping any Minister from speaking to private members' matters that come before the House, but Ministers shall not propose the subject for debate. I think I have been open; I think I have been fair. I want to uphold democracy. I want to see private members and the Opposition have a fair go. I cannot allow the Opposition to gain control of the House of a morning by seeking leave to move motions without notice. When such leave is sought, we have to divide and we waste a lot of time.

The proceedings of this Parliament are now televised. I want question time to start at 10.30. Honourable members will note that question time will go for a full hour. That often did not occur in the past. On many sitting days, ministerial statements and other matters impinged on the time allotted for questions. I admit that the ministerial statements delivered today were too long, and I intend to talk to Ministers and ask them to cut those down. But under the proposed arrangements such statements will not cut into question time.

**Mr Borbidge:** Private members' statements every morning.

**Mr FITZGERALD:** The last item in the 9.30 to 10.30 timeslot is private members' statements, during which a member may speak on any subject for two minutes. Any member may raise any issue during that time.

**Mr Mackenroth:** But you are ensuring there is no vote taken.

**Mr FITZGERALD:** Votes can take place every evening. If a member wants to raise an issue that is going to go on, that member can—

**Mr Mackenroth:** Censorship.

**Mr FITZGERALD:** That is not censorship. It is an opportunity that has never been available to members before.

I appeal to honourable members to give this a try to see whether they like it or not. I will accept the second part of the amendment moved by the Leader of Opposition Business. I am willing to give it a try. I want to see how it works. I believe it is important that private members be able to raise matters, debate matters, vote on matters and do whatever they will. I believe that we should set down a specific time during which members can raise matters, in addition to Adjournment debates—as we have at present—on two evenings each week and a grievance debate. That is a trial. We decided on a two-minute period. Some other Parliaments allow 90 seconds for contributions to grievance debates. We could not adopt that time span

because our clock clicks over in whole minutes. I believed that one minute is far too short a time for a matter to be raised, so I proposed that we try two minutes.

**Mr Borbidge:** The Opposition will get at least an hour a day for Opposition business.

**Mr FITZGERALD:** That is a commitment from the Government. I ask members opposite to trial these new arrangements.

**Mr Borbidge:** An hour a day for their own business.

**Mr FITZGERALD:** The Premier has reinforced that commitment. The questions can be put. I have removed the clause that states that the motion lapses, so that the question can be put. It always could have been put in that time, but now the debate can also be held over to the next day if desired.

**Mr Beattie:** So you are still rejecting the first part of the amendment?

**Mr FITZGERALD:** I reject the first part of the amendment, but I will accept the second part.

**Question**—That the words proposed to be inserted be so inserted—put; and the House divided—

**AYES, 43**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, 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, *Tellers:* Livingstone, Sullivan T. B.

**NOES, 43**—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, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

Pair—Baumann, Woodgate

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

Resolved in the **negative**.

Amendment (Mr Mackenroth—Part 2) agreed to.

Motion, as amended, agreed to.

## DEBATE ON ADDRESS IN REPLY

### Sessional Order

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.24 p.m.), by leave, without notice: I move—

"That for this session—

- (a) on days allotted for the Address-in-Reply Debate, a day shall comprise that period from 12.30 p.m. until 6 p.m. on Tuesdays, and from 11.30 a.m. until 5 p.m. on Wednesdays and Thursdays;
- (b) the debate may continue from 5 p.m. to 6 p.m. on Wednesdays and Thursdays with that hour constituting one quarter of an allotted day;
- (c) the provisions of Standing Order No. 305 be suspended in relation to Committees of Supply and Ways and Means; and
- (d) all other provisions of the Standing and Sessional Orders shall *mutatis mutandis* continue to apply."

Motion agreed to.

## PROCEDURE FOR QUESTIONS AND PETITIONS

### Sessional Order

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.25 p.m.), by leave, without notice: I move—

"That the following Sessional Orders be agreed to by the House—

Omit Standing Orders 67A to 70 and insert new Standing Orders.

#### 67A Questions to Ministers

Questions may be asked orally without notice or on notice for written reply.

Immediately prior to the time appointed for the House to proceed to the Orders of the Day, Questions may be put to a Minister without notice relating to public affairs with which he or she is officially connected, to proceedings pending in the Legislative Assembly, but discussion must not be anticipated, or to any matter of administration for which he or she is responsible.

The total period allowed each day for the asking of Questions without notice shall not exceed one hour. Every Member is entitled to ask one Question on notice each sitting day, which should be lodged with the Clerks at the Table within two hours from the commencement of the day's sitting.

#### 67B Questions to Members

A Member may put a Question of which notice has been given, in lieu of a Question to a Minister—

- (a) to any other Member of the House relating to any Bill or Motion, connected with the Business of the House on the Business Paper of which the Member has charge; and
- (b) to the chairman of a committee relating to the activities of that committee, however such question shall not attempt to interfere with the committee's work or anticipate its report or refer to any evidence taken or documents presented to such committee.

#### 67C No Debate on Asking Questions

In asking a Question, no argument or opinion shall be offered, or any fact stated, except so far as is necessary to explain the Question.

#### 67D Number of Questions Allowed each Sitting Day

The number of Questions which may be asked by any Member without notice shall not exceed one on any sitting day, except for the Leader of the Opposition who may ask two Questions without notice.

If an answer to a Question without notice requires too much detail, the Minister may request the Member to place the Question on notice to be answered on the next day of sitting.

#### 67E Notice of Questions

A Question on Notice from a Member is to be delivered to the Clerks at the Table.

A Question on Notice shall be typed or fairly written, signed by the Member, and answered and supplied to the Table Office within 30 calendar days with a copy supplied to the Member and Hansard.

#### 68 Rules for Questions

The following general rules shall apply to Questions—

- (a) Questions shall be brief and relate to one issue.
- (b) Questions shall not contain—
  - (i) arguments;
  - (ii) inferences;
  - (iii) imputations; or
  - (iv) hypothetical matters.
- (c) Questions shall not ask—
  - (i) for an expression of opinion or
  - (ii) for a legal opinion.
- (d) Questions shall not be asked which reflect on, or are critical of, the character or conduct of those

persons whose conduct may only be challenged on a substantive motion.

- (e) Questions shall not contain statements of fact or names of persons unless they are strictly necessary to render the question intelligible.
- (f) The Speaker may direct that the language of a Question be changed if, in the opinion of the Speaker, it is unbecoming or does not conform with the Standing Orders.
- (g) Questions shall not be unduly lengthy.

#### 69 General Rules for Answers

The following general rules shall apply to answers—

- (a) In answering a Question, a Minister or Member shall not debate the subject to which it refers.
- (b) An Answer shall be relevant to the question.
- (c) If, in the opinion of the Speaker, the Answer is too long, he may direct the Minister or the Member to cease speaking.

#### 70 Questions not put to Speaker

Questions may not be put to the Speaker. Standing Order 219A is omitted and the following Standing Order is inserted.

##### 219A Form of Petition

A Petition shall be in the following form—

#### 'PETITION

TO: The Honourable the Speaker and Members of the Legislative Assembly of Queensland.

The Petition of (a) citizens of Queensland  
or

(b) residents of the State of Queensland  
or

(c) electors of the Division of . . .

draws to the attention of the House

(State Grievance)

Your petitioners therefore request the House to

(State action required)

(Here follows the Signatures)'

Standing Order 238A is omitted and the following Standing Orders are inserted.

238A Copy of petition to responsible Minister

A copy of every petition received by the House is to be referred by the Clerk to the appropriate responsible Minister who may forward a response to the Clerk for presentation to the House. A copy of this response shall be printed in Hansard and be supplied to the Member who presented the petition.

238B Name of principal petitioner

Every petition must indicate the name and address of the principal petitioner on the front page."

Motion agreed to.

## PARLIAMENTARY COMMITTEES

### Appointments

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.26 p.m.), by leave, without notice: I move—

"That the membership of statutory and select committees be varied as follows:

- (a) That Messrs Nunn, Robertson and J. Goss be discharged from further attendance on the Public Works Committee and Messrs Radke, Carroll and Purcell be appointed as members of the committee
- (b) That Messrs Welford, Nuttall, Purcell, and Ms Bligh be discharged from further attendance on the Legal, Constitutional and Administrative Review Committee and Messrs Briskey, Milliner, McElligott and Mrs Gamin be appointed as members of the committee
- (c) That Messrs Hollis, Briskey and Turner be discharged from further attendance on the Public Accounts Committee and Messrs Malone, Healy and Hayward be appointed as members of the committee
- (d) That Messrs Woolmer and Bredhauer be discharged from further attendance on the Scrutiny of Legislation Committee and Messrs Elliott and Tanti be appointed as members of the committee
- (e) That Messrs Ardill, Radke and Mrs Gamin and Mrs Rose be discharged from further attendance on the Select Committee on Travelsafe and Messrs Nunn, J. Goss, Hegarty and Mitchell be appointed as members of the committee

- (f) That Messrs Schwarten, Hobbs, FitzGerald, Dr Watson, Ms Spence and Mrs Bird be discharged from further attendance on the Members' Ethics and Parliamentary Privileges Committee and Ms Warwick, Messrs Springborg, Rowell, Woolmer, Fouras and Mrs Rose be appointed as members of the committee, and
- (g) That Messrs Beanland, Lingard and Welford be discharged from further attendance on the Select Committee on Procedural Review and Messrs Springborg, Laming and Fouras be appointed as members of the committee."

Motion agreed to.

#### **SELECT COMMITTEE ON PROCEDURAL REVIEW**

##### **Extension of Time to Report**

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.26 p.m.), by leave, without notice: I move—

"That the Select Committee on Procedural Review be granted an extension of time until 14 May 1996 to enable the Committee to complete its report on the Estimates process."

Motion agreed to.

#### **CHAIRMAN OF COMMITTEES**

##### **Resignation of Mr H. Palaszczuk**

**The CLERK:** Honourable members, I have to report that I have received the following letter of resignation from the Chairman of Committees—

"2 April 1996

Mr R D Doyle

Clerk of the Parliament

Parliament House

BRISBANE Q 4000

Dear Mr Doyle

I hereby tender my resignation as Chairman of Committees of the Queensland Parliament as from midnight 1 April 1996.

Yours sincerely

(Sgd)

H Palaszczuk"

#### **CHAIRMAN OF COMMITTEES**

##### **Appointment of Mr B. E. Laming**

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (4.27 p.m.), by leave, without notice: I move—

"That Mr Bruce Edric Laming be appointed Chairman of Committees of the whole House in place of Mr Palaszczuk."

Motion agreed to.

#### **PANEL OF TEMPORARY CHAIRMEN**

**Mr SPEAKER:** Honourable members, in accordance with the requirements of Standing Order 13, I nominate the following members to form the panel of Temporary Chairmen for the present Parliament—

John Nelson Goss, member for Aspley;

Fiona Stuart Simpson, member for Maroochydore; and

Leonard William Stephan, member for Gympie.

#### **OVERSEAS VISIT**

**Mr CAMPBELL** (Bundaberg) (4.28 p.m.): I seek leave to table a report on a study tour.

Leave granted.

**Mr CAMPBELL:** The report I table relates to a study tour of American and Canadian Parliaments made in December 1995. The Parliaments of Canada and the USA have developed over a long period codes of ethics, systems of financial disclosure and procedures of enforcement of these codes for elected members. I believe that the development of a practical and enforceable code of ethics will require a great deal of thought and effort to achieve the desired result of improved public trust and confidence in the institution of Parliament and its members. This report is presented in accordance with section 2(1)(B) of the Members' Salaries, Allowances and Services Handbook.

#### **OVERSEAS VISIT**

**Mr J. N. GOSS** (Aspley) (4.29 p.m.): I seek leave to table a report and supporting documents on my recent study tour into housing redevelopment projects in Europe.

Leave granted.

