

**THURSDAY, 25 JULY 1996**

Mr SPEAKER (Hon. N. J. Turner, Nicklin) read prayers and took the chair at 9.30 a.m.

**PETITIONS**

The Clerk announced the receipt of the following petitions—

**Police Staffing, Gladstone Electorate**

From **Mrs Cunningham** (1,943 signatories) requesting the House increase as a matter of urgency the operational police numbers in the Gladstone electorate by a minimum of five officers to enable an additional shift for the Gladstone/Boyne Tannun/Calliope policing areas to be introduced and maintained.

**Gun Control Laws**

From **Mr McElligott** (20 signatories) requesting the House to implement the agreement for national uniform gun laws to its fullest extent in passing new legislation without watering down the new gun control laws.

**Hervey Bay Hospital**

From **Mr Nunn** (500 signatories) requesting the House to instruct the Minister for Health to immediately commit 100 per cent of funding sufficient to staff and operate the new Hervey Bay Hospital to base hospital standard and supply the services promised before the 1995 election.

**Beenleigh Rail Line, Noise Testing**

From **Mr Robertson** (214 signatories) requesting the House to call on the Minister for Transport and Main Roads to arrange for noise testing at a range of sites along the Beenleigh rail line in the vicinity of Sunnybank, Runcorn and Kuraby likely to be most affected by train noise, to determine the extent of the problem and for the results of such testing to be made available to the community as soon as possible.

**Gun Control Laws**

From **Mrs Wilson** (716 signatories) requesting the House to hold firm in its resolution to put into law their proposed gun law reform legislation.

Petitions received.

**PAPERS**

The following papers were laid on the table—

Minister for Primary Industries, Fisheries and Forestry (Mr Perrett)—

Report on Ministerial Mission to the United States of America, Chile and Argentina from 14 June to 1 July 1996

Minister for Natural Resources (Mr Hobbs)—

(1) A proposal by the Governor in Council to revoke the setting apart and declaration as State Forest Under the Forestry Act 1959 of—

(a) The whole of State Forest 779 containing an area of about 1,150 hectares;

(b) All those parts of State Forest 42 described as Areas A and B and shown hachured on plan FTY 1718 prepared under the authority of the Primary Industries Corporation and containing in total an area of 1.9321 hectares;

(c) All that part of State Forest 611 described as Lot 178 on plan CG 6094 and containing an area of 1.215 hectares;

(d) All that part of State Forest 127 within stations A-B-C-D on plan CP 841936 and containing an area of 9.51 hectares;

(e) All that part of State Forest 169 described as Area A and shown hachured on plan FTY 1702 prepared under the authority of the Primary Industries Corporation and containing an area of about 7 182 hectares;

(f) All that part of State Forest 69 within stations 2-3-4-2 on plan CP 869099 and containing an area of 0.3221 of a hectare; and

(2) A brief explanation of the proposal.

**MINISTERIAL STATEMENT**

**Queensland Treasury Corporation/Queensland Government Delegation to Japan**

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.36 a.m.), by leave: At the request of the Queensland Treasury Corporation, I led a delegation representing the Queensland Government and Queensland Treasury Corporation to Japan over the period 16 to 25 June. The objectives of the delegation were to: market QTC global bonds and other facilities with the prime Japanese-based investors and security houses; improve contact

between the Queensland Government, QTC and its Japanese-based financial distribution group; execute a three-year Samurai 20 billion yen dual currency bond issue lead managed by Nikko Securities; and promote Queensland's overall fiscal and economic strengths.

The important goal of the delegation was to introduce the new coalition Government and its policies to the investors and investment houses with which the Government, through QTC, negotiates loans to provide our State with infrastructure. While the State's loan program has been in place for many years, its successful and very beneficial links with foreign investors were pioneered by the former coalition Government. So the visit was necessary to reconfirm those links and to establish the successful formula for future business. I attended as the representative of the new Government. Representing QTC were the Chairman, Sir Leo Hielscher, and the Director of QTC Financial Markets, Mr Neville Ide.

The response received by the delegation was extremely favourable, reflecting the very high regard in which Queensland is held by Japanese institutional investors. This favourable response is based upon the historic trade and social links with Japan I referred to earlier. It also reflects the relative fiscal strength of the Queensland Government's financial position and the long and favourable association that QTC has had with these institutions. Meetings were held with 20 financial institutions, and these are listed in the attachment I now provide to the Legislative Assembly. Meetings involved retail trading representatives, institutional investors and securities houses.

Retail demand for dual currency bonds and Australian dollar bonds through the Japanese security companies is likely to remain strong for at least the next six to 12 months. Demand is expected to abate when the Japanese economy improves, but it is likely that the dual currency bond will continue to receive reasonable support—certainly according to an investor profile analysis carried out by Nikko Securities with respect to our last dual currency bond issue. It found that among our buyers: 99.5 per cent of investors were individuals; corporate employees, retirees and housewives accounted for the majority of the investors, with females making up 57 per cent; and investors over the age of 60 accounted for more than 50 per cent of the security purchases. Given the nature of the transactions, the importance of explaining the underlying risks to the investors was stressed

to the security houses. All houses advised that they provide an explicit statement regarding the foreign exchange risk to investors.

At present, institutional investors fall into two broad categories: those still feeling hurt by the yen's appreciation against other world currencies and those establishing unit trusts for investors seeking foreign currency risk. In the first group, indications are that if currency exchange levels move in a favourable manner—

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

**Mrs SHELDON:**—these investors will consider purchasing QTC yen denominated bonds. In the second group, most were well aware of QTC's global bond and its features. All hold QTC domestic or global bonds. Their interest was to receive up-to-date fiscal and economic news of Queensland and on QTC's capital market activities.

Securities houses are keen to lead manage further issues on behalf of QTC. One of the initial tasks during the visit was the signing of a 20 billion yen Samurai bond issue with Nikko Securities. But in the wake of meetings that followed, Daiwa Securities has concluded a 20 billion yen three-year dual currency issue and Nomura Securities has purchased \$100m in QTC medium-term notes. Meiji Life is also negotiating a 10-year yen loan worth between A\$50m and A\$100m.

The value to Queensland of my being introduced to Japan's most highly respected financial institutions cannot be understated. Their reaction was very positive. On the basis of the delegation's investor program, it is likely that up to \$1 billion of QTC's \$3.5 billion fundraising program for the year will be raised. This generates real savings—

**Mr SPEAKER:** Order! There is too much audible conversation in the Chamber. Most members will not even talk to one another outside, but when they come in here at 9.30 they want to chatter away like galahs. I call for order.

**Mr Elder** interjected.

**Mr SPEAKER:** Order! The member for Capalaba!

**Mrs SHELDON:** This generates real savings for Queensland taxpayers. It is where our AAA credit rating pays dividends. For example, \$1 billion raised at savings achieved on these latest issues would mean savings in interest of \$3.5m for each year of the three-year loan. That is \$3.5m a year back into the economy of Queensland. Japan is likely to remain a key funding source for Queensland

in the medium term, with the possibility of raising up to \$1 billion from this market in the current financial year at very favourable rates of interest.

Overall, the program was an outstanding success, reflecting the high regard in which Queensland is held and the professionalism of the QTC in its dealings in the international financial market place. My thanks go to Sir Leo Hielscher and Neville Ide for their careful and effective planning prior to departure, coupled with sheer hard work during the visit. Their efforts paid real dividends for the Government and the people of this State.

## MINISTERIAL STATEMENT

### Census Night

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.41 a.m.), by leave: Tuesday, 6 August, is an important date for all Queenslanders. That is Census 96 night—the night on which all Queenslanders can make a difference. Queenslanders enjoy one of the best lifestyles anywhere in the world. But the State Government believes that we must improve the availability and standard of services now and in the future so that the quality of life in Queensland continues to improve and continues to be the envy of the rest of Australia. Improving the availability and standard of State Government services takes money—money from our own revenue sources and money from the Commonwealth Government. We have already seen cuts to our funding in this year's Premiers Conference.