## QUESTIONS WITHOUT NOTICE

### Sunshine Coast Motorway Toll

**Mr BEATTIE** (4.29 p.m.): In directing a question to the Deputy Premier and Treasurer, I refer to her decision to abolish the toll on the Sunshine Coast Motorway. Can she advise the House how this will be financed? In particular, will it be funded from the Budget at the expense of other social projects such as health and education? Will it be financed by adding to the State debt in direct contravention of her stated policy that "borrowings will be restricted to infrastructure projects and only to the extent that the projects are able to service the debt"?

**Mrs SHELDON:** In answering this question I think we should first note that, within two weeks of being elected, the coalition honoured its election promise, whereas the previous Government never honoured its promise in the whole of the six years that it was in office. Of course, that was despite a written undertaking by the member for Logan, the then Premier, and a former member of this House who is no longer here because the former Government was not prepared to honour its election promise. This Government is a Government of accountability. We will honour our promises. Today, we have tried to reform the processes of this House in many ways, and I am amazed that the members opposite are not interested in any process of reform.

The toll on the motorway on the Sunshine Coast was an inequitable toll. The imposition of a toll at Mooloolaba was, to quote the former Deputy Premier, "to get back at Mr Ahern" whose electorate it was in. Of course, that was after the former Government broke its promise and did not remove the toll. That toll was placed on a road that existed between Mooloolah and Buderim. The road was widened and done up a little, but the toll was placed on a road that people had used daily. That toll was incredibly iniquitous because it affected people taking their children to and from school and businesspeople who had to traverse that toll road multiple times a day. Recently, a person from a building business telephoned me. As honourable members all know, the building industry is on its knees thanks to the incompetence and the economic mismanagement of the lot opposite. A person from one building company telephoned me and told me it is now saving \$300 a month by not having to pay that toll. That was the sort of iniquitous money the members opposite made by making businesses pay that toll. I add that that road was never a purpose-built tollway,

unlike some of the tollways that have been constructed since.

**An Opposition member** interjected.

**Mrs SHELDON:** The honourable member asks: where is the money coming from? He should know that, because of the previous Government's action, every year that toll mounted. Over the years that Labor was in office, the toll has mounted to a debt of \$200m. That was the debt that was owing on that tollway. So the toll was never working. The debt was not being funded. It was an article of faith that people would not use it. As the debt was mounting and as the net income from the toll was only \$7m—the gross income was \$9m—every year, \$12.25m in equity—in other words, money out of the Consolidated Fund—had to be used to meet that debt level. That was a throw-in that the members opposite put in because they knew that they could not meet that debt level. It is interesting that the former Minister for Transport, who was the Minister in control of the debacle of the south-east tollway, allowed \$12.25m from the Transport budget every year to be put in to meet that debt. Labor was unable to build roads in regional Queensland because it had to meet that debt level.

Not only was that an iniquitous toll on the people of the Sunshine Coast but also it was costing money to the people of this State. It was an economic shambles that could not be allowed to continue. So we as a Government not only honoured our promise but also took a step that would irrevocably stop what would have continued to be a drain on the public purse and the Consolidated Fund. Even in the 30 years that had been allocated for capital repayments to pay off the debt, based on current figures the projected figures indicate a \$56m debt still owing. In no way was that tollway ever going to pay for itself. It was a constant drain on the people of this State when we wish to look after rural roads in this State. The Government will be—and is doing so through its debt restructuring program—looking at how it can equitably pay off the debt that it inherited from members opposite. That is the \$200m debt that they allowed to exist even though the failed Minister for Transport threw in \$12.25m every year out of the Consolidated Fund. Not only will we honour our promises, we will manage our debt, unlike the previous Government which sank this State into more and more debt.

### Long Service Leave Fund

**Mr BEATTIE:** In directing a question to the Deputy Premier and Treasurer, I refer to

her criticism of the Goss Government for not providing a fund to meet accruing liabilities in respect of long service leave. I ask: did the previous National/Liberal Party Government have such a fund? Does any other Government in Australia have such a fund? Does any other Government in the world have such a fund and, if so, which Government?

**Mrs SHELDON:** This Government believes that it is only responsible financial management that that possible liability for long service leave for public servants be met. We have been told that it could mount to \$800m, so a fund needs to be put in place so that we can look after people's long service leave entitlements. There has been, and will be via the budgetary process, a request of all department heads, when they come before the Budget Review Committee, to indicate in their budgets how they will ensure that that liability is funded. I think that is a responsible management strategy put in place by this Government, a strategy that members opposite would never bother putting in place.

#### Investment in Queensland

**Mr SPRINGBORG:** In directing a question to the Honourable the Premier, I refer to recent claims by the Leader of the Opposition that investment in Queensland is threatened by the election of a coalition Government. I ask: could the Premier point to some independent analysis of the effect of the change of Government on the Queensland economy?

**Mr BORBIDGE:** My attention was drawn to comments made on 28 March by the honourable the Leader of the Opposition when he stated—

"What we are worried about is that Queensland's attractiveness as an investment destination could be blown out of the water by the coalition."

That was a brave statement by Mr Beattie. My attention has been drawn to the Morgans Sharebroking economic strategy report for the State of Queensland dated 7 March 1996, and in particular the section headed "Growth Sectors in the Queensland Economy". I am sure that these remarks from one of Australia's most respected sharebroking firms will be taken on board by the honourable member opposite.

**Mr Beattie:** Tell us the author.

**Mr BORBIDGE:** I have all day—52 minutes.

That report states—

"Since coming to office on Tuesday 20 February, the Queensland Coalition Government led by new Premier, Rob Borbidge and new Treasurer, Joan Sheldon has been a breath of fresh air for the Queensland business community."

It goes on to say—

"This is a refreshing change from the Byzantine secrecy and reclusiveness that marked the closing days of the Queensland Labor administration."

He has something nice to say about the honourable member opposite, and I am sure that the honourable member will be interested to hear it, as will my colleagues on this side of the House. He continues—

"Previous Labor leaders Wayne Goss, Toms Burns and Keith De Lacy have quickly and quietly slipped from the public view. The Labor Party now in opposition is led by Peter Beattie with Deputy Jim Elder. The prize for political adroitness on the Labor side should go to the new Shadow Treasurer, David Hamill. Hamill appears to be the only member of the inner circle of the previous Government to have actually prospered.

Beattie's Parliamentary Labor Party seems to favour the Socialist left faction over the previous right wing balance of the Goss administration. Were it not for Beattie's leadership, this socialist left bias would, on past Queensland record, guarantee a long period in opposition."

This is the good bit—

"Beattie himself is a dashing and charismatic speaker."

**A Government member:** Must be the moustache.

**Mr BORBIDGE:** As the Minister suggests, it must be the moustache. He goes on—

". . . with a lamentable inability to add up large numbers."

The article goes on to state—

"(he overspent his previous Health portfolio by some \$52 million, only seven months into the current financial year). Beattie's (and Elder's) talent appears to lie with the well written press release rather than well written or understood analysis."

It goes on to state further—and I would like to read it all out but I am really too modest—

"In our best judgement, the political uncertainty that has borne down upon investment in the Queensland economy

since mid 1995 is now surprisingly but genuinely removed."

I think it is worth noting that there is a resurgence of business confidence in Queensland. I also want to emphasise that, already, there has been a modest drop of 0.8 per cent in the unemployment rate. I also want to say that, compared to the previous Government, this Government is making decisions.

I want to compare our record with that of big-spending Pete opposite. Let us look at the performance of the previous Labor Government—a \$185m underlying Budget deficit, of which the Leader of the Opposition contributed a fair bit by his overspending in the Health portfolio—

**Mr Beattie:** Rubbish!

**Mr BORBIDGE:**—a projected Budget deficit for 1996-97 of \$240m and a \$258.3m unfunded liability in terms of workers' compensation. Today, the Deputy Premier and Treasurer tabled a report about the chronic problems in compulsory third party that the Labor Party opposite, when it went to Cabinet on 12 January this year in the run-up to the Mundingburra by-election, would not do anything about. If the Labor Party had had its way and stayed in Government, CTP would have been a re-run of the workers' compensation fiasco.

Of course, on top of it all, we have the record of the Leader of the Opposition after the Mundingburra by-election when, as the Minister for Health, he transferred \$34m in capital works funding into recurrent expenditure. He was running all over Queensland saying, "I have got money for this, I have got money for that", yet he was taking it out of the capital works budget. The other day he had the nerve to say, "Gee, is there some risk to the capital works budget?" We know the risk. He is standing opposite.

**Mr BEATTIE:** I rise to a point of order. The Premier is deliberately misrepresenting the situation and misleading the House. I find those remarks offensive and untrue and I seek for them to be withdrawn.

**Mr SPEAKER:** The honourable member finds the remarks offensive.

**Mr BORBIDGE:** Mr Speaker, if he finds the truth offensive, I withdraw the truth.

**Mr BEATTIE:** Mr Speaker, we either have courtesy and respect for the Standing Orders or we do not. The Standing Orders are very clear. I am seeking their withdrawal unconditionally. If the Premier wants to treat

the Parliament with respect, then let him do so.

**Mr SPEAKER:** Order! The honourable Leader of the Opposition has asked for a withdrawal. He finds it offensive.

**Mr BORBIDGE:** Of course, I withdraw those remarks. I again refer to Morgans *Economic Strategy*. According to one of the most respected sharebroking firms in Queensland, the Leader of the Opposition overspent his previous Health budget by some \$52m. I can understand the sensitivity of the Leader of the Opposition in respect of the chronic mismanagement of Queensland Health that the current Minister for Health now has to attend to.

Let us have a look at the previous Minister's record. Firstly, we had the 100 days of listening. The one decision in those 100 days of listening was made after he visited the Royal Brisbane Hospital. He found the problems at the Royal Brisbane under the stewardship of his Government to be so great that he called a press conference to announce that he had joined MBF. That is the record of the Leader of the Opposition! That is the record of the Labor Party in Government!

In reply to the member for Warwick, it is very clear that the bleatings of the Leader of the Opposition that Queensland's attractiveness as an investment destination could be blown out of the water by the coalition has already been proved to be a total fabrication.

#### **Mr R. P. Owens**

**Mr ELDER:** I refer the Minister for Police and Corrective Services to the advertising campaign run during the Mundingburra by-election by the so-called Concerned Citizens for Mundingburra authorised by Robert Purcal Owens, and I ask: when did the Minister first meet or become aware of Robert Purcal Owens and what was the basis of his relationship with him?

**Mr COOPER:** The member knows very well—just as well as I do—that we had a campaign in Mundingburra that is now the subject of an inquiry. I regard the member's question as being in contempt of that inquiry. The matter should not be canvassed here; it can well be canvassed elsewhere.

We have a properly constituted inquiry, which we called for, and I have said that we will comply and cooperate with it all the way. That is as far as it is going to go.

**Mr ELDER:** I rise to a point of order. Mr Speaker, I seek your ruling. Quite clearly, I asked a question about the campaign run by the Concerned Citizens for Mundingburra. My question had nothing to do with the memorandum of understanding or the police union. I asked him about his relationship with the person who authorised that campaign. My question had nothing to do with the inquiry now under way and I seek—

**Mr T. B. Sullivan:** Or has it?

**Mr ELDER:** Or has it? Mr Speaker, I ask for your ruling.

**Mr SPEAKER:** The Minister for Police has the right to answer the question asked of him in whatever way he chooses. He has answered the question.

### Appointment of Senior Public Servants

**Mr CARROLL:** I ask the Premier: in view of the Leader of the Opposition's recent criticism of the Government over the appointment of senior public servants and given the Labor Party's record in Government, can he advise the House whether the Leader of the Opposition's claims can be substantiated?

**Mr BORBIDGE:** I think that it is fair to say that, over recent weeks, we have heard constant criticism of the Government over the appointment of senior public servants. To put some balance into the debate, I want to advise the House of the quite extraordinary circumstances surrounding the appointment of Mr Dick Persson as Director-General of Housing and Local Government and subsequently Director-General of Health.