A major section of the level of Commonwealth funding to the States is the size of population. In the past, Queensland's population and its estimated growth rate have been miscalculated because there was a significant number of people who did not complete their census forms. Indeed, it has been estimated that Queensland "lost" almost \$80m between 1976 and 1986. That is how much money went to other States that would have come to Queensland if all Queenslanders had completed their census forms. If just 1 per cent of Queensland's population is not counted on 6 August, Queensland stands to lose \$30m in Commonwealth funding in 1997-98, when data from the upcoming census will be first used by the Federal Government. But the next census will not be held for a further five years, which means that Queensland would "lose" approximately \$150m. This is why the census on 6 August is so important to Queensland—

perhaps more important than to any other State.

I am pleased to announce that, as has been the case for previous censuses in Queensland, both the Government parties and the State Opposition are again joining forces in a Statewide bipartisan campaign to encourage all Queenslanders to complete their census forms on 6 August. During the next few days, Government Ministers and members, as well as members of the Opposition, will be travelling the State telling people just how important it is to fill in their census forms. As well, the State Government is again funding a census advertising campaign to reinforce the message that Queenslanders must make it count on 6 August. I am informed that similar advertising campaigns in 1986 and 1991 were very successful.

The Australian Bureau of Statistics is very pleased that Queensland has again launched a State campaign and would be keen to support this initiative in other States. Queensland will again be the only State to run such a campaign in support of the census. I am sure that I speak for both sides of the House when I say that, as State representatives of the people of Queensland, we have a duty to ensure that this State receives its fair share of the funds when the Commonwealth divides its revenue cake. The census is one of the most important factors in determining each State's share of the cake. The message that I would encourage all members to spread in their electorates is simply this: every Queenslanders who fills in the census form wins dollars for their State. I urge every Queenslanders to make it count on 6 August.

## MINISTERIAL STATEMENT

### Weapons Amendment Bill

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (9.44 a.m.), by leave: A number of members of the House have approached me concerning the possibility of obtaining complimentary copies of the Weapons Amendment Bill, which was introduced into the House yesterday by the Minister for Police and Corrective Services, because of the large amount of community interest in this particular piece of legislation. I therefore wish to advise the House that copies will be made available to those members who have requested them. During the course of the day I will also arrange for a substantial number of complimentary copies to be

forwarded to the office of the Leader of the Opposition.

## MINISTERIAL STATEMENT

### Tourism Industry

**Hon. B. W. DAVIDSON** (Noosa—Minister for Tourism, Small Business and Industry) (9.45 a.m.), by leave: I would like to advise members of this House of the latest developments in the Queensland tourism industry and the activities of the Queensland Tourist and Travel Corporation. The last six years of Labor Government control have resulted in a decline in interstate visitor numbers to Queensland. The former Labor Government allowed Victoria and New South Wales to overtake Queensland in tourism marketing and promotion. The Queensland tourism industry is now paying for those mistakes. Latest figures from the Queensland Visitor Survey show that the slide in interstate visitor numbers has continued. In the year to March 1996, interstate visitors staying in commercial accommodation declined by 11 per cent on the figures of the previous year. I am confident, however, that the recent changes at the helm of the QTTC and new efforts to rebuild Queensland's image interstate will reverse this trend.

On 1 July, an \$825,000 major tactical campaign started on television in Sydney, Melbourne, Canberra and Adelaide, inviting our southern cousins to spend their winter days in sunny Queensland. Queensland has also sponsored the weather bulletins on the Seven network. Every night, the freezing residents of Canberra, Sydney and Melbourne will be warmed by the sight of sunny Queensland bringing them their dismal weather report. If they can resist that temptation they are stronger than me! This campaign will finish at the end of winter, when the new marketing campaign to replace Live It Up in Queensland will be ready for launch.

There has been some good news on the international front, however, with 10 per cent growth for the year to March. Importantly, this growth appears to have benefited all levels of the commercial accommodation markets from five-star hotels down to backpackers hostels. These figures support my commitment to Queensland working more and more closely with existing and emerging markets in the Asia Pacific. During my recent meetings in Thailand and Singapore I established some very useful and potentially fruitful contacts with the Thai Minister for Tourism, the Governor of the Thai Tourism Authority, the leader of the Singapore Tourism Bureau and key travel trade representatives. The importance of these

Asian markets cannot be underestimated, and I intend to see the QTTC build on its already impressive international performance in this region.

But while the Asia Pacific must be a focal point for the future, we are not forgetting our traditional markets in the United Kingdom and Europe. This week, I am inviting around 200 of the key tourism wholesalers in the UK and Europe to come to Queensland for a brief but intense familiarisation with the latest Queensland tourism product. This event, known as Showcase 96, is a first for Australia and a result of the fine working relationship between the QTTC and Qantas. This is the kind of pro-active, aggressive marketing of Queensland which will reap real rewards for the tourism industry.

I would also like to reiterate my promise to the 14 regional tourism authorities that the Queensland coalition Government is committed to increasing funding for regional tourism. Unlike our predecessors, this Government is listening to the pleas for assistance from regional tourism and will increase funding to RTAs—despite the shadow Minister's scaremongering. I am confident that the changes I have made to the QTTC board and the strategies which are starting to fall into place will enable Queensland to reclaim its rightful position as the number one tourism State in Australia.

In closing, I wish to reiterate to the members of the House the enormous significance of the tourism industry to our State's economy. The latest figures show that visitors staying in commercial accommodation in Queensland in the year to March 1996 spent \$5.1 billion while they were here. These dollars went not only into the hands of major hotels and tour companies but also into the thousands of small businesses which make up the bulk of the tourism industry. And that is not all. Every supplier of goods and services and every small business owner in every tourist centre will have benefited from this expenditure. Tourism is absolutely vital to the livelihoods of hundreds of thousands of Queenslanders. I assure you of my total commitment to the growing potential of this diverse and important industry.

## MINISTERIAL STATEMENT

### Redcliffe City Council; Transtate

**Hon. D. E. McCAULEY** (Callide—Minister for Local Government and Planning) (9.49 a.m.), by leave: On 11 July the member for Murrumba, Dean Wells, used the protection of this House to cast a slur on my

actions as Minister for Local Government and Planning. I had written to Redcliffe City Council and asked the council to make its decision in relation to a rezoning application from Transtate. In the letter I told them there would be no further extensions of time because the matter had been dragging on for eight months.

Mr Wells made the scurrilous claim that before I wrote to council I had been feted to lunch by Transtate. I have a letter here which outlines how facts get twisted, become hearsay and then get passed on to Mr Wells, who then wastes the time of this House. Some people did have lunch with Transtate—not me, but some people did. Those people were Councillor Alan Boulton and Councillor Ralph Ashby. For the record, they did have lunch with Transtate people, but also for the record, the two councillors paid their own way. However, Mr Wells' mate down at Redcliffe, Councillor Des Purcell, got it all wrong. He accused Councillors Boulton and Ashby of accepting influence from the company, bribery, and then he wrote to the CJC with his accusations. Of course, the CJC dismissed the claims. I am informed that libel actions are now in train against Councillor Purcell, who has now turned into Mr Wells' key informant on my eating habits.

The fact is that it was Mr Wells who put pressure on council to reject the project because he was trying to shore up his standing with the Greens, who wanted the project rejected. Mr Wells pressured Councillor Ralph Ashby, who is also a member of the Labor Party, to reject this development. The approach by the member for Murrumba was made on the basis that Councillor Ashby is a Labor member and should support Wells for that reason. However, Councillor Ashby, who is a man of principles, rejected Mr Wells' approaches. Indeed, he was extremely annoyed with the pressure put on him by Mr Wells. He has never allowed his political connection to intrude on his job as a councillor, and I am sure he would substantiate that if asked.

I place on the public record my disgust at the actions of Mr Wells—not only his grubby suggestions against my office but also his pathetic set of double standards and his own childish attempt to influence the decisions of the Redcliffe City Council.

## **MINISTERIAL STATEMENT**

### **TAFE Queensland**

**Hon. S. SANTORO** (Clayfield—Minister for Training and Industrial Relations) (9.51 a.m.), by leave: When the coalition took

over the reins of Government in March 1996, it was well recognised that TAFE Queensland was craving direction and leadership. It was an organisation that over a period of 10 years had been subject to much change and pressure. Some of this change was of a positive nature. However, much of it led to uncertainty among TAFE staff, to the point at which they worried about their tenure within the Queensland public service and their place within the training market of Queensland.