Prior to December 1989, Mr Persson worked with the ALP preparing housing policy. On 11 December 1989, he was authorised to undertake responsibilities as Director-General, Department of Housing and Local Government. On 19 January 1990, prior to the position being advertised, the then Minister, the member for Lytton, wrote to his department approving the following expenses to be paid to Mr Persson: his family travelling to Brisbane to inspect homes for his permanent residence, the transport of personal belongings and furniture to Brisbane and their establishment in his permanent residence, and the shifting of his family from Sydney to take up permanent residence in Brisbane. That occurred prior to the position being advertised, prior to the application being submitted. I table a document confirming those particular arrangements.

At the same time, Mr Persson was being paid by the department to travel between Brisbane and Sydney. He was accommodated at a very major inner-city hotel. However, we cannot ascertain the cost of this accommodation at the very major hotel, which is not far from here, because the records were destroyed. When were the records in regard to these expenses destroyed? In February 1996!

On 12 July 1990, some time after all these arrangements were put in place—appointment on merit, according to the Labor Party—Mr Persson was appointed Director-General, but apparently he was unhappy with his salary. Apparently what Tom Burns promised him did not come through in the first pay cheque. The salary of \$89,000 was upgraded to \$101,491, with the increase backdated to December 1990. This still was not good enough. Mr Persson wanted recognition for previous service for calculation of long service leave and sick leave, but the problem was that he had broken service of 18 months. The public service rules state that one can only get recognition of previous service when one restarts work within a 12-month period. Mr Persson also wanted return regular economy class air fares to Sydney for himself and his family. I table the relevant documentation.

The rules of the public service were broken for Mr Persson, and his application for recognition of previous service was approved, despite the fact that it was outside the rules. On 16 June 1994, he was assigned to the Department of Health with a new five-year contract at a CEO3 level, providing a pay increase of \$24,000 per year.

However, now we come to the piece de resistance—the ultimate act of political cronyism. We have what has been quaintly referred to in the public service as the insertion of the hacks relocation clause, because Mr Persson wanted a clause inserted in his contract so that if he was ever sacked, or even if he resigned voluntarily, the taxpayers of Queensland would pay his relocation expenses to any Australian capital city—the taxpayers of Queensland would be picking up the tab.

What did we get for our money? We got a man who, on 2 October 1990, was described by the member for Lytton as "the person involved in devising this HOME fund scheme in New South Wales"—a scheme which cost the New South Wales taxpayers in excess of \$400m to bail out. We got the disaster of HOME, a failed scheme damned by international credit rating agency Standard &

Poor's. However, the disaster of HOME has not dimmed the camaraderie within the ALP—how one looks after one's mates. When Mr Persson resigned, when he saw the electoral writing on the wall and sought refuge with the last remaining Labor State Government, he wrote to the member for Lytton stating—

"I have enjoyed working for the people of Queensland and I will always be grateful to you for the opportunities afforded me to show what I could do."

A letter from the former Deputy Premier to Mr Persson states—

"Your resignation is accepted with regret . . . you have made a substantial contribution to improved public administration in this State and will be remembered for the various initiatives you successfully implemented."

I table further documentation.

In summary, the Leader of the Opposition has been talking about public service appointments and appointment on merit. People would kill for some of what the former Government offered, at the taxpayers' expense, to Mr Persson. I also report to the Parliament that Mr Persson was not alone. There were many curious contracts entered into by the previous Government, with very substantial costs to the taxpayers of Queensland. However, I want to be prudent and reserved, so that will have to wait for another day.

Honourable members opposite, by putting the taxpayers of Queensland up to a shonky deal such as this and by looking after one of their mates, have no credibility whatsoever in criticising the way this Government has honoured, to the letter, its contractual obligations in respect of any changes to the public service.

#### **Concerned Citizens for Mundingburra Advertisements**

**Mr BARTON:** I ask the Minister for Police and Corrective Services: was Mr Owens the first person to approach the Minister in relation to the Concerned Citizens for Mundingburra advertisements during the Mundingburra by-election, and what form did that approach take? What other people did the Minister have contact with in relation to the advertisements, and who paid for the Concerned Citizens advertisements?

**Mr COOPER:** I would have thought that the honourable member had got the drift from

my answer to the last question. I did not come down in the last shower; I know exactly where Opposition members are coming from. We have a properly constituted inquiry.

**Mr Swarten** interjected.

**Mr COOPER:** Anything at all. I would love to say more as far as the member is concerned, but he should stick around.

**Mr Swarten** interjected.

**Mr COOPER:** The member will find out. As far as all other Opposition members are concerned, they know very well that there is a properly constituted inquiry into the Mundingburra by-election. As far as I am concerned, Opposition members will not get any answers apart from that.

**Mr BARTON:** I rise to a point of order. Again I ask for a ruling, Mr Speaker, because this question is not on an issue subject to the current inquiry. Perhaps it should be, but it is not part of the terms of reference and I ask that the Minister be directed to answer the question.

**Mr SPEAKER:** I do not direct the Minister on how he shall answer any question. The Minister has answered the question.

#### **Queensland Economy**

**Dr WATSON:** I ask the Deputy Premier, Treasurer and Minister for The Arts: in light of the openness and honesty of the new coalition Government in regard to Queensland's economic position and the State Government's Budget position, was the previous Labor Government, and in particular the previous Labor Treasurer, the member for Cairns, Mr De Lacy, also open and honest about the State's economic position?

**Mrs SHELDON:** I thank the honourable member for his very wise and informed question. It is a pity that there are not people of his calibre sitting on the other side of the House, but I guess we on this side of the House are going to have to put up with that.

In answer to the honourable member's question, unfortunately the previous Labor Government was anything but honest. I know that will surprise some members, but unfortunately it is true. I draw the House's attention to the front-page article in *Business Queensland* last week, which I am sure will have been read by all members who want to help improve business. In that article, three leading Queensland economists accused the member for Cairns, the former Treasurer, of trying to suppress bad economic news when he was Treasurer. A senior economist of

Morgan Stockbroking, Michael Knox stated—

**Mr Elder:** Who is that?

**Mrs SHELDON:** This was another article. The member for Capalaba should read *Business Queensland*. It would improve his knowledge of how business in this State should be helped. Michael Knox stated—

"It was really an attempt to restrict public debate about the state of Queensland's economy and finances and the public was not fully informed as a result."

Obviously, the member for Cairns was into suppressing information which he did not think would help him or the Labor Party politically. Let us face it, the former Government and the Treasurer were very questionable when it came to economic management.

Further, the Queensland Chamber of Commerce and Industry's principal economist, Carla Gerbo, was attacked publicly by the former Labor Treasurer for daring to state the truth about the prospects for the Queensland economy under Labor, with the QCCI general manager, Clive Bubb, stating—

"The Treasurer and the Premier were being criticised"—

of course, this is the former Treasurer and Premier—

"for the performance of the economy. This organisation was definitely on the outer and Carla Gerbo was swept up in the process."

Then we come to the third attack from the former Treasurer. Lastly, I refer to Hamish Bain, from the QIDC, who was ostracised by the former Labor administration for daring to criticise the economic performance of the Goss/De Lacy team. I know that the former Treasurer does not like to hear this, but his party was definitely into the suppression of truth and information. *Business Queensland* states—

"Those close to the situation"—

**Mr De LACY:** Mr Speaker, I rise to a point of order. I do not know whether the Treasurer has read this week's *Business Queensland* in which all of those people have denied that article. The honourable member is behind the times.

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

**Mrs SHELDON:** I will continue. That is the former Treasurer's interpretation of the article.

**Mr WELLS:** I rise to a point of order. Mr Speaker, in the light of your ruling, I ask you to look at the question, which was a request for a statement of an opinion. That is out of order under the Standing Orders. I ask you to so rule.

**Mr SPEAKER:** Order! I rule that the Minister can answer the question in whatever way she feels fit.

**Mr WELLS:** With great respect, Mr Speaker, I am asking you to rule on the question itself, which was a request for a statement of an opinion. You will recall that the question was: what is the Treasurer's opinion? I ask you to rule on the question itself.

**Mr SPEAKER:** Order! I rule that there is no point of order.

**Mrs SHELDON:** Obviously, members opposite still want to suppress the truth; they do not like to hear it.

Finally, *Business Queensland* states—

"Those close to the situation are adamant De Lacy pressured (QIDC CEO) Dr van der Mye to ban Bain from making further public comments."

All I can say is: so much for open and accountable Government! The fact that the honourable member would not even listen to the answer but tried to suppress it as well just goes to show that these people were right.

### **Criminal Justice Commission Act**

**Mr FOLEY:** In directing a question to the Attorney-General and Minister for Justice, I refer to the Criminal Justice Act administered by the Minister, and I ask: does he agree that the Act should be amended to provide with respect to disciplinary matters involving police that, firstly, the CJC shall be responsible for serious criminal matters only; and, secondly, simple offences, misconduct and discipline matters shall be dealt with by the Queensland Police Service?

**Mr BEANLAND:** Currently, an inquiry into the Police Service is being conducted by Sir Max Bingham that may very well traverse some of those issues, because they relate to the Police Service, to the Criminal Justice Commission and to the Act itself. Consequently, some of those issues may come up in that inquiry. In view of that, I believe we should await the review of Sir Max Bingham for those matters to come forward. When in Opposition I said on a number of occasions that the Criminal Justice Commission had a very important role to play

with respect to the investigation of misconduct in relation to the Police Service. We do not resile from that position.

### **Workers Compensation Fund**

**Ms WARWICK:** In directing a question to the Deputy Premier, Treasurer and Minister for The Arts, I refer to the article on page 5 of today's *Courier-Mail* in which it is claimed that former Premier Wayne Goss and former Treasurer Keith De Lacy were told in April 1995 that the Workers Compensation Fund would be underfunded by \$117m by 30 June last year, and I ask: are the claims true and does she have any evidence of the fact that the former Labor Government knew of the potential blow-out in the Workers Compensation Fund well before last year's State election?

**Mrs SHELDON:** I thank the member for that very well chosen and delivered question. The member for Barron River is a very talented woman.

Unfortunately, that is fact, and I have the evidence. I refer to a briefing note that was given to the member for Cairns when he was Treasurer on 4 April 1995. It refers to the workers' compensation scheme which, unfortunately, failed under the tutelage of the previous Government and former Minister Edmond. The briefing note was discussed also with the Special Purpose Cabinet Committee—the SPCC. Perhaps members opposite have forgotten what that was. That committee included the then Premier and the then Minister for Industrial Relations and Training, Matt Foley. Well may the honourable member for Yeronga look embarrassed; he should.

The former Government knew about the blow-out in the Workers Compensation Fund as far back as April 1995, yet said nothing until after the July election. A little more subterfuge, hiding of the truth and the facts, and a little more no accountability! The former Minister is smiling. He obviously agrees with the actions of his Government. He was a member of that Government and, naturally, he would have known about what was happening and he would have agreed to all of these important facts being hidden from the people of Queensland. These are important facts that affect ordinary people who would be seriously disadvantaged by the collapse of the workers' compensation scheme over which the former Government was busily presiding as its indebtedness blew out to the tune of millions of dollars. I understand the figure is about \$260m.

So much for open and accountable Government! So much for any accountability and reform introduced by the former Government. It was very sneaky and secretive. The former Treasurer, Mr Goss, Mr Foley and other members opposite hid the blow-out and they refused to act until after the 15 July election. Honourable members should remember that this briefing note to the Treasurer was dated 4 April. It was around that time also that it was discussed with the Special Purpose Cabinet Committee. A decision was made to suppress the information because the Government knew it would disadvantage it in the July election. In exactly the same way the former Treasurer hid the potential compulsory third-party—CTP—blow-out until after the Mundingburra by-election.

Unfortunately, that is the unholy financial legacy that has been left to us, the Government, to fix up—and we will. We made a decision very quickly on compulsory third-party insurance, something which the Government would not do. It is an unfortunate legacy that has been left for the people of Queensland by the disreputable former Government.