Queensland business, and in particular small business, was demanding a greater say in the determination of this State's training agenda and profile—the demand was for more input into the formulation of TAFE curriculum and a better-trained output. Local communities also had become disappointed with the dilution and diminution of their role as advisers to the administrations of TAFE colleges and institutes. Clearly, all stakeholders within TAFE Queensland were crying out for initiative and leadership, and today the Borbidge/Sheldon Government will begin to deliver on these essential characteristics of public administration.

Today, I announce a major TAFE Queensland initiative. The theme is TAFE Queensland—A New Focus. Working Better Together. The outcomes of this initiative will assist to position TAFE Queensland as the preferred and competitive provider of vocational education and training in Queensland, and as the employer of first choice among staff. I am outlining this initiative in Parliament because of the vital relationship between an effective vocational education and training system and the skills level, productivity, and competitiveness of Queensland business and industry.

The need for adequate training effort across the Queensland workforce has been highlighted in the recently tabled State Commission of Audit. That report states that Queensland has a low work force skills base and low labour productivity rates when compared with the rest of Australia. This is largely the outcome of underinvestment in training, particularly by the users of the training system. In this respect, the Commission of Audit recognises the need to cultivate a training culture in Queensland industries. The notion of "learning and earning" will increasingly describe the working patterns of Queenslanders. The Commission of Audit recommends a general increase in the size, range, and application of the competitive training market as one means to achieve improved performance in the vocational education and training sector. The findings of

the Commission of Audit are consistent with the emerging national policy directions for the VET sector.

At a national and State level, significant changes in VET policy are gathering momentum. Together with the Commonwealth, the States and Territories are developing a national strategy for VET that will establish policies and funding arrangements geared to a demand-driven—versus a supply-driven—training market. Central to this strategy is the Modern Australian Apprenticeship and Training System, known as MAATS. MAATS aims to extend participation in structured training, particularly in emerging technology, information, and service industries; and to strengthen partnerships between business, community and training providers, particularly in regional areas.

Another key feature of the new MAATS agenda is a commitment to give business enterprises their say in determining what, where, when and how training is delivered. This has resulted in the recent endorsement by State and Federal Ministers of progressive VET funding arrangements that will empower Australian businesses, their apprentices and trainees to freely choose training providers and programs. The goal is for full implementation of user choice arrangements for all apprenticeships within MAATS by 1 January 1998.

Queensland is already well placed to respond. In fact, honourable members would be aware that user choice arrangements have existed for traineeships in Queensland since their inception in 1986. A six-month pilot of user choice for apprenticeship training, conducted in the 1995-96 financial year, has seen TAFE Queensland win 97 per cent of the \$2.78m allocated. Conversely, for user choice funding in the area of traineeships, private providers won 56 per cent of the \$4.66m budget. Competitive funding allocated to stimulate the open training market in Queensland has increased from \$2m in 1993-94 to \$22.1m in 1995-96. While this includes the funding allocated for the apprenticeship user choice pilot, it excludes the funding allocated for traineeship user choice. The growth in competitive funding activity has been achieved predominantly through the use of Commonwealth growth funds and will escalate in response to the national strategy. I am pleased to acknowledge the bipartisan approach to this initiative.

The national emphasis on expansion of demand-driven vocational education and training provides the context for the TAFE

Queensland initiative to which I will now turn my attention. Industry and business clients are demanding new and more flexible training programs and services. TAFE Queensland needs to raise its own productivity levels by improving the efficiency and effectiveness of its people, systems and services. TAFE must do this by building stronger relationships with the stakeholders it seeks to serve. The major theme of this initiative is "Working Better Together". This relates to TAFE relationships with internal and external clients and stakeholders, including relationships between the staff and more generally TAFE Queensland.

In particular, TAFE institutes and colleges need to strengthen their links with local and regional business and industry. To facilitate these links, I have begun the process of reconstituting TAFE councils at college and institute levels, with memberships that are principally representative of local economic hinterlands. The reconstitution of TAFE councils is long overdue. All memberships on councils officially expired in 1995. Many councils have languished awaiting legislative changes promised, but not delivered, by the former Government. Unfortunately, this delay was seen by a number of community stakeholders as a TAFE Queensland problem, when this in reality was not the case. It was the fault of Government, and it is a problem that this Government will fix.

I intend to appoint members to councils on the basis that they are best placed to lead a new focus for TAFE Queensland. I propose to build meaningful roles for the advisory councils so they have a real say in the range and type of courses offered, and in the planning processes that determine the capital and recurrent funding levels for their TAFE institutes, colleges or campuses. The newly reconstituted councils will provide invaluable advice to TAFE colleges and institutes on local training needs. They will also help expand the concept and creation of regional centres of training excellence, and assist the development, for example, of a regional centre of excellence for tourism and hospitality in a location such as Cairns.

It also is important to capture the advice of other training providers, and of other regional advisory bodies such as area consultative committees, regional economic development organisations, peak industry bodies, and local business forums such as Chambers of Commerce, Rotary Clubs and other well-recognised community organisations. Currently, apart from ad hoc regional forums, and the regional industry

training plans put together by Industry Training Advisory Bodies—ITABs—there is no established mechanism to roll up a regional understanding of enterprise level training needs and priorities. This deficiency will be addressed by the establishment of regional roundtables that will meet as peak representative bodies. TAFE council chairpersons will be members of the roundtables, as will representatives from other training providers, other regional advisory bodies and local business and community representatives. Roundtables will provide advice to the State training profile through the Vocational Education, Training and Employment Commission—VETEC. The end result will be the Statewide delivery of more flexible and regionally relevant training outcomes.

As Minister for Training and Industrial Relations, I have responsibility for training provision across the broad VET sector in Queensland. Honourable members will be interested to learn that, as at 30 March 1996, 493 private providers were registered in Queensland. I want to consult with as many of those providers as possible, in joint session with TAFE Queensland, to determine ways in which training provision can become more relevant and responsive to the needs of Queensland enterprises. This initiative—this is the first time that it has been undertaken in Queensland—will, I am sure, go a long way to resolving many of the concerns that tend to undermine the relationship between private and public providers.

Another key element of the TAFE Queensland initiative includes a focus on the training needs of small businesses. For too long we have provided generic small-business training without recognising the specialised skills of independent small-business operators. In Queensland, indeed nationally, small business is big business. Small businesses comprise 97.5 per cent of non-agricultural private sector businesses in Queensland and employ 55.6 per cent of the work force in that sector.

The very concept of a prosperous Australia is founded on the reality of a thriving small-business sector. The statistics on small business failure reflect opportunities forgone for the Queensland economy. Training can play a vital role in reducing the failure rate for small businesses and in improving the overall competitiveness of the small business sector.

I plan to build on the experience of key small-business training centres, such as the Better Business Centre at Logan Institute of

TAFE, to progressively establish specialised small business training throughout the TAFE network. The new focus I am proposing for TAFE Queensland will have implications for the way the business of TAFE is run. The new focus will be on quality improved systems, decision making and communication processes to enable TAFE Queensland to deliver superior services to clients. Ultimately, this will require more effective management autonomy at TAFE institute and college levels.

In order to progress this initiative, I have asked TAFE Queensland to improve its internal business practices. This will occur through the work of a number of quality improvement teams comprising teachers, tutors, administrative officers, wages staff and management, but particularly teachers, tutors, administrative staff and wages staff. The teams have been charged with a responsibility to consult with client groups to develop and action strategies which will improve TAFE business processes. The teams will address such issues as staff tenure and mobility, professional development, corporate communication, devolution of central functions, international and domestic marketing, teaching and learning, and staff performance recognition.

I am committed to maximising staff participation in the strategic development of TAFE. This is not a talkfest. The emphasis at all times will be on achieving outcomes through grassroots participation and commitment to implementation. During the past five months, I have met with many hundreds of TAFE staff during my visits to TAFE facilities and I have never failed to be struck by their enthusiasm for the organisation, its goals and clients. I am impressed by their professionalism and their commitment to the training culture and the reform agenda. They wish to be involved in the change and this Government will ensure that their voice is heard.

Some of the short-term outcomes I envisage include significant reduction of time spent in meetings, senior management spending more time in training settings and the judicious reduction of unnecessary red tape. In addition, the quality of teaching and learning in TAFE will be assisted by such initiatives as the establishment of a systemic teaching resource database, the posting of an Internet home page for TAFE Queensland, and the introduction of a library information system to enhance flexible delivery of TAFE programs and services. There are, and will be, many more examples of ways this initiative will

contribute to improved business processes and service delivery in TAFE Queensland.