### **Gladstone and District Toughlove**

**Mr MACKENROTH:** In directing a question to the Minister for Families, Youth and Community Care, I refer to representations to him, which I will table, by Russell Grenning, acting senior ministerial policy adviser to the Minister for Police and Corrective Services, requesting that he arrange payment of \$902 for the telephone account of Gladstone and District Toughlove and, in particular, the comment by Mr Grenning—

"You will also note the special sensitivity of the organisation being in Gladstone and that Mrs Cunningham, MLA, is also a supporter."

I ask: can he advise whether he arranged for this account to be paid and, if so, from which program?

**Mr LINGARD:** In reference to the \$902—I wish to advise the member that I did not personally approve of that payment.

### **Government Reviews**

**Mr STONEMAN:** I refer the Premier to the criticism by the Leader of the Opposition of the limited number of reviews being carried out by the Government. I ask: can the Premier advise the House of the number of reviews

being carried out in the early stages of the previous Labor Government?

**Mr BORBIDGE:** I noted that on *Late Edition* on 13 March the Leader of the Opposition referred to 17 reviews costing \$10m that have allegedly been embarked upon by the Government.

**Mr Beattie:** I'm happy to say I was wrong—35.

**Mr BORBIDGE:** The member should just listen and I will correct him. I am going to help him. The following reviews are formalised and under way, and there are eight of them: Police Service, estimated cost, \$300,000; the Commission of Audit, estimated cost, \$1m; workers' compensation, \$500,000; Environmental Protection Act licence regulations, cost to be advised pending finalisation of the review board; subcontractors' charges; Queensland Fire Service, which is an internal review, minimal cost; student performance standards, internal review, minimal cost; and the Koala Coast review panel, again minimal cost. Those are the reviews that have been formalised by this Government and are under way—not 17 or 35 costing \$10m, but eight.

**Mr Welford:** What's "minimal cost"?

**Mr BORBIDGE:** Many of them are being conducted internally.

I thought that I would compare that number with the number of reviews instituted by the Goss Government over about the same period. I have excluded parliamentary committees, including EARC and the CJC. Members opposite seem to have short memories, so perhaps I should read out the reviews that they carried out over a similar period. We had the Arts Review Committee; we had the commission of inquiry into care and treatment of patients at Townsville General Hospital; the commission of inquiry—

**Mr Schwarten:** A very necessary one.

**Mr BORBIDGE:** I am not arguing with that. Some of ours are very necessary, too, like the inquiry into workers' compensation to fix up the mess that Labor left behind. There was the commission of inquiry into the conservation, management and use of Fraser Island; the commission of inquiry into the Industrial Conciliation and Arbitration Act; the committee of review of industrial relations and training; the committee of review of the QTTC; the Coopers & Lybrand review of industrial estates; firearm legislation review committee; grain industry working party; inquiry into the operations of the QIDC; inquiry into the

transfer of prisoners; and the non-bank financial institutions and related processes review committee.

Then we had all the PSMC reviews: senior public sector study and associated Green Paper; a PSMC review of annual reports; a review of consultancies; a review of the Department of Health; a review of the Department of Justice, the Department of Attorney-General and departmental legal services; review of the Department of Manufacturing, Commerce and Small Business; review of the Department of the Premier, Economic and Trade Development; review of the Treasury Department; review of public service travel; review of fleet management; remote area incentive scheme working party; review and assessment of hazardous waste investigation; review committee on Crown leasehold land policy and administration; review of tertiary entrance procedures; review of the Mineral Resources Act; the Smith inquiry into the land valuation system; the south-east Queensland passenger transport study; the sugar industry working party; and the summer time advisory committee. That was a big one! Do members recall the summer time advisory committee?

There were just a few more, but Labor members seem to have forgotten them, so I am sure that they would appreciate being reminded of them. We had the Budget Review Committee examination of the previous Government's expenditure; we had the Bulk Grains Queensland debt task force; we had a concept paper on Queensland Police Service administration; we had a review of port authorities; a discussion paper on the future organisation of educational services for students; a review of the Housing Act; a strategic audit of the Queensland electricity industry; a Green Paper on amendments to the Health Act; a Green Paper on fine defaulters, on Government-owned enterprises, on hostels, on options to manage the establishment and operations of hostel accommodation; a Green Paper on local government appeals and enforcement, on non-custodial sentencing options, on organisational arrangements for Queensland public sector health services; a Green Paper on private pleasure vessels, commercial and fishing vessels and hire and drive vessels; a Green Paper on the amalgamation of the Board of Nursing Studies and the Nursing Review Board; a Green Paper on the development of the racing industry; another one on the formation of a Technical and Further Education and Training Commission; and another Green Paper on the regulation

and control of sources of ionising radiation. Members opposite took on the world! There was a Green Paper on the Workers' Compensation Act. I wonder what happened to that Green Paper?

There were Green Paper proposals for a Heritage Act for Queensland; another one titled "Towards a Queensland conservation strategy: facing the issues"; an internal review of the Queensland Small Business Development Corporation; the Northern and Rural Task Force; proposed administrative arrangements for business regulation and review; the Queensland Medical Board review; a report on the state of the environment; a review of flammable and combustible liquid regulation; a review of foreign investment; and a review of animal protection laws. That is the one that led to 42 drafts of the Bill. We had a review, and then we had 42 drafts of the legislation—and we never saw it! Then we had a review of swimming pool fencing; a review of the Bread Industry Act; a review of the Criminal Code—that was a doozy—a review of the Division of Rural Health; a review of the Fire Services Act; a review of the Local Government Act; a review of the proposed sale of the Gladstone Power Station—I am nearly there, Mr Speaker—a review of the State Purchasing Policy—I am on the home run—a review of the Traffic Act; revision of the Moreton Bay strategic plan; school transport system review; and a review of sports funding.

That is not a bad effort from a political party which reckons that eight reviews are too many! What duplicity! What did we have? Aside from parliamentary committees, CJC and EARC, which I will leave out, when the Labor Party came to power we saw 73 reviews. I wish that we did not have to have a review into workers' compensation. I wish that we did not have to have a review into the problems of subcontractors. I wish that we did not have to have a review into the Koala Coast funding fiasco or the mess that the Labor Government created in regard to regulations under the Environmental Protection Act. The simple fact is that most of the reviews that we have put in place are short term and are designed to bring back to this Government and this Parliament recommendations to clean out the cowyard, recommendations to clean out the stables, to clean up the mess, the administrative disaster that the Labor Party has left behind. To those honourable members opposite who claim that this is a Government of review, my only reply is: do not judge us by your standards!

### **Mr M. Bainbridge**

**Mr BREDHAUER:** I ask the Minister for Education: will he confirm that representations were made to him by the Minister for Police and Corrective Services or a member of his staff to obtain employment for the daughter of a Mr Merv Bainbridge?

**An Opposition member** interjected.

**Mr QUINN:** I can answer the question. Yes, a phone call was received in my office, and I instructed that no action be taken with regard to that phone call. As far as I am concerned, that teacher can join the queue with every other teacher in Queensland and take her—as I understand, it is a "her"—chances with every other teacher and go through the normal selection process. I was led to believe that the teacher concerned was based in north Queensland. I now understand that the teacher involved is down here. I advise the honourable member that no action was taken out of my office at all.

### **Queensland Treasury Corporation**

**Mr WOOLMER:** In directing a question to the Deputy Premier, Treasurer and Minister for The Arts, I refer to the criticism of the Queensland Treasury Corporation by the New South Wales Treasurer, Mr Michael Egan, and his comment that the QTC has borrowed almost \$12 billion for investment in commercial activities, and I ask: is Mr Egan right in his criticism of the QTC? If not, what damage could his comments cause to the semi-Government finance market?

**Mrs SHELDON:** I thank the honourable member for that well-thought-out question. The member for Springwood is noted for being very thorough, knowing exactly the needs of his electorate and acting on those needs. Mr Egan, the Labor Treasurer in New South Wales—the only one in the whole nation, may I add, State and federally—seems to have a vendetta against Queensland. It looks like the Deputy Leader of the Opposition approves of that vendetta. Mr Egan must be still smarting after last year's three-nil drubbing in the State of Origin.

Twice in two weeks Michael Egan, the Labor Treasurer of New South Wales, has attempted to criticise the Queensland Government, and twice in two weeks he has got it wrong. Mr Egan said Queensland was opting out of the national competition policy because it had decided not to go ahead with Eastlink. That was quite wrong. Now he has had a swipe at the Queensland Treasury Corporation.

The Queensland Treasury Corporation has a well-earned reputation as an open and honest dealer in the semi-Government finance sector. Mr Egan tried to say that the Queensland Treasury Corporation had borrowed almost \$12 billion for investment in commercial activities. The difference at 31 December 1995 was not \$12 billion but \$7.4 billion. It would appear that all Labor Treasurers cannot add up, that they cannot do their figures. The QTC's total liabilities—not its borrowings—are \$20.9 billion. Its on-lendings are \$13.5 billion.

Secondly, the difference is not used for commercial activities. It was the New South Wales Treasury Corporation that was engaged in arbitrage, not the QTC. The \$7.4 billion comprises Queensland Treasury Corporation cash fund and medium-term investment fund services to the Queensland Treasury and 160 statutory bodies and local authorities. As at 31 December 1995, these included: funds under management \$3.336 billion; loan funds secured at best market rates and held pending on-lending to authorities \$3.779 billion; other creditors and accruals, etc., \$0.404 billion. All this information is publicly available. I suggest that the new shadow Treasurer goes and tells his New South Wales counterpart that, before he starts hitting Queensland and hitting well-established, well-credentialed organisations such as the Queensland Treasury Corporation, he gets his facts right. Possibly the new shadow Treasurer does not know the facts; I am sure he does not. But if he would like to ring me before he makes any more comments slamming Queensland, I will tell him the real facts.

I would also like to hear from the shadow Treasurer support for our Queensland Treasury Corporation, the wonderful work it does for this State and the great offshoot of the Treasury that it is. I advise the only Labor Treasurer in this nation to find out what the facts are before he starts shooting from the hip.

#### **Gladstone and District Toughlove**

**Mr BRADY:** I direct a question to the Minister for Families, Youth and Community Care. In response to his answer to an earlier question from one of my colleagues, I ask: is it not, however, correct that his office received that written request from Russell Grenning and that his office arranged for the payment of that account of Gladstone and District Toughlove.

**Mr LINGARD:** I am not aware of any letter from Mr Russell Grenning, and I repeat

my statement that I did not personally approve any payment of \$902.

#### **Watch-houses**

**Mr HEGARTY:** I ask the Minister for Police and Corrective Services and Minister for Racing: what action has he taken to ensure that the disgraceful and inhumane overcrowding and forced long stays of Corrective Services inmates in the Brisbane watch-house have been relieved?

**Mr COOPER:** I thank the member for a most sensible and sensitive question. All members would know what a sensitive question and what a big issue this is.

**Mr Braddy:** No inquiry on this one.

**Mr COOPER:** The member knows that he was responsible for most of the overcrowding of watch-houses across the State. He should hang his head in shame. Members opposite are an absolute pack of hypocrites when it comes to doing anything about people in watch-houses, Corrective Services in general, or whatever.

In my first week in this portfolio, I found that there are about 34 beds for Corrective Services prisoners in the city watch-house. However, the number of prisoners held there has often risen to as high as 70 and the temperature has reached 40 degrees. Some people might say, "So what? They are only prisoners. Who cares?" Of course, most people realise that those prisoners are human beings after all. Quite often, some of those prisoners have not even been sentenced, although some have. Some of those who were sentenced were held in those watch-houses for 50 days or more. That was nothing but a disgrace. That was the sort of thing that the previous Minister tolerated. He had every opportunity to do something about it, but he did absolutely nothing. The city watch-house was not the only centre that was overcrowded. In Beenleigh, Holland Park, Southport and other watch-houses the situation was the same.