In closing, I recognise that this is a time of opportunity for TAFE Queensland. The challenge is for the people of the organisation to make the most of these opportunities. I acknowledge the fact that people find change difficult; however, without their commitment, change is impossible. The degree to which all stakeholders commit to building an organisation which is flexible, responsive and representative will determine the future of TAFE Queensland. This initiative is truly all about working better together.

This is a time for innovative business and training solutions. We can choose to be part of the problem or part of the solution. Solutions to the challenges confronting TAFE Queensland have many facets. They rely on advisory mechanisms at a local, regional and State level which provide a real picture of training needs and have the capacity to negotiate the necessary flexibilities for TAFE Queensland to respond.

I am confident that TAFE staff will develop the consultative and flexible work practices which will enable TAFE Queensland to seize opportunities and have a strong, credible voice in the future of vocational education and training in this State.

## MINISTERIAL STATEMENT

### Leasehold Rental Review

**Hon. H. W. T. HOBBS** (Warrego—Minister for Natural Resources) (10.04 a.m.), by leave: I wish today to announce the establishment of a review of the leasehold rental system introduced by the previous Labor Government, which has caused so much concern within the community. The review is aimed at freeing up the system and making it more acceptable to those many lessees within all industries who are very dissatisfied with the current operation of the system.

Labor's model operating from July 1993, following the recommendations of the Wolfe report, caused chaos and saw unprecedented increases in Crown land rentals. This system operates on the Wolfe recommendation that rentals on all State leasehold land be calculated as a percentage of the unimproved capital value of that land.

Our aim is to examine the rental assessment system to make it more responsive to changes in external factors affecting various industries, such as the effect of commodity prices on agriculture and

grazing, or the effect of cyclones and pilots strikes on tourism.

I wish to announce that Mr Peter Lund, a well-known grazier from the Clermont area and a former member of the Rural Lands Protection Board, will be the independent chairman of a five-member review team. He will be assisted by four other members yet to be announced, comprising one each from rural and non-rural organisations and one each from my Department of Natural Resources and from Treasury. I hope to be able to announce the remaining members shortly. Mr Lund is due to report back in December after seeking submissions from key stakeholders. He and his team will examine whether the current method of rental determination is sufficiently flexible to cater for variations in the health of specific industries and any other factors that could be considered. Also to be studied is whether the existing concessional percentage rates for leases for charitable organisations need amendment.

A fundamental principle applying to the review is that while the Government provides rental relief for times of severe climatic conditions or economic downturn, it must retain the right to increase concessional and prescribed rental percentage rates when industry health indices are favourable.

## MINISTERIAL STATEMENT

### Rail Safety Audit

**Hon. V. G. JOHNSON** (Gregory—Minister for Transport and Main Roads) (10.06 a.m.), by leave: Yesterday in this Chamber I was accused of misleading the House by selectively quoting from the recently tabled Rail Safety Audit. As I said in my speech, the audit found that the line condition of the freight group was maintained at constant levels in the 1980s and early 1990s, when improvements were made, but they were never ongoing.

The Opposition was quick to point out that operational rail lines were at their best standard ever in 1995. The key word is "operational". The former Government improved the average standard of Queensland's rail lines by closing down the most poorly maintained tracks! Labor found it too difficult to address maintenance and track upgrades and chose to close them down rather than resource them. That was its solution to the problem.

The reason that I did not read the complete sentence was that this part was

meaningless, that is, the report was not comparing apples with apples. The report refers to the operational lines in 1995 as being the best result ever. What I did not say was that this was only achieved through the Labor Government closing down some of the least safe lines.

**Mr ELDER:** I rise to a point of order. Before the Minister misleads the House again, what he did not complete yesterday was the comment from Mr Band that the track was in the best condition ever.

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

**Mr JOHNSON:** Unlike the Labor Government, this Government intends to put positive actions into place through a 10-year investment strategy designed to return Queensland Rail to a productive rail network across the State.

#### MINISTERIAL STATEMENT

##### Public Housing; Tenants Union of Queensland

**Hon. R. T. CONNOR** (Nerang—Minister for Public Works and Housing) (10.08 a.m.), by leave: I wish to make a statement regarding a letter of support I have received for the public stance I have taken on behalf of Queenslanders regarding future funding of public housing. The letter I have received is from the Tenants Union of Queensland. I table a copy of the letter from the Tenants Union of Queensland.

The Tenants Union is not normally seen as a close ally of coalition Governments. The letter, which was unsolicited and addressed to me as the Minister, states—

"The Tenants' Union also wishes to express its support for your position, as reported recently in the *Courier-Mail* in relation to the new Commonwealth State Housing Agreement, and longer-term funding arrangements for housing."

The letter also states—

"However, the Tenants' Union also shares your concerns about the future of public housing in Queensland, which provides a safety net for the most disadvantaged renters.

It is essential that this housing continues to be appropriately located and affordable to consumers, and important for the volume of stock to increase."

Further, the letter states—

"The Tenants' Union wishes you well in negotiations over future funding arrangements for housing, and is available to provide any assistance that you feel we may be able to offer."

I place on record my appreciation of that level of support from the Tenants Union. Unlike members opposite, I am trying to achieve the best possible deal for Queensland. I want my concerns for the future to be addressed. My key concerns are—

The proposed Commonwealth rental subsidy plan must allow for variations in rental rates throughout Queensland;

The plan must ensure that capital funding is made available for housing for the disabled; and

That community housing for regional and remote areas should be considered.

Further, it is a pity the member for Chatsworth is not in the House because he stated categorically in this House on Tuesday that he would not have signed that interim agreement. That shows just how ignorant he is to the situation.

Queensland needs that \$273m, which will flow to our public housing from this agreement.

#### PERSONAL EXPLANATION

##### Redcliffe City Council; Transtate

**Hon. D. M. WELLS** (Murrumba) (10.10 a.m.), by leave: I refer to, but do not seek to debate, the statement made a few minutes ago by the Minister for Local Government. I wish to explain to the House that, before I made the speech of which the Minister complains—that was two weeks ago—the Minister herself told me that she had had lunch with Mr Peter Marshall, managing director of Transtate.

#### PERSONAL EXPLANATION

##### Maddern Valuation Services

**Mr DOLLIN** (Maryborough) (10.11 a.m.), by leave: The member for Gympie, Mr Stephan, was wrong yesterday when he accused me of telling lies about Maddern Valuation Services of Maryborough. The fact is that I have never accused this company of any shonky or crooked land deals. I have tabled proof in this House that Maddern Valuation Services had tendered shonky land valuations to the Hervey Bay City Council and others.

Maddern's valuation for two parcels of land at Hervey Bay was \$860,000 and an independent valuer from Brisbane, on the request of a Hervey Bay city councillor, valued the same two properties from \$47,000 to \$82,000. The Hervey Bay City Council eventually paid approximately \$150,000 in total for both properties.

Does this not prove that this was a dubious and shonky valuation? This resulted in Hervey Bay ratepayers almost paying more than \$700,000 over the true value of the properties.

In relation to the valuation of the Queensland Rail corridor, which the Hervey Bay City Council was selling—a value of \$240,000 was given to the council by Maddern Valuation Services. The chief executive officer of Hervey Bay City Council asked for an independent valuation from a Brisbane company. This independent valuation came in at \$770,000—\$530,000 above the Maddern valuation.

**Mr FITZGERALD:** I rise to a point of order. The rules for personal explanations are quite strict. This is a debate, not a personal explanation.

**Mr SPEAKER:** There is no point of order, but I make the point that the member is taking up the two minutes of other members.

**Mr Fouras** interjected.

**Mr SPEAKER:** Order! The member for Ashgrove is taking up more time.

**Mr DOLLIN:** This was a potential loss of \$530,000 to the ratepayers of Hervey Bay. The two valuations represented a potential loss of more than \$1.2m to the people of Hervey Bay on just two valuations. If that was not a case of shonky valuations, I have never heard of shonky valuations.

## OVERSEAS VISIT

### Report

**Mr STONEMAN** (Burdekin) (10.13 a.m.): I wish to table a report on the recent visit by an all-party parliamentary trade delegation to Malaysia, Singapore, China and Hong Kong. The visit took place over a two-week period from 24 May to 7 June 1996. Members of the delegation included myself as leader and the honourable members for Mooloolah, Gympie, Toowoomba North, Sandgate, Bulimba, Sunnybank and Gladstone.

## LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE

### Submissions

**Mrs GAMIN** (Burleigh) (10.13 a.m.): I see the note on the Daily Program in relation to submissions received by the Legal, Constitutional and Administrative Review Committee. I advise the House that this matter has yet to be considered by the committee.

## NOTICES OF MOTION

### Queensland Economy

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (10.14 a.m.), by leave, without notice: I move—

"That this Parliament condemns the minority State Government for its failure and inability to bring forward major projects such as Century Zinc and the Comalco refinery, which were well advanced under the Labor Government, and calls on the Government after five months of inactivity, freeze and review to stop talking down the economy, provide economic leadership and get this State moving again."

### All-Party Parliamentary Committee

**Mr PALASZCZUK** (Inala) (10.15 a.m.), by leave, without notice: I move—

"That this House establish an all Party Parliamentary Committee consisting of six (6) members, three (3) from the Government and three (3) from the Opposition with the chairperson having a deliberative vote to investigate the proposal to grow cotton in the Windorah area and report to the Parliament as soon as possible."

### Department of Transport Newsletter

**Mr ROBERTSON** (Sunnybank) (10.15 a.m.), by leave, without notice: I move—

"(1) That this House notes that the Minister for Transport and Main Roads has, for the third sitting day running, failed to ensure the delivery of Departmental Newsletters to the residents of Underwood regarding the proposed widening of the South East Freeway to eight lanes some two weeks after he announced this had already been done."

- (2) That this House condemns the Minister for his lack of commitment to ensuring that affected residents are informed about the Government's plans and that the Minister has completely failed to keep his promise that all residents will be properly consulted about the Government proposed 'Super Highway', that will have such a devastating impact on the suburbs of Underwood, Springwood and Rochedale."

### **BADGE, ARMS, FLORAL AND OTHER EMBLEMS OF QUEENSLAND ACT**

#### **Draft Amendments**

**Mr CAMPBELL** (Bundaberg) (10.16 a.m.): For the consideration and information of members, I lay upon the table of the House draft amendments to the Badge, Arms, Floral and Other Emblems of Queensland Act to allow the State to accept an official tartan of Queensland.

### **PRIVATE MEMBERS' STATEMENTS**

#### **Achievements in Labor's Economic Policy**

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (10.16 a.m.): This morning I wish to talk about the lack of economic direction from this State Government. What we have had from this Premier is denial; he is in a state of denial at the moment. He is trying to deny the massive economic achievements of the previous Labor Government.

Not only is the Premier in denial, he is also seeking to falsely claim credit for initiatives that are not his—for example, the \$200m gas pipeline to Mount Isa which we all know about—or he is seeking to reannounce old projects such as the Surat coalfields development. There is nothing new about that project. The question he needs to answer is: why bring in foreign companies to build infrastructure for the Surat coalfields? Does he not know that Queenslanders have a proud record in port, dam and railway construction?

Let us look at the record: 61 major projects were initiated under a Labor Government, yielding tangible economic benefits to Queenslanders, including \$19 billion in new investment. I have a list of them here, which I seek leave to table in this House and have incorporated in *Hansard*.

Leave granted.

### **TANGIBLE ECONOMIC DEVELOPMENT PROJECTS STIMULATED BY LABOR'S ECONOMIC POLICIES**

#### **PROJECT—INVESTMENT IN QUEENSLAND—COMMENTS/STATUS**

North Goonyella coal mine—\$370 million—In operation north of Moranbah

Gordonstone coal mine—\$640 million—In operation near Emerald (includes rail link)

Expansion of Mount Isa Copper Mine (3000 deposit)—\$300 million—Production began 1992-93

South West Queensland gas project—\$180 million—Sale of gas from early 1994

Colorbond paint line, Acacia Ridge—\$27 million—Production began 1993

Cotton Ginney, Dalby—\$15 million—Production began 1992

Ammonium Nitrate Plant, Gladstone—\$85 million—Completed late 1992

Davis Gelatine Plant, Beaudesert—\$20 million—In operation

ISASMELT and Lead/Zinc grinding plant, Mount Isa—\$185 million—Commissioned 1992

Newspaper Printing Plant, Murarrie—\$235 million—In operation

Cement plant expansion, Gladstone—\$60 million—Completed 1993

Brisbane Convention Centre—\$180 million—In operation

Hope Island Resort—\$500 million, Stage 1—In operation

Earl Hill Resort, Cairns—\$350 million—Construction commencing 1996

Club Med Lindeman Island \$50 million—Upgrade completed 1992

Green Island—\$30 million—Upgrade completed 1993

Fitzroy Island—\$50 million—Upgrade in planning

Kingfisher Bay Resort Village—\$170 million—In operation

Brisbane Casino—\$240 million—In operation

Cairns Casino and Convention Centre—\$150 million—Opened March 1996

Southbank Parklands—\$100 million—In operation

Crinum coal mine—\$200 million—In operation near Gregory mine

Clermont coal mine—\$650 million—In operation

Ensham coal mine—\$480 million—In operation near Emerald (includes rail infrastructure)

Moranbah North coal mine—\$250 million—In operation

Cannington mine, Carpentaria Minerals Province—\$400 million—Silver/Zinc/Lead to start-up 1996-97

Dugald River, Carpentaria Minerals Province—\$250 million—Base metals. In planning stage

Lady Loretta, Carpentaria Minerals Province—\$110 million—Silver-lead zinc. In planning stage

Gas Turbine Power Station, Blackall—\$45 million—In operation

Fitzroy Basin Water Infrastructure Program—\$500 million—Water supply to Bowen Basin coalfields and Central QLD cotton industry, evaluation progressing. Includes dams at Comet and Dawson Rivers and Eungella pipeline.

Boyne Island expansion—\$820 million—Third pot-line in operation. Project initiated after sale of Gladstone Power Station to Comalco

Magnesium Metal Plant, Gladstone—Pilot plant: \$50 million; Full scale: \$700 million—Pilot plant in operation. Full scale operation anticipated 1997

Queensland Phosphate, Carpentaria Minerals Province—\$600 million—Likely to be announced later in 1996, once gas supplies to North West are secured

Sky Rail, Cairns/Kuranda—\$25 million—In operation

Burdekin River Irrigation Area—\$100 million—Expansion of irrigated land by 15 000 hectares since 1990

Sugar Industry Infrastructure Package—\$117 million—Government/industry investment to upgrade sugar production facilities

NW Queensland Water Pipeline—\$53 million—Water supply to Carpentaria Minerals Province projects, approved in principle

Project related coal and minerals rail infrastructure—\$130 million—Gladstone, Townsville and Central Qld coalfields, new/upgraded track

Upgrade of Mt Isa rail line—\$51 million—Approved to be funded from proceeds of State Gas Pipeline sale

Mainline Upgrade—\$580 million—Improve service timing by 33% and tonnages by 25%. Completion 1997. Included new 40 locomotives built in new facility in Townsville.

Suburban Rollingstock—\$100 million—12 EMUs constructed in Maryborough

Standard Gauge Rail Link to Port of Brisbane—\$93 million—Completed 1996

Gold Coast Rail Link—\$240 million—Operations began 1996. Patronage double that forecast.

Tilt Trains—\$106 million—Under construction, introducing new technology to Walkers, Maryborough, with export contracts now pending

Inner City Rail Tunnels—\$152 million—Allows 60% expansion of suburban rail services

Expansion of Cairns Airport—\$72 million—Under construction

Brisbane Port Intermodal Estate—\$79 million—Reclamation of Fisherman Islands for development of intermodal facility, container parks (3 already established)

Planned Expansion of Port of Brisbane—\$167 million—additional wharf space and industrial land developed by 1999.

Dalrymple Bay Coal Terminal—\$160 million—Second wharf and expanded stockpiling completed 1995

Gladstone Port expansion—\$100 million—Coal terminal expansion, container wharf (approved)

Townsville Port upgrade—\$100 million—new handling facilities and reclamation. Final stages under construction

Cairns Port expansion—\$12 million—First new wharf in 60 years.

North West Gas Pipeline—\$200 million—Commencement of construction due to be announced shortly

Atherton Tablelands Development Strategy—\$6 million—Expenditure to facilitate development of new agricultural industries in Atherton Tablelands

Research and technology development infrastructure, Brisbane—\$32 million—Investment in Qld Manufacturing Institute and Brisbane Technology Park

Ernest Henry, Carpentaria Minerals Province—\$350 million—Copper/Gold, start-up in 1996-97. Development has led to expansion of copper smelter in Mt Isa

Osborne, Carpentaria Minerals Province—\$220 million—Copper/Gold, Start-up in 1996

Century, Carpentaria Minerals Province—\$200 million invested to date. \$1.1 billion in total—Zinc/lead/silver, start-up in 1998-99 pending resolution of native title negotiations

Mt Isa Copper mining and smelting expansion—\$510 million—Recently announced. Stimulated by parallel developments in Carpentaria Minerals Province and Base Metals Royalty incentive for processing in Queensland.

Korea Zinc—\$1 000 million—Undergoing final approvals

Comalco Refinery—\$4 500 million—Negotiations were close to finalisation under Labor

TOTAL—\$19 297 million

**Mr BEATTIE:** This is \$19 billion committed through 61 major projects in an economic policy environment created by a Labor Government. Admittedly, \$5m of that \$19 billion might be lost to Queensland because the Premier cannot manage to hang onto the Comalco refinery or the Century Zinc project. Let us hope he does not get involved with the Korea Zinc project or heaven knows what will happen to that.

The Government's record is shown in today's *Australian Financial Review*, which states—

"Queensland builders and contractors are up in arms over a State Government capital works freeze that they claim has locked up at least \$80 million worth of projects for more than five months."

The Government has put the State on freeze. The article continues—

"The industry estimates that some 200 capital projects are still in limbo, crippling a sector already reeling under the housing slump in the south-east corner of the State."

Time expired.

### **Rochedale State High School Animal Enclosure**

**Mr WOOLMER** (Springwood) (10.18 a.m.): I rise this morning to take a brief minute to express my deep regret and concern in relation to a matter which was reported in the *Courier-Mail* earlier this week in relation to the wanton and needless slaughter of a number of animals at the Rochedale high school animal enclosure. The member for Mansfield and I spent a bit of time at the high school and we are fully aware of the care that the students take in looking after and raising these animals. Some sick, cruel, mindless slaughter occurred last Monday evening where a number of lambs, geese, goats and other animals, which were to be entered into the Ekka, were mindlessly slaughtered by these sick individuals.

Unfortunately, some of the animals were not killed quickly. The offenders used star pickets, posts and pipes. However, I would like to bring to the attention of the House the fact that this is actually the fifth occasion on which this has occurred in the last few years. The students at the high school are somewhat devastated and the whole school community is deeply affected.

These offenders really need to be brought to justice because this was not a random act. It was planned. They cut through 12-foot-high wire fences with bolt cutters. Those fences had barbed wire on top of them because this has happened on a number of occasions. Baby lambs were slaughtered by water torture—hoses were shoved down their throats.

I think the school community should be praised, especially the staff of the school who

removed all of the dead animals from around the school before the students arrived. The real problem is: what happens next? If people are willing to do these things to animals, where will they stop?

Time expired.

### **State Economic Development**

**Hon. J. P. ELDER** (Capalaba—Deputy Leader of the Opposition) (10.20 a.m.): The Premier is obviously still living in the eighties. He has turned the clock back and is now pretending it is November 1989. Over the first half a dozen years in the nineties we have seen a burst of economic development in this State equal to any in the Asian region. For the three years following the release of Labor's *Leading State* document in 1992, our economy grew at 6 per cent in spite of the worst drought on record under the stewardship of the former Treasurer.

Just for the record, the Treasurer should realise that we have just recorded our twentieth consecutive quarter of economic growth. Hardly poor times in Queensland! That has not been by accident. That has been because of the policy environment created by Labor of responsible fiscal management and development of an export culture. Our Government undertook massive investments that were needed in this State in rail, port and road infrastructure, because industry was crying out for it and it was needed to broaden the economy. Our Government pumped up coal exports by renegotiating rail freight rates. We encouraged the further processing of minerals in this State, such as copper and zinc, through discounting royalties. Our Government achieved greater efficiency in our State enterprises through corporatisation. As I said earlier, we broadened the economy through growing our manufacturing base. We gave Queensland opportunities in the tourism industry with respect to the convention tourism market. Those were all policies under Labor that created investment and jobs in Queensland.

All the Premier has done with respect to Labor's policies is knock them. The Premier has knocked 20 quarters of consecutive growth that we put in place. He has the gall to say that our policies have not worked, yet over \$20 billion worth of projects demonstrates conclusively that our policies have worked. The Premier lives in a time warp. All he has done is return Queensland to the days of cronyism.

Time expired.

### Mount Gravatt Show

**Mr CARROLL** (Mansfield) (10.22 a.m.): The Mount Gravatt Show takes place in Upper Mount Gravatt this weekend, commencing tomorrow afternoon. The showgrounds in the north-west corner of the Mansfield electorate are an attractive green reserve with many fine buildings, thanks to the very hard work of the Mount Gravatt Showground Trust. Thanks to the hard work of the Show Society, under the presidency of Bob Goss, it is a great local agricultural, horticultural and industrial show.

Features include one of the largest canine competitions in Queensland, an interesting packed program of equestrian and other ring events, many art, craft and home-making skill competitions, and photography, gem cutting and vintage vehicle displays. Throughout the two and a half day show there are many attractions that make for a value-packed and fun family outing. The pleasant Mount Gravatt Showgrounds are readily accessible, with plenty of car parking, adjacent bus stops and excellent night lighting. Hours of wholesome family fun are available at modest prices in the packed sideshow entertainment area.

I mention the loyalty of the Australasian Showmen's Guild, especially Dick Watkins and his family, in bringing a good variety of attractions here. Many come to the Mount Gravatt country show in the city on their way to the Brisbane Exhibition early in August. I commend the many local business houses which sponsor the prizes for competitions and also hold trade displays. Assistance in staging the show comes from many local service clubs and charities. I encourage our people to support the annual Mount Gravatt Show, as it is an important and enduring local event with a very long history. I think that we should keep the Mount Gravatt show on our calendar.

### Eastlink

**Hon. T. McGRADY** (Mount Isa) (10.24 a.m.): The Borbidge Government's decision to scrap the Eastlink interconnection with the national electricity grid is a huge and costly blunder. The FitzGerald Commission of Audit report emphasises the importance of early interconnection with the national grid—I repeat: early interconnection.

Unlike the Premier's earlier comments on this issue, the Audit Commission thinks that interconnection is a priority. If Queensland does not join the market soon, we will miss out on price reductions totalling between \$150m and \$200m a year. Electricity boards and generation units will be split up even if they are

not privatised, and New South Wales will probably withdraw its offer to pay half of the \$300m construction costs. To top it all off, we have the president of the National Competition Council publicly warning the Premier that failure to interconnect soon will disqualify Queensland from the \$750m in competition payments from the Commonwealth.

The Premier has obviously recognised the enormous cost to Queensland of his original decision by admitting in his Economic Development Strategy "the urgent need to replace Eastlink". We have yet to hear a decent reason why the transmission link was cancelled in the first place. The Government is obviously willing to build transmission lines in other parts of the State and even crossing into New South Wales at another point. Why is one transmission route running through farmland different from another in the same sort of country? Why delay interconnection any longer when we already have the best option ready to go? That is the question which National Party members and also National Party supporters right around Queensland should ask the Premier.

### Indigenous Women's Forum

**Ms WARWICK** (Barron River) (10.25 a.m.): I inform the House that yesterday Mrs Joan Sheldon, the Minister responsible for women's affairs, hosted a forum of more than 50 indigenous women from all over Queensland in order to identify practical solutions to the many difficulties that they and their communities face. These women generously gave of their time to come from places as far away as Mount Isa, Thursday Island, Cairns, Murgon and Roma.

In the past, there have been consultations and reports about these problems, but at the end of the day the problems still remain. There are many Government services available to these women and their families, and we need to identify why many indigenous women and their families are not accessing these services. What yesterday was about was focusing on practical changes that the State Government can enact that will make a difference to indigenous women and their communities.