In relation to moving those prisoners around—I went to the Director-General of Corrective Services and said, "I would like to see these prisoners shifted. Can it be done?" Incredibly, he was able to say, "Yes." He said that he could bring the figure down from 31 days—sometimes it was up to 50 days—to seven days. I said, "If you feel you can do that, let's do it." I said further, "Don't even tell me if you can do it for only a week and then it will all go back to there being 30, 40 or 50 prisoners in there." I got that guarantee and

will make sure that it is kept. I keep in touch with officers of the Police Service and Corrective Services in relation to those numbers.

**Mr Schwarten:** What about overcrowding in prisons?

**Mr COOPER:** I am coming to that. The member has the Etna Creek prison in his electorate, and he knows very well what the situation is there with overcrowding.

The tragedy of all this is that there has been a lot of doubling up going on. When we left Government in 1989, 100 per cent of prison cells were single cells. Under the previous Government, 900 prisoners were doubled up, and that is happening more and more. Civil libertarians know, as do all members, that doubling up is not a good thing. It is the sort of thing that when we were in Government we tried to avoid and did avoid. However, it is far better than keeping prisoners cooped up and jammed into a watch-house. So we have to continue doubling up in order to keep watch-houses as empty as possible. The latest records indicate that only two prisoners in the city watch-house have been there for over seven days. This Government intends to keep that record. Unfortunately, money must continue to be spent on prisons, and that is exactly what this Government has done. A major prison reconstruction program has been announced because this Government knows only too well that it will have to provide the space for these people. But one day I would dearly love—through crime prevention—to start moving away from having to construct more and more prisons and employ more and more police so that we can allocate that funding to sectors where most people want it, namely, into health, education, roads, hospitals and that sort of thing.

**Mr SPEAKER:** Order! The time allotted for question time has expired.

#### ADDRESS IN REPLY

**Mr SPEAKER:** Order! I call the honourable member for Mundingburra. This being the honourable member's maiden speech, I ask the Chamber to afford him the usual courtesies.

**Mr TANTI** (Mundingburra) (5.30 p.m.), who was received with Government "Hear, hears!", said: I move—

"That the following address be presented to the Governor in reply to the Speech delivered by Her Excellency in

opening this, the second session of the Forty-eighth Parliament of Queensland—

'May it please Your Excellency:-

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislature of Queensland, in Parliament assembled, desire to assure Your Excellency of our continued loyalty and affection towards the Throne and Person of our Most Gracious Sovereign and to tender our thanks to Your Excellency for the Speech with which you have been pleased to open the present session.

The various measures to which Your Excellency has referred and all other matters that may be brought before us, will receive our most careful consideration, and it shall be our earnest endeavour so to deal with them that our labours may tend to the advancement and prosperity of the State.' "

On Tuesday, 20 March 1996, I was sworn in as a member of this Parliament and I took the oath of allegiance. Today, I reaffirm my loyalty to Her Majesty, Queen Elizabeth II, as the Queen of the nation and of this State. My win in the electorate of Mundingburra caused the number of seats to be equal at 44 all. I am very proud of that fact. It brought forward the end of the Goss Labor Government's term in office. On that day, I noted that Mr Beattie and Mr Borbidge went to the wrong sides of the Chamber. I encourage the honourable member for Brisbane Central to make himself comfortable on the Opposition benches as his team will be there for a long time.

This is my first address to this House as the member for Mundingburra. It is indeed an honour for me to stand here. No jokes—I am standing up! My first duty is to congratulate you, Mr Speaker, on your election to your honourable office in this House. I trust that you will provide the guidance necessary to keep debate in this Chamber at a high and professional level. I also congratulate the member for Mooloolah, the honourable Bruce Lamming, on his election as Chairman of Committees. To the Premier and Deputy Premier—I offer congratulations. I know that they will take the people of Queensland through an era of good Government, clear policies and strong, sound, good-sense leadership.

To my parliamentary colleagues—I thank them for the solid support that they provided to me throughout the two elections that took place. Their taking the time to visit Mundingburra inspired the people and their efforts were reflected in the final result. I will

not thank all of them individually, but I wish to thank personally the honourable member for Clayfield, Santo Santoro, and the honourable member for Indooroopilly, Denver Beanland. I must wish my predecessor, Ken Davies, his wife, Lyn, and their family the best for the future and thank him for his involvement in the by-election.

As a representative of the people, I take seriously the responsibility entrusted to me, and that leads me to an extract from the maiden speech of the honourable member for Mansfield, Frank Carroll, which will explain who will guide me as that representative. Frank Carroll stated—

"My strong Christian faith is very important to me . . . I know that I am among a clear majority of the honourable members who share that strength, so I am not unique. I could not let this occasion pass, however, without honouring God, the one who hears our prayers at the beginning of each day's business here—that is not a formality only."

He said also—

". . . God has a plan for us and we should be keen to serve him. With all my human failings I am encouraged by many friends in our Christian churches, particularly in the electorate . . ."

Frank Carroll is an inspiration to me, as also is the strength that comes from Liz Cunningham.

The rest of my maiden speech is guided by Christian values and each section will be headed by some of those values.

A. When you come through the tunnel of testing you will shine brighter for the Lord.

Yes! I was tested, and that is shown by what happened in trying to win Mundingburra. No-one has ever been through what I went through during those elections. I was running in a supposed Labor stronghold, against an MLA who thought that I would not even get near him or even be a threat to his holding the seat. Running a low-budget campaign with my great companion/campaign manager Peter Lindsay, who is now one of the Federal Liberal MPs, we achieved a 9.36 per cent swing against Labor.

As honourable members are now aware, I lost that election by 16 votes, but history unfolded and the many events leading up to the win in Mundingburra are now on the public record. In an article in the *Townsville Bulletin* Brad Turner said the following—

"The new Member for Mundingburra Frank Tanti's role in the whole matter should not be forgotten. Who would have thought a few months ago that the unemployed battler and the Premier who once held record popularity would find themselves on the backbenches opposite each other? Politics is indeed a strange game."

B. We may face situations beyond our reserves, but never beyond God's resources.

The result in Mundingburra after the by-election on a two-party preferred basis from the 1992 figures gave a swing against Labor of 12.2 per cent and now leaves the seat with a 2.9 per cent swing in my favour. When one looks at the result and when one considers the amount of money that Labor spent on its campaign—which I cannot confirm but which has been alleged to be anywhere between \$430,000 and \$700,000—plus the fact that it had a high-profile candidate—the Mayor—and the full resources of the Labor Party, the Premier and his jet, the media, the John Singletons of this world, etc., one sees what can happen to a Premier who had tremendous popularity and a 19-seat majority and a party whose factions continued to fight amongst themselves. The Labor Party lost, and it has not learned a thing about arrogance, in-fighting and taking the voters for granted.

This was clearly shown by the total lack of interest shown by Mr Goss on 20 March, the total unfounded attack by Mr Gibbs and others on Liz Cunningham on 20 March, and the three Labor members who did not turn up on 28 March for Her Excellency the Governor's Opening Speech.

C. You can do the most good for God right where you are.

We are here for only one reason, that is, to represent in the best way that we can the citizens who have sent us here as their representatives—not just the citizens who voted for us, but every citizen in our particular electorates, regardless of race, creed or political affiliation. We are here to listen to what they want from the Executive Government, to listen to what they want our laws to say, and then to act according to our conscience in this House.

Politicians are ordinary people. If well chosen, they may be better managers than the average and should maintain better moral standards. Nevertheless, they are ordinary people, no different from most others, and in general no more capable than others. Government, in a constitutional democracy, is

an assembly of persons given the authority to maintain order in a society. They are not there to direct the thinking or attitudes of the society; they are not superior in their thinking and attitudes. They are there to help maintain an informed society; to maintain the agreed Constitution and to avoid conflict with universal law. They are there to reflect and put into effect the thinking and desires of an informed electorate. It is the politician's duty as a public representative to see that the community is honestly and truthfully informed.

We need to firmly keep our feet on the pavements of our electorates if we hope to provide our constituents with equal opportunities and justice through Government that is sufficiently responsive. Parliamentary democracy, with its present sound constitutional structure, is the best system to allow expression of the hopes and aspirations of free people. Also, we must remember that we are now closely monitored by the electors due to the televising of Parliament.

D. When you put your cares in God's hands, he puts his peace in your heart. Yes, I have peace in my heart because already things are happening in my electorate and the Townsville region.

During the Mundingburra by-election campaign the Labor candidate, Mayor Mooney, said that all I did was knock on doors and that he would knock on doors and make them open. I wish to tell Mr Mooney and all the Labor ladies and gentlemen here that this coalition Government has unlocked the doors.

Last week, the Labor Acting Mayor, Ann Bunnell, on a local radio station stated—

"Something is happening in Townsville every day."

I must say she is correct. Also, I must say that some of those things were a result of the previous Government and the pressure of, as it was called, "Fundingburra". Yes, this Borbidge/Sheldon Government is unlocking the doors. In a few short weeks since taking Government and against the many delaying tactics of Labor, we have in Townsville confirmed or put in place the following—

1. The completion of the four-lane road from Forrest Avenue to Thuringowa Drive, starting approximately late June 1996.
2. The State's share of the Woolcock/Bundock Street road plans to be completed by late 1998.
3. The preliminary work for the soon-to-be-opened Premier's office—opening early April.

4. The bikeway/walkway over Aplin's Weir to be completed by the end of 1996.

5. Kirwan Police Station was opened 24 hours, seven days a week.

6. The preliminary work for the Police Academy.

7. Training of civilians to replace police doing paperwork, thus having police out on the streets.

8. \$1m for three indoor basketball courts at the Murray Stadium.

9. \$320,000 for the hockey pitch.

10. Korea Zinc and all that it entails.

One would think that the Treasurer lived in our region.

E. God's call to a task includes His strength to complete it. We in north Queensland do not like the attention and money that is given to Cairns and the south-east corner of Queensland. I give the warning that our region will be a great force in the future of this State. I list the following details to make that point: I recognise Townsville enterprise and its involvement in Century Zinc, Korea Zinc, the possible base load power, the Townsville Airport, the port access rail and road corridor, the entertainment centre upgrade and the Pandora Museum.

We in north Queensland will ensure that the policies set prior to the 15 July 1995 election in relation to the important areas of health, law and order and education will be implemented. Also, I would like to see a solution to the safe harbour for Magnetic Island, the detox centre for Townsville and consultation with our park people.

F. Christ gives us the courage of our convictions. I stand by all that I have stated and I quote the following to enforce how I am perceived by various people—

1. Joan Sheldon—

"Frank Tanti's energy and commitment to the Electorate is second to none. He is a man who doesn't back off and who has the genuine best interest of Mundingburra and North Queensland at heart."

2. Rob Borbidge—

"He is no slick Jack."

3. An unknown-to-me canefarmer's wife from Ingham—

"Thank you for saving the State."

4. An unknown-to-me young lad from Brisbane at our local Stockland Shopping Centre—

"You do not know me, Frank, but I know you. You're a legend."

5. Frank Carroll and others—  
"Frank Tanti the Giant Killer."
6. Eve Blackman of Lifeline Townsville—  
"We certainly need men and women of Christian conviction to offer sensitive and wise leadership to our State."
7. Various people—  
"Frank, people like you typify what voters stand for."
8. Labor Party—  
"Poisonous Dwarf."

I wish to especially thank my family—my wife, Ann, our son David and daughter Arlene—for their continued support, time and encouragement both before the elections and since. I also thank my father and mother who are very, very proud of me.

I wish to put on record my sincere appreciation and thanks to my party members and community supporters who assisted me in so many ways throughout the election campaigns. I particularly want to thank the many booth workers who assisted me on 15 July 1995 and 3 February 1996, and that includes also all the legal eagles who achieved that great result for us.

In summary, I look forward to working to the best of my ability towards the efficient provision of the best State Government services possible for my electorate. I also intend to provide a flow of information between this House and my electorate to ensure that my constituents feel that they are a part of, and not only subject to, the democratic process.