Yesterday, the Treasurer had the opportunity to speak one on one with these women, community elders and also many young women, and was extremely impressed with their wisdom and their capacity to identify practical solutions. Some of the issues raised which will be further investigated include: increasing the representation of indigenous

women on Government decision-making bodies and in the design and delivery of Government programs; ways to support traditional landowners to establish their own businesses; a mentoring program for young indigenous women while still at school to encourage them to stay on and matriculate and move on to university or into business successfully; identifying children's traditional homelands on their birth certificate rather than the city of the hospital in which they were born; programs for children who have witnessed and experienced violence; support for indigenous women artists and business development of their talents; and increasing the number of elders teaching Aboriginal and Islander culture in schools.

From yesterday's forum and further consultations by the Office of Women's Affairs, key strategies will be identified. These strategies will be put to a steering committee of the directors-general—

Time expired.

### Workers' Compensation

**Hon. P. J. BRADY** (Kedron) (10.28 a.m.): I rise today to draw attention to the mishandling by the Borbidge minority Government and Mr Santoro in particular of the Kennedy report in relation to workers' compensation. It is a very important matter that Queensland—which, under Labor Governments and under previous coalition Governments, had the best workers' compensation system—should not change any of the provisions that protect workers without the Government looking at all possible avenues.

This Government stands condemned for its failure to handle the report properly. It had a long history of not reading reports when it was in Government before. I remember hearing one of its Ministers admitting that he had not read the Fitzgerald report. It would appear that, before he endorsed the Kennedy report lock, stock and barrel, Mr Santoro similarly did not read it. There are several important recommendations in that report which will, if they are implemented, lead to significant cost savings, and yet they were not costed in the report. Without costing them, Mr Santoro has endorsed the taking away from workers of their provisions.

For example, recommendation 30, which forces workers to make an irrevocable election between a statutory lump sum or pursuing damages at common law, is not costed. There obviously would be significant savings by

bringing in that provision, yet it is not costed and so we do not know what those savings would be. Further, the definition of "injury" will now be that it has to be the major significant factor causing the injury. This will reduce the number of claims. Again, the report is not costed. There is another provision in the report that claims lodged after 28 days from the time of injury will in future be paid only from the date of lodgment. Again, that will result in savings to the Government. Again, they are not costed.

Time expired.

## QUESTIONS WITHOUT NOTICE

### Pacific Highway

**Mr BEATTIE** (10.30 a.m.): I refer the Premier to the deed of agreement—another one—that he signed with the VETO organisation prior to the last election and in particular to clauses 4 and 5 of the agreement. I table the whole agreement for the information of the House. Clause 4 states—

"Mr Borbidge undertakes that the Coalition's alternative to the Eastern Tollway . . . will be confined within the bounds of the general present alignment of the Pacific Highway corridor."

Clause 5 states—

"Mr Borbidge undertakes that if the measures or steps referred to above . . . are not revoked by a National/Liberal Coalition government or if any roadway for the purpose of a Pacific Highway transport solution is planned or constructed east of the Pacific Highway then Mr. Borbidge will immediately resign . . ."

As the Premier is aware, his Minister for Transport has already promised to resume at least 170 properties for his unnecessary eight-laning south of Beenleigh and a further 70 properties for his upgrading between Beenleigh and Brisbane—a minimum of 240 properties being resumed from outside the present Pacific Highway corridor. As this is a clear and direct breach of the deed of agreement and a betrayal of the Premier's commitment, I ask: did he read the document before he signed it? Will he adhere to clause 5 of the deed of agreement and, having broken his promise to VETO, resign? If not, as Premier of Queensland, does his signature at the end of an agreement mean anything at all and, if so, what does it mean?

**Mr BORBIDGE:** I never cease to be amazed at the duplicity of the Leader of the

Opposition and honourable members opposite. Prior to the 1992 election, when the ill-fated eastern tollway was becoming an issue, the then Minister for Transport had literature dropped all around those affected land-holders saying, "Your property is safe." The Labor Party lied its way through the 1992 election campaign when it knew full well that it was the policy of the member for Ipswich and it was the policy of the Deputy Leader of the Opposition to resume those properties and take those people's homes from them.

Unlike honourable members opposite, before the State election last year we clearly stated what our policy would be. Members opposite ridiculed and attacked it.

**Opposition members** interjected.

**Mr SPEAKER:** Order! I call the Premier.

**Mr BORBIDGE:** I have 57 minutes, Mr Speaker.

**Opposition members** interjected.

**Mr BORBIDGE:** Do honourable members opposite want me to answer the question or not?

**Mrs Edmond:** Maybe it wasn't meant to be published.

**Mr BORBIDGE:** Unlike the honourable member who interjects, I did not put the people of Queensland in hock to the tune of \$300m as a result of incompetence and mismanagement of the workers' compensation scheme.

Prior to the last election, along with the now Minister for Transport and along with the Treasurer, we announced our policy in respect of our alternative proposal to the eastern tollway. We made it very clear to the people of Queensland that there would be no eastern route, that there would be no eastern tollway. I remember vividly on the day we made the announcement the Minister and the coalition indicating that there may have to be some resumptions.

The situation is simply this: Labor lied and lost seats. This is part of the reason that it is now in Opposition, along with its shocking mismanagement of workers' compensation and its shocking mismanagement of the State Budget. This Government's policy was then and is now wholeheartedly supported by VETO.

### **Freeze on Government Projects**

**Mr BEATTIE:** I refer the Treasurer to today's edition of the *Australian Financial Review* in which representatives of the State's

construction industry condemn the Premier and Treasurer for the five-month freeze on Government projects. I table that article for the information of the House. I draw the Treasurer's attention to the fact that a spokesman for Evans Harch, a major contractor in her local area, says that his understanding is that "nearly all the health contracts are still frozen . . . everything is in limboville". I draw the Treasurer's attention to the comments by a spokesman for another major company, G and J Box, who says "any claims that there is no capital works freeze are rubbish" and that the freeze is "just disastrous for the industry". The Executive Director of the Queensland Master Builders Association, Greg Quinn, says that the industry is in survival mode and is hurting. The Metal Trades Industry Association says that Queensland is still paralysed. I suggest to the Treasurer that her denials of a freeze are believed by no-one, and I ask: when will she stop Queensland's plunge into economic chaos and crisis and give Queensland some economic leadership and direction, or will she simply admit that she is not up to the job?

**Mrs SHELDON:** We saw that the honourable member certainly was not up to the job when he was in Government. The health debacle has his signature written all over it!

There is no freeze. One would have to query the credibility of whoever wrote that article, because they did not seek to speak to me or to the Premier. May I add that the people mentioned in the article referred to by the Leader of the Opposition similarly have not sought to speak to me or to the Premier regarding their concerns about any so-called freeze. The real issue is that these people are very concerned that, under the economic mismanagement of the former Government, the whole building and construction industry in this State ground to a halt. As members opposite would be well aware, it will take a little while to kick-start the economy. Because of the economic mismanagement of those opposite, we must deal with an underlying deficit of \$185m, a real deficit of \$240m and the overall financial problems that this State faces, as outlined by the totally independent Commission of Audit.

Really, we are seeing the flow-on effects of the total economic mismanagement of the former Labor Government that made this State grind to a halt. I suggest that the people who raised concerns in that article come and see the Premier and me and discuss with us the so-called freeze on construction in this State. In fact, there has been none. Had

members opposite bothered to listen to the Minister for Health over the last couple of days, they would realise that he has very clearly outlined what he is doing for the hospitals around this State. That is hardly any freeze. In fact, it is evidence of pro-active action on both his and the Government's behalf.

Debate interrupted.

### PRIVILEGE

#### Alleged Misleading of House by Premier

**Hon. J. P. ELDER** (Capalaba—Deputy Leader of the Opposition) (10.39 a.m.): Mr Speaker, I rise on a matter of privilege, and I do so now because I am unsure whether you will give me the right to do so at the end of question time. It is a matter suddenly arising. The Premier has misled the House. Basically, he claimed that VETO supports the Government's position. Page 3 of the *Albert and Logan News* states quite clearly that the chairman of VETO has branded as disgraceful State Government plans to widen the highway to eight lanes. The chairman said that all the group wanted was six lanes. He states further—

"I have every sympathy for the businessmen (and residents) who could be affected. All the Government is trying to do is disown the problem."

Clearly, Mr Keogh does not agree with the Government's position.

**Mr Schwarten:** Liar!

**Mr BORBIDGE:** I rise to a point of order. I ask the honourable member for Rockhampton to withdraw the comment that he just made.

**Mr SCHWARTEN:** I withdraw the statement that the honourable member is a liar and say that he is a peddler of untruths.

**Mr SPEAKER:** Order! I call the honourable member for Warwick.

**Mr Schwarten** interjected.

**Mr SPEAKER:** Order! I warn the honourable member for Rockhampton under Standing Order 123A. I will have some order in the Chamber.

Debate resumed.

### QUESTIONS WITHOUT NOTICE

#### Public Housing Rentals

**Mr SPRINGBORG:** I direct a question to the Honourable the Minister for Public

Works and Housing. The member for Sandgate has raised the matter of public housing tenants in seniors units whose rents have increased from \$50 per week to \$62.50 per week. I ask: is this correct and, if so, why?

**Mr CONNOR:** I note that the member for Sandgate is not in the Chamber at the moment, which is very unfortunate. I am sure that he created a few red faces in the Opposition ranks. I noted that the shadow Minister had a red face when that matter was brought up during that debate. In the future, I am sure that the member for Sandgate—

**Mr MACKENROTH:** I rise to a point of order. I ask the member to withdraw the reference to me. I was not even in the Chamber. He does not need to cast slurs on me to try to get some cheap publicity. I was not in the Chamber. I ask him to withdraw the comment. How can he say what my reactions were when I was not even here? That is so ridiculous.

**Mr SPEAKER:** Order! The honourable member has taken exception to the Minister's remarks.

**Mr CONNOR:** I withdraw whatever the member finds offensive. However, I remember clearly seeing his red face. I was here and I saw it.

**Mr SPEAKER:** Order! The Minister will complete his answer.

**Mr CONNOR:** The member for Sandgate is back in the Chamber.

**Mr SPEAKER:** Order! The Minister has withdrawn the statement. He will complete his answer.

**Mr CONNOR:** As I was saying, the member for Sandgate would have created a few red faces among Opposition members. He should have checked with the shadow Minister about what he had to say, because it was his policy. That particular policy was put in place during the shadow Minister's time as Minister for Housing. That policy was about having market rent reviews.

So that the member understands how the system works, and so that he does not go out and scaremonger right across the State, I point out to him that those people in the Sandgate electorate would have experienced rent increases as a direct result of the previous Minister's policy. I assure the people of Queensland and the people in public housing in Queensland that we have not changed that policy at all.

I know that the member for Sandgate—and perhaps some other members—will

probably go out and scaremonger in his electorate. Therefore, it is important that he note that there are only two ways in which a pensioner or, for that matter, any public housing tenants will experience an increase in their rent. One way is if their incomes increase. The member for Sandgate may not be aware of this, but those people pay approximately one-quarter of their income in rent. Therefore, a pensioner couple who earn about \$270 a week will pay about \$67 in rent. However, if the market rent of their property is a bit lower, they pay the market rent. Only a very small proportion of people are in that position.

In 1994, a new policy was put in place by the previous Minister, who decided, after a review, to increase market rents. One would assume that, during the reign of the previous Minister, there would have been a regular update of rents. The last increase occurred in 1994. Rents in the Sandgate electorate have increased again.

**Mr Borbidge:** Can you repeat that, please? I don't think they got it.

**Mr CONNOR:** I will try to explain it again just in case it has not got through.

First of all, the previous Government put the policy in place. We have not changed that policy. There are two ways in which a rent increase occurs. One is if their income goes up. The other is if the market rent goes up. That was the policy of the previous Minister. It had nothing to do with us. It was put in place by the previous Minister. I guarantee that this Government will not change the policy in that regard. We have not changed the policy. There will be no rent changes in the future unless those people get an increase in their income or the market rent increases. That is a result of the previous Minister's policy.

#### Port Authority Appointments

**Mr ELDER:** I refer the Minister for Transport and Main Roads to the recent appointments to port authorities across Queensland, without Liberal Party consultation, according to the member for Barron River—although the Treasurer, as a shareholding Minister, surely signed off on these appointments unless, as is now common with this Government, she signed off before she read them. I ask: can the Minister inform the House whether any instructions—formal or informal—have been or will be issued to the National Party appointees in relation to preparing the ports for privatisation? If no such advice has been issued, when, as the responsible Minister, will he be providing some

leadership to ensure that the new boards are given some strategic direction to assist their planning and running of the ports.

**Mr JOHNSON:** The answer to the first part of the honourable member's question is: no. We are certainly not involved in the business of political appointments. Members should note that some of the people who remain on those boards are Labor Party appointees. We have retained some of those people. Some have not been retained.

As to the second part of the honourable member's question—we will be implementing coalition policy.

**Mr Elder:** What's your policy?

**Mr JOHNSON:** Coalition policy is part of this Government's initiative. The honourable member's policies in relation to ports are past. Our policies will be implemented. The new port authorities will do exactly that.

#### Queensland Health Appointments

**Mr CARROLL:** I direct a question to the Minister for Health. A basic plank of the National/Liberal coalition's health policy at the last State election was our commitment to get Queensland's hospitals right by getting back to basics. I ask: have any new medical or nursing staff appointments been made since our coalition Government came to power?

**Mr HORAN:** I am pleased to advise the House that we are getting Queensland Health back to basics. We are starting to make new appointments, particularly in relation to medical officers and nursing staff, as we get back to basics and start delivering hands-on care and improving the quality and quantity of service.

I will attempt to be as brief as I can as I go through a two-page list of new appointments. First of all, I shall start with the QE II Hospital, which the now Labor Opposition downgraded to the extent that that once-proud, once-great south side hospital of Brisbane—

**Mr Purcell:** It never had floors open from the day you built it.

**Mr HORAN:** I will tell the honourable member what it had.

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

**Mr HORAN:** For the honourable member's information, I point out that the QE II Hospital had the third-busiest accident and emergency service in Queensland. It had

the third-busiest obstetrics unit in Queensland. It had 160 beds, with which it used to provide a magnificent service to the south side network of hospitals. That mob opposite reduced that number to nine beds. I was there on the weekend, and there were only nine people left in that hospital. At the same time, they virtually destroyed the morale of the staff, and staff left because they had nothing to do; they had no jobs.

In relation to major medical appointments at the QE II Hospital—we have appointed a director of medicine, a director of gynaecology, a full-time urologist and visiting medical staff in medicine, orthopaedics and urology. Medical positions being advertised on 2 August include a director of general surgery, 12 principal house officers, 11 junior house officers and visiting medical staff for general surgery, ophthalmology, plastic and reconstructive surgery, gynaecology, vascular, gastroenterology and internal medicine. It will be a proud day when we can announce, in a very short time, that that hospital is open for business, fully operational, with 160 beds.

Heading to the north of the State, I turn to the Townsville hospital. A locum urologist has been appointed to service north Queensland. This House will remember that when we first got into Government—

**Mrs Edmond** interjected.

**Mr SPEAKER:** Order! The member for Mount Coot-tha!

**Mr HORAN:**—we provided the Townsville General Hospital with \$904,000 of annual funding to provide a public urology service for north Queensland—something it never had under the previous Government. There were about 234 people on the waiting list who had to wait until somewhere around the year 2000. That will provide service to Cairns, Townsville and Mackay, with an outpatient service to Mount Isa. We have a locum appointed, and in the time that he will be there he looks like getting through about a quarter of the waiting list. He has already dealt with seven of the people on the Townsville list who live in Cairns. He did that work in Cairns. He has dealt with another 19 in Townsville. He has another two visits scheduled for Mackay. In addition, currently we have an offer out to an applicant for a full-time urologist position. That position has been advertised; we have received applications and an offer has been made to a particular specialist.

As to obstetrics and gynaecology at Kirwan Hospital—two locums will take up positions in September and November. The additional promised position will be funded by

us and that has been advertised. We are very optimistic about that position. At the Cairns Hospital, upon coming to Government we provided some additional money for the accident and emergency section at the Cairns Hospital, which was disastrously underfunded and understaffed. That is a very important unit. Three additional medical staff have now been recruited and appointed to accident and emergency. In addition, we have appointed a senior medical officer and two principal house officers.

An important hospital to central Queensland is the Rockhampton Base Hospital, which has been plagued by problems including the resignation