**Mrs WILSON** (Mulgrave) (5.44 p.m.): It is with great pleasure and, indeed, it is an honour for me to second the motion for the adoption of the Address in Reply moved by my colleague, the newest member of this assembly, Mr Frank Tanti, the member for Mundingburra. At this time, may I congratulate him on his sheer hard work and tenacity in the lead-up to the very decisive polling on 3 February this year. I also congratulate him on his maiden speech, which he has just presented.

On 15 September 1995, I made my first speech in this Chamber. At that time, I pledged my allegiance to Her Majesty the Queen through Her Excellency the Governor, Leneen Forde. I so pledge that again today,

the difference being that, in September, I spoke as a member of the Opposition whilst today I stand proudly as a member of the Government under the sound leadership of Mr Rob Borbidge as Premier of this State and Mrs Joan Sheldon as the Deputy Premier, assisted very ably by the Cabinet Ministers sitting on the front benches. I am pleased to see that the portraits of the Queen will be restored to their rightful places in Parliament and Government buildings in this State and that the Bible will be used at swearing-in ceremonies. Mr Speaker, I congratulate you on your election to the office of Speaker and wish you well in your term of office.

I am proud to represent the constituents of the electorate of Mulgrave as a member in Government and, as the first female representative for this electorate, restate my commitment to represent all constituents to the best of my ability. At this point, I extend the good wishes of this House to the member for Kurwongbah, Mrs Margaret Woodgate, and wish her a speedy recovery.

For the last six months, the management of this State has not been smooth given the uncertainty of the final outcome of the 15 July election last year at which the coalition gained 53.4 per cent of the two-party preferred vote—7 per cent more than Labor, or 110,000 more Queenslanders voting for the coalition than for Labor. The people of Mundingburra spoke again in February very decisively with our new member, Mr Tanti, achieving an additional 3 per cent swing to the coalition. That was another confirmation of the will of the people of this State.

The member for Gladstone, Mrs Cunningham, made an independent and courageous decision to support the coalition on a confidence motion and on supply. On 26 February 1996, following the resignation of the Goss Ministry on 19 February the same year, a new Government was sworn in.

The people of Queensland decided on a Government that was caring, a Government that would not protect perpetrators of crime and ignore victims and a Government that would listen to the people who were sick of hospital waiting lists and who often felt unsafe at work or at home. They voted for a Government that had policies on a variety of issues. They voted for a people's Government that was responsive to people's needs.

The initiative to establish a regional Office of the Premier in Cairns has been welcomed by the council and business community alike, as has the creation of the new Office of

Indigenous Affairs and Bureau of Ethnic Affairs within this department.

The last eight months have seen many new constituents placed on the Mulgrave electoral roll, with today's voting figures at 23,998. Mulgrave is classified as a rural electorate and stretches some 2,177 square kilometres south to Mena Creek from Woree in the north. It includes part of the Johnstone Shire, the Yarrabah community and the Cairns City Council. It also contains parts of the Federal Leichhardt and Kennedy electorates, both of which are now held by Federal coalition members. The Mulgrave electorate was first proclaimed in 1872.

The electorate office has been relocated to a more central position within Mulgrave. My thanks go to my electorate secretary, Denise Dunn, whose commitment to the job and to the electorate is simply astounding. She has endeared herself to all constituents with whom she has come into contact. Whilst I am away, Denise manages the office communications between the constituents and me superbly and maintains her calm, friendly, yet professional approach at all times.

I thank my electorate colleagues and the various Mulgrave electorate committees for their continued support and counsel. I also thank my parliamentary colleagues who have assisted me to settle in as a new parliamentarian.

My husband, Ben, has been a tower of strength, especially during my early days of taking office, and I thank him. I also thank my son, Ben, and daughter, Jenny, Nikky Newton and Kerod Agnew for their ongoing counsel on the needs, aspirations and wants of young people.

The electorate of Mulgrave has eight State preschools, 16 State primary schools, four State high schools, two special education units and five independent church schools. I am pleased that focus now will be on providing schools with resources to enhance the actual education of young people by cutting back Government interference in the everyday management of schools, so that teachers will be able to do what they have trained for—teaching.

Funding for the administration block at the Hambledon State School has just been announced, with a new classroom block having just been completed. The removal and restoration of the historic Blackfellow Creek School of 1889, the last of the old remaining grammar schools, is under way. The manual arts facilities at the Gordonvale High School will also be commenced. The Woree State

Primary School, built for some 400 students, now has an enrolment of above 750 students, and the catchment area is still growing. During the wet season, the children sit on walkways and verandas as there are not enough covered areas and are then expected to sit damp in their classrooms for the rest of the day. There is one part-time guidance officer for the school, and the designated health room is utilised as the deputy principal's office and often shared with other staff. LOTE lessons are conducted in very cramped spaces, as the already crowded school lost a double classroom building last year. Staff and students cope admirably in difficult conditions. There is a need for another speech therapist and occupational therapist in the area, and advertising has been ongoing to try to procure such people in the area.

The student performance standards, now referred to the Queensland schools curriculum office for review, has been well received by teachers in my area. Schools have also welcomed initiatives for cooling classrooms. Rural schools need constant recognition and support.

The \$50 uniform allowance allocated by the previous Government has been grossly mismanaged with knee-jerk wastage of money. Constituents have strongly voiced their concerns that this money has not been taken from the Education purse to the disadvantage of the students. I understand this debacle has now been corrected, with the last cheques in the mail.

The Centre for Applied Economic Research and Analysis has forecast a four-year growth for the far north's housing industry. To 1999, around 2,000 additional dwellings will be needed in the region each year to cope with migration and local growth. Translated even in small percentages, these figures augur well for the continued growth for the Mulgrave electorate.

Northern road infrastructure costs imposed on developers is in need of some review. Current estimated costs could escalate to between \$4,000 and \$12,000 in some cases, and these costs will be passed on to the home buyers. This month sees the opening of Forest Gardens developed by Daikyo and the Delphin Property Group, situated on 245 hectares of land at White Rock. This well-planned development, with greening focus, pathways and contained traffic routes, will provide accommodation for some 4,000 people in approximately 1,600 homes within eight years. Some 3,000 people will have been employed. Developers of the \$1.5

billion East Trinity satellite city are still planning for the development, the previous State Government having agreed to an assessment process to proceed in August of 1994.

The Mulgrave electorate boasts three sugar mills: Gordonvale, Babinda and South Johnstone. Both the Gordonvale mill and the South Johnstone mill have expended large amounts of money to upgrade facilities. Some emphasis is placed on the increased facility of receiving and crushing sugarcane from the tablelands, until a tableland milling facility is provided.

Following the severe flooding caused by monsoon rains affecting Mulgrave, fruit, vegetable and cane growers experienced not only some crop loss but also infrastructure damage, that is, to roads and bridges. The Minister for Emergency Services and the Minister for Primary Industries were quick in assessing the situation first-hand, and those affected have been offered flood relief through reduced interest loans.

The recent papaya fruit fly outbreak has devastated many of the northern growers. Growers welcome the recent announcement by the Minister for Primary Industries that eradication of the papaya fruit fly is the primary focus, and that he will boost DPI support that has been lacking. Funding support for inspection services will remain until the end of the financial year. Growers have been hard hit, and they need all the assistance that can be given. This disaster was totally out of their hands. The information eradication pack, developed in a number of languages, will be a useful tool in promoting safe practices.

Over the years at community and Government level, much has been done to maintain the environmental vista of the area, and it was pleasing indeed to note the Environment Minister recently announcing a State wetland strategy discussion paper to focus Government and community conservation and management practices. I say this because of the Cairns mudflats and around the Trinity Inlet, where mangroves and coral reefs are an important part of the wetlands. Bird watchers come from far and wide to view the migratory birds found on the mudflats in this area.

I will focus for a moment on the small town of Babinda, one hour's drive south of Cairns. It is a close-knit farming town, with a population of some 1,800 people, situated in the heart of the most beautiful scenic spots in the north—the Boulders and Josephine Falls, which are visited by tourists year round. During the last few years, residents have had services

such as the court house services, the milk run, the Suncorp agency and the TAB closed, although the TAB opened when the pub offered that service.

Many of the aged persons in Babinda today are forced to move to a retirement village or nursing home at great distances from their homes, and they now ask that a small, flexible aged-care service be provided for them so that they can remain in close proximity to their families. Babinda is currently in mourning over the sad loss of five young men of the town as a result of two accidents. A moving ceremony was held at the memorial hall, with a large crowd of young people attending. The town will grieve for some time. The police and the voluntary ambulance staff must be commended for their untiring work during this disaster for the town.

Tourism in the north is a billion dollar industry, and, given the right marketing strategy, the area, because of its accessibility to the reef and rainforest, will become a favourite for tourists who wish to stand beneath Queensland's tallest peak, Mount Bartle Frere, see the natural beauty of the rainforest, the scenic beauty of the coast, or view the economic supports of the area—cane growing, cattle grazing, aqua culture, and the fruit and vegetable industries. The latter industry is now the third largest industry in the State and must be given greater support than has been the case in the last few years. Also in this electorate are the crocodile farms, historic pubs and the award-winning Orchid Valley, accessed by the Gordonvale Balley Hooley train which departs from the historic museum. There are numerous camping and picnic spots, at facilities such as the Mountain View Hotel on the Gillies Highway which this week celebrates its 70th anniversary. Further south, Flying Fish Point, Brampton Beach, the Russell River, and Mena Creek also attract tourist and locals.

Fishing, either commercially or as a recreational sport, is at odds with some of the regulations regarding bag amounts for fish caught. Those in the industry have spoken of the need for some review and equity within the current regulations with regard to fish in possession at any one time.

The Gordonvale Turf Club is currently planning renovations to its facilities, as the club is experiencing an upsurge in support for race days. A new club and stables are planned, with a strong desire for a mini-tote at Gordonvale.

The North Queensland Games will be held this weekend, with approximately 1,000

competitors coming from across the State. This week, the Minister for Sport contributed an extra \$35,000 to the games committee for assistance. Only last week, the Minister also supported the north by providing the Cairns City Council with \$1.5m for an indoor sports centre. Is it any wonder that only last week Cairns/Mulgrave was named the most livable regional city for the second time. A number of businesses are making trade inroads into Asia and the Pacific. There are very sound opportunities for northern export and representation. Tropical fruits and vegetables, and fish stocks, along with some mining resources, are traded from this region.

Small businesses in the Mulgrave electorate have been affected by the regulatory and licensing environment, and family businesses such as that of the Piccone family, who have developed a community retail outlet at Edmonton, have been hampered in their operations by the regulations. An independent arbitrator will facilitate the viewing of industrial cases.

The building and construction works in Cairns, although providing employment opportunities, have had a downside for subcontractors, many of whom face bankruptcy. In desperation, some have even suicided. In good faith, these people have undertaken contracts only to find that they virtually do the job for nothing, because at the end of the day many miss out on their pay. The time has come for a tightening up of the contractual agreements for builders to ensure that those who work get paid, particularly with respect to building companies which contract on Government jobs. The historic background of companies must be fully checked out. For a subcontractor to miss out on \$5,000, \$10,000 or \$15,000 on jobs through not being paid is a sure way to bring down an industry, yet I have been told by contractors who come to my office on a regular basis that this has happened. Construction workers have visited me regarding the Queensland Building Services Authority and the Building Tribunal. They welcome the independent review that will be undertaken and look forward to having some input, particularly at regional level.

With regard to further training within the construction industry, there appears to be some discrepancy of costs regarding where the courses are held. It would perhaps be wise to have a look at that issue to make sure that everybody is treated equally with respect to training.

The quality of the family and social relationships is important to the Government,

and policy development will be focused on early intervention and prevention. As Parliamentary Secretary to the Minister for Families, Youth and Community Care, I have found that the scope of this portfolio is enormous and reaches into almost every facet of family life. The announcement of the extension of the Seniors Card concessions is welcomed. Some 14.49 per cent of people in my electorate are over 60 years of age.

International Women's Day in the Mulgrave area was celebrated with numerous community and school activities. The Government will look to improving the status of women through the creation of inclusive legislation and services.

A major concern at the Yarrabah community is that of the high incidence of youth suicide. At the moment, there is a plan to set up a police youth club there to provide some sorts of activities for young people.

A number of community Neighbourhood Watch programs have been successfully introduced. Edmonton has a very strong group. The proposed State crime summit has also been welcomed by community members. The announcement just last week that police numbers will be increased in real terms and that recruitment of new police will take place was welcomed. Releasing desk-bound police for operational duties is a positive stance taken by the Police Minister.

As to health—the directors of nursing at the hospitals at Babinda, Gordonvale and Yarrabah have all achieved accreditation. Soon, a community health centre will be constructed in the Woree/Edmonton area. The Minister recently announced the appointment of two additional emergency and accident staff at the Cairns Base Hospital. Last week, Yarrabah Hospital received a grant of \$80,000 for renovations, and the Innisfail Hospital received \$180,000 to upgrade its emergency department.

Recently, meetings of parents discontented with the bus system were held. Strong words have been expressed to the Minister for Transport regarding the unsafe practices carried out by students on bus transport. The practice of school children standing on buses travelling in 100 kilometre an hour zones or when travelling for 45 minutes or more must stop. Currently, only a few straps are provided for standee children, which is dangerous, especially when very young children travel on these buses in the tropical heat. The Government's initiative for a Road Safety Action Plan is welcomed.

The southern entry to Cairns from Edmonton has been described as having the worst potential for accidents of any of the National Highway networks. With an 8 per cent increase in vehicular traffic annually, and with the current safe traffic rate exceeded by 5,000 vehicles daily, this is a recipe for disaster. A quick and speedy people mover is needed for peak times, and consideration at some time must be given to using rail passage from southern points to Cairns. The \$21m granted in Federal funding for upgrading the road must be fast-tracked so that the road can be utilised soon.

The Cairns City Council and the Mulgrave Shire Council were amalgamated last year. Rightly or wrongly, this has happened and I believe it should not be undone.

Time expired.

Debate, on motion of Mr Hamill, adjourned.

### ADJOURNMENT

**Mr FITZGERALD** (Lockyer—Leader of the House) (6.04 p.m.): I move—

"That the House do now adjourn."

### University for Ipswich

**Mr HAMILL** (Ipswich) (6.05 p.m.): On 9 May last year, the then Federal Minister for Education, Employment and Training, the Honourable Simon Crean, announced a massive funding package which would see 1,705 additional places in the State's universities in 1996, a further 1,500 additional commencing places in 1997, and a further 950 additional commencing places in 1998.

The Queensland Labor Government, which had pushed so long and so hard for this victory, pledged \$30m of its own funds to accelerate the development of the university facilities necessary to accommodate this growth. This cooperation between State and Federal Labor Governments would at last have seen the end of the days when young Queenslanders seeking access to university education were disadvantaged when compared with their interstate cousins. It would have seen the expansion of the existing and new campus developments in Cairns, Townsville, Rockhampton, Gladstone and Toowoomba, and on the Sunshine Coast and the Gold Coast. It would have seen the new campus developments proposed for the University of Southern Queensland, Griffith University and the University of Queensland

take shape at Hervey Bay, Logan and Ipswich respectively.

These hard-won advances for these communities are now at risk from coalition Governments in Canberra and Brisbane which have failed to reaffirm their support for the expansion of higher education in this State. In spite of its earlier protestations of support, the coalition in Canberra, now under the Howard Prime Ministership, is contemplating a freeze on the number of university places. Let there be no doubt that such a freeze will hurt Queensland most of all. It will hurt Queensland, which for so long received the rough end of the pineapple when it came to university funding. What a way the coalition has of rewarding the people of the State who were so instrumental in putting them into power in Canberra!

At the State level, where are the assurances to Queensland's universities that the \$10m contained in the 1995-96 State Budget for site acquisition for the Ipswich and Logan campuses will be used for that purpose? Where is the assurance that the \$30m committed by the Goss Labor Government in forward estimates to accelerate new campus developments will flow into the State's universities as promised? The people of Queensland are entitled to know, just as they are entitled to the same educational opportunities enjoyed by other Australians. In particular, the people of Ipswich are entitled to the same opportunities as other Queenslanders and other Australians to access higher education.

The development of a university in Ipswich has long been desired by my community. However, it was not until the mid 1980s, following the representations of myself and then Federal member, the Honourable Bill Hayden, that some headway was made with the shift of some places from the then Queensland Agricultural College to the Bundamba TAFE campus. With the election of the Goss Government in 1989 and our successful campaign for Queensland to receive a fair share of university places, a university campus for Ipswich became achievable. A lot of work has been done. A local community task force evaluated a range of site options and recommended the North Ipswich Railway Workshop reserve in its presentation to the university.

In 1994, a working group of State Government departments and the university considered several possible locations, with State Cabinet giving its support for a campus at the North Ipswich site. Ipswich City Councils,

past and present, have strongly endorsed that decision. While there has been considerable debate among the university senate in relation to the site and the nature of the proposed development, in June last year the senate resolved to proceed with the planning of a campus at North Ipswich. At that time, the senate also sought assurances with respect to capital funding available from the State and Commonwealth Governments, the question of site contamination and the issue of potential heritage constraints on the development of the site. Correspondence between me as the then Minister for Education and the university provided those assurances.

Late last year, senior officers of the university approached me for consideration to be given to making the site currently occupied by the Challinor Centre available to the university. While I advised those officers that with an area of 14 hectares the site was much smaller than the 57-hectare site offered at the railway workshops, the officers suggested that the Queensland Government might add the adjoining parcels of land, that is, the Ipswich Country Club—golf links—and the Ipswich showgrounds. I reaffirmed Cabinet's preference for the railway land at North Ipswich, reminding the university's officers that the proposed closure of the Challinor Centre was not taking place until the end of 1997 at the earliest and that, although the senate was looking at a 1997 start-up for its new campus, the beginning of the 1998 academic year was more likely.

Since that time, Queensland Rail and the Department of Education have negotiated and signed a deed of agreement setting out the terms and conditions for the sale of the railway reserve for a sum of \$5.5m and the decontamination of the site by Queensland Rail and the phased merger of QR's railway workshop activities into its \$35m redevelopment of the site at Redbank. Although the agreement was signed, the incoming Borbidge/Sheldon Government held up payment for the land. That was six weeks ago. That delay is simply not good enough. The commitments are there. The dollars were allocated and the places were secured, all in preparation for a new campus to open its doors to students in 1998.

It is high time that the coalition Governments in Brisbane and Canberra got on with the job, gave assurances to higher education for this State and ensured that these positions were delivered and those new campuses developed. It is incumbent upon those Governments to end the uncertainty and deliver on these vital educational

opportunities for the people of Ipswich, and regional Queensland, because it is they who will benefit from this initiative.

Time expired.

### **Goondiwindi State School**

**Mr ELLIOTT** (Cunningham) (6.09 p.m.):

I take this opportunity to bring to the notice of this House the urgent matter of the safety of the pupils of the Goondiwindi State School. Pupils are dropped off and picked up on both sides of the school, that is, at McLean Street and at the corner of George and Herbert Streets. In particular, the children who access the school via McLean Street are in the most danger. I am advised that already this term there have been a number of near misses in that location.

This problem has been referred to the Schoolsafe division of the Transport Department by the school, by the P & C and by me as their State member. I have also notified the Minister of this problem. I place on record my pleasure that the Goondiwindi Town Council acknowledges this problem. It is my understanding that the council has made a commitment that immediately the State Government sees its way clear to allocating some money towards resolving this problem, the council will play its part and has budgeted for its contribution to any future solution. In addition to that, the council is undertaking a trial using sandbags to create an artificial island and a drop-off point on the corner of George Street.

The background of this matter is that the problem was created by the construction of an administrative centre at the end of George Street, which turns into a dead end at the edge of the school. That location was once used as a drop-off and pick-up centre, but once the administrative centre was constructed and parking spots were required by the council, the present problems were created. There was an understanding that the then State Government would allocate some funding to a solution to this problem, provided that the council played its part. Regrettably, at present it appears that there are higher priorities, as the requisite funding was not provided in last year's State Budget.

I have held discussions with the Schoolsafe officer who has responsibility for the Goondiwindi region. He has advised me that he appreciates how dangerous this site is and how crucial it is that a solution be found. He has given me an undertaking that he will once again bring the matter forward when the

department is considering the budget allocation for the region. Although there are many other schools which have problems of this nature, the problem at Goondiwindi State School requires urgent attention. It is my understanding that the local police have identified this as a very dangerous site at which a fatality may occur if something is not done about the problem. I speak in particular of the McLean Street pick-up and drop-off section of the school access.

I urge my colleague the Minister for Transport to give serious consideration to this problem when he is framing the budget for the expenditure on Schoolsafe programs. I am led to believe that a solution for this problem will not be a particularly expensive exercise. Apparently the solution would cost in the vicinity of \$20,000. It is essential that that money be allocated to ensure the safety of these pupils. I do not believe that a price can be put on the life of a child. Imagine if one felt responsibility for any tragedy that occurred through not having had the foresight to allocate the money to solve this serious and dangerous problem.

#### **United Firefighters Union**

**Mr SCHWARTEN** (Rockhampton) (6.14 p.m.): I rise to register my concern over another secret deal which has come to light recently. This time, it was a covert deal between certain officials of the United Firefighters Union and the Premier, Mr Borbidge, and the shadow Minister for Emergency Services, Mr Littleproud, who now has fled Emergency Services for the greener pastures of Environment. This secret deal arose out of a set of demands being placed on the coalition prior to the Mundingburra by-election by the executive of the UFU. Honourable members need not become too alarmed at this, as unions often put logs of claims to Opposition parties, but usually such logs of claims are made public. I suppose that that gives cause for concern, especially if—as I have been informed—there was no rank-and-file consultation on this matter.

However, of greater concern is the fact that the Opposition Leader and now Premier, Mr Borbidge, and his then spokesman, Mr Littleproud, who is now one of his Cabinet Ministers, responded again under the same shroud of secrecy. While most of that response is inarticulate and, quite honestly, meaningless, there are a few issues which I believe need to be aired publicly—something which Mr Borbidge and Mr Littleproud conspired to avoid. Firstly, the coalition

promised to abolish the position of Director-General of Emergency Services. There is no reason given for this, but I believe that if this course were followed, Emergency Services in this State would be pushed into disarray.

I remind the Government that Emergency Services became a department under a director-general because the previous bureau, with its single-line accountability—which the Government is now suggesting we return to—of Ambulance and Fire Commissioners prevented any real cohesion being developed between the services. For example, under that dysfunctional model there was no thought of uniformity in communication systems, which is a real problem, especially in the management of a disaster. The lack of accountability to a central administrative head of a department also meant that crucial strategic planning and performance standard development was limited. Also—and most importantly—the financial accountability of the various units of Emergency Services needs to be centrally coordinated and monitored.

Prior to the formation of this department, the Ambulance Service got itself into dreadful problems—a dreadful financial mess—so much so that it began to spend money that was held in trust on behalf of the ambulance committees around this State. In other words, the lack of financial accountability was permitted because there was no departmental control. We now have Premier Borbidge supporting this view. However, the reality is that even Mr Borbidge, with his proven contempt for accountability, has recognised that we cannot have a department without a director-general. So he has broken his word to the UFU—already a backflip—and there is still a Director-General of Emergency Services. In fact, not only is there a Director-General of Emergency Services; there is also now a Deputy Director-General of Emergency Services, at goodness only knows what cost!

Another point of the agreement is that the coalition supports the one and three staffing level. That is no big deal, as our Government supported that level as well. It is a safer standard, and I do not think that anybody here would disagree. The coalition then promised 135 firefighters to overcome the problem, but that promise has not been costed and has not been budgeted for; nor will it give one and three to all first-response pumpers. Clearly, the Premier has committed the taxpayers of Queensland to this outlay in this backroom deal.

**Mr Veivers:** Come on. Ask me a question.

**Mr SCHWARTEN:** At a recent sports dinner—and here is your turn, Mick—the new Minister, Mick Veivers, who has had to implement this shabby and ill-conceived secret deal, was bemoaning to all and sundry that he would have to put the lid on the bucket because he would have to find money for 135 firefighters. In other words, some other area—be it sport, the Ambulance Service, counter-disaster relief or somewhere else—will have to go without to fund this backroom promise. Clearly, some section of our community will suffer because Mr Borbidge chose to enter into this deal.

I can understand the UFU's anxiety, because its members went without pay increases while the industrial ping-pong progressed. The fact is that the workplace package is before the QIRC, and it was wrong and cruel of the now Premier to mislead the UFU into believing that, via this deal, the workplace package would be broken. The fact is that the QFS needs about \$35m right now to implement the agreement and about \$25m in recurrent funding. I ask: where is the money coming from? That is a question being asked by many Queenslanders.

Time expired.

### Abortion

**Mr CARROLL** (Mansfield) (6.19 p.m.): I direct the attention of this House to the fact that the unlawful killing of unborn and part-born children continues in Queensland. There are six thriving clinics specialising in abortions, including late-term killings. In 1995 there was a dull murmur of petitions presented to this House urging this Assembly not only to legalise abortion but to provide this procedure and the complementary facilitative services free of cost at public hospitals and Community Health Centres. I refer honourable members to the learned contributions of the member for Toowoomba South, now the Minister for Health, in this House on 21 February 1995, 31 October 1995 and on several other occasions when he detailed the unlawful actions of various late-term abortion specialists.

Abortion is prima facie illegal. I refer members to sections 224, 225 and 226 of the Criminal Code. The only exception is "for the preservation of the mother's life" under section 282 of the code. The 1939 Bourne case is not persuasive in extending the meaning of "life", and the correctness of this decision as a statement of law was never subjected to formal review by any higher English court

authority. However, in a 1981 case in the House of Lords, Lord Diplock criticised its validity as a lucid exposition of the law on abortion.

The 1969 Menhennitt ruling in Victoria is irrelevant to Queensland. With great respect to the courts I say that the two Queensland cases incorrectly relied on Bourne and the Menhennitt ruling. In those two cases, in 1983 and 1986, the judges stated that Bourne and the Menhennitt ruling were relevant to Queensland law. This is an incorrect interpretation of the law. The meaning given in Bourne to "life" is not correct, and the common law doctrine of necessity does not apply to the Criminal Code in Queensland.

The word "life" in section 282 of the Queensland Criminal Code can only mean actual physical life, not physical or mental health or something soft. A fundamental rule of statutory interpretation is that where words are not ambiguous but are plain they must be given their plain meaning.

The lack of enforcement of the law against the growing abortion industry in this State must reflect an attitude in Executive Government policy as the law has not changed. The abortionists in Queensland have been aggressive by often threatening and sometimes pursuing critics in the courts with expensive defamation suits. Abortion clinics are lucrative and can finance that. The sharks operating them push women into undergoing the procedures in this way. They simply say, "We have a sliding scale of fees, with the fees rising proportionately to the term of the pregnancy. Get in quick or the price goes up." The abortion doctors are keeping the heads of critics down to keep the spotlight off piecemeal selective abortion, the social and legal consequences of which have never really been subjected to sustained and informed public scrutiny in this State.

Statistics from the Commonwealth Department of Human Services and Health reveal that reported abortions in the 1994-95 financial year totalled 78,461 in Australia, having increased at the rate of 40 per week for the last three years. Across Australia, taxpayers' funds of \$28,910,000 were paid by Medicare for the actual abortion procedures in this country. This figure does not include the unknown amounts that were paid out on ancillaries or the accumulating social costs of this crime. Of those, it appears that about 14,000 abortions were performed in Queensland—a disproportionately high number. Indeed, that must be an indication that women's health in this State is in serious

decline. In fact, 14,000 women had a life-threatening condition last year—if we assume that the law is being applied.

The former Keating Government seemed prepared to push through national legislation legalising abortion. The National Health and Medical Research Council tells us that some abortion clinics have said that as many as 10 per cent of all abortions go unreported; so the real total may be as high as 86,000 per annum in this country. That is a shameful endorsement by the previous Federal Government of a decadent trend. We need to be wary of the secret agenda behind the National Health and Medical Research Council's recent review of services for the termination of pregnancies in Australia. I am not just focusing on late-term abortions, such as those of which Dr Grundmann boasts, but all of the others—they are repulsive.

Time expired.

### Health Funding

**Mrs EDMOND** (Mount Coot-tha) (6.25 p.m.): In recent weeks Queenslanders have seen the spectacle of the new Health Minister dashing about this State emulating his famous son and trying to score a try, but so far he has just given away plenty of free kicks. After years of denouncing the Labor Government for not meeting every request of every lobby group, the Health Minister now runs around in circles crying foul as they descend on him demanding the promised goodies. The hundreds of millions of dollars that he alone could save by going back to Brisbane-based health services and cutting off the regional offices has now shrunk to maybe \$5m or \$6m—if he can sack enough people out there in the regions.

He is now crying poor and trying to blame the previous Government after constantly telling hospital administrators not to worry about budgets, that money was not a problem. He cries for more money from the Treasurer, who in turn cries to Canberra to make special deals for Queenslanders. Members should not hold their breath! What hypocrisy. He is now bagging the previous Health Minister for arranging extra funding for Health through Treasury, while adding a stream of new unfunded projects—not seen as priorities by the health community itself—has delayed, is deferring, stopping and rearguing the case for major priority redevelopments such as the PA Hospital, the first stage of which would have included the cardiac unit. The cardiac catheter lab at the Royal Brisbane Hospital has been put on hold.

The \$8.5m Emerald Hospital redevelopment is off the list, and Townsville's project has been deferred. The excuses are varied but the results are the same. Everything has ground to a halt. The Health Minister cannot keep adding pork-barrelling promises in coalition electorates and then blame the Labor Government for the shortfall in funding. New hospitals at Robina, Noosa, Beaudesert and Aspley are nowhere to be seen in the first 10-year priority rebuilding program. Health facilities are too expensive to be sprinkled about like sweeties.

**A Government member** interjected.

**Mrs EDMOND:** The member should be jumping up and down and demanding that the hospital rebuilding in Townsville should go ahead instead of being put on the 10-year never-never.

At present in Brisbane around \$1 billion in hospital refurbishing programs is being held up while the Minister dithers. Queensland businesses—large and small—are missing out while the Minister procrastinates. The Labor Government provided the permanent ongoing funding of the tobacco tax—not just for the 10-year detailed plan but ongoing funding. We provided the detailed strategic master planning and the necessarily lengthy consultation with every starting and finishing date set out for at least the next three years, and all we ask is that the Minister provides a smidgen of leadership and direction. He has been happy to recycle all the capital works and accelerated projects previously funded and announced by Labor, but where is the \$34m that was transferred from Treasury in February this year? Is the Minister saying that more money should not have been transferred and that it should have been withheld? Where is the \$75m over three years funding for the attack on waiting lists, started successfully in December 1995 and now stopped? He announced that he would start it in July, which means that he is stopping it now and restarting it in July. What happened to the \$25m offered by the Federal Government to further reduce the acute waiting lists? Did the Minister not even bother to accept it or find out about it? Has he spent all of this in pork-barrelling coalition electorates, or has the Treasurer siphoned it off to pay for the roads and art galleries on the Sunshine Coast?

In recent days the Health Minister has started backing off his lavish spending and started making cautionary noises. His comments suggest that he is now taking the same attitude as a previous National Party Health Minister, Leisha Harvey, although I

sincerely—and I mean this sincerely—hope he does not follow in the steps of the previous two or three National Party Health Ministers. But I digress. Every year that the National Party Government was in power the hospitals overspent, and every year the Government had to keep bailing them out until 1988, when Mrs Harvey decided that the best solution would be to withhold any further funds. Eight years ago, on 18 March 1988, Mrs Harvey said—

"You will just get one lump sum. How you spend it is entirely up to you. But don't overspend because there is no more."

Although the Goss Government greatly increased funding, some hospitals still tried to get away with overspending. Before Peter Beattie left the Health Department he made sure that all hospitals had sufficient money to carry on until the end of this financial year. The Health Minister is throwing up his hands and saying that he cannot manage. The only way that he can deal with the problem is to say, as Mrs Harvey did, "You were given funds and you have overspent." The Health Minister is trying to blame the previous Government, but that will not solve his problem of how to deal with the overspending. What will happen to those hospitals that are now saying that they are in financial trouble? The Harvey solution sounds more and more the likely solution from Mr Horan.

### Health Services in Gympie and Wide Bay

**Mr STEPHAN** (Gympie) (6.30 p.m.): We come to the end of six years of hard Labor in the health sector. I do not think the member who preceded me in this debate quite realises that things are changing. The health services in Gympie and the Wide Bay area are emerging from six years of hard Labor. They have been treated as the subjects of an experiment which proved little and delivered less to our communities. For a procession of Ministers, it was just a chance to dust off the textbooks of socialised medicine, yellow as they were, after three decades on the shelf.

To begin with, 42 members of the hospital boards from Gympie to Maryborough were replaced with eight regional health authority members, which was a great waste of expertise. With the end of community involvement, the protection that it brought was lost. It is not surprising that hospitals such as Gympie were stripped of services. In one instance, a maternity patient had to be transferred to Maryborough even though it

was not an emergency case; it was a normal maternity operation. It is no wonder that people became very upset. They were disadvantaged by those conditions.

As the trial of Labor drew to an end, things got worse, not better. On 16 February, the now Leader of the Opposition told the *Courier-Mail* that he had—

". . . found an extra \$33.9m to pump into Queensland public hospitals."

That was money that he described as—

". . . unspent capital expenditure."

He continues to peddle this myth by speaking in the Brisbane media about a capital works surplus. No wonder he does not say that in Gympie, Maryborough or Wide Bay! He did visit Gympie on one occasion very late in the term of the previous Government, and he did find out where Gympie was.

Those moneys were not surplus; they were earmarked for the redevelopment of the hospitals. We now know what Mr Beattie's hijack of capital works would have meant. For a start, the \$7.5m Phase 2 of the Maryborough Hospital Redevelopment would have been cancelled—just 171 days after he announced it. That redevelopment will renovate much of the hospital, including 120 beds. Operating theatres will be upgraded, as will intensive and coronary care beds. I can say "will" rather than "would have been" because Mike Horan has saved those works by sending the hijacked money back where it belongs: to the hospital rebuilding fund.

What makes the Opposition Leader's comments that pinching our capital works money was a climax in hospital efficiency particularly insulting is that he pinched our money from our hospitals. He pinched money from hospitals such as Gympie, which did the hard yards to balance their budgets, and attempted to give it to other hospitals that showed the effects of eight months of ministerial mismanagement. That sort of diddling shows what happens when genuine community involvement is removed. I welcome Mike Horan's announcement that district health councils will exercise real power.

Gympie is a community on its own, separate and distinct from the Sunshine Coast. It is hardly surprising that it suffered under its forced union with Nambour. My aim is that the Minister and the Cabinet will see their way clear to establish Gympie as a district in its own right. I have made approaches to the Minister seeking just that.

Labor's six years are over. So are the months of waiting for the people's

Government to be sworn in. My plan is that the action now required will be swift and relatively painless. The people of Gympie and Wide Bay deserve nothing less than that. We must remember the amount of expertise that was utilised by the various people who served on the hospital boards, particularly when the centre block of the Gympie Hospital was renovated.

Time expired.

The House adjourned at 6.35 p.m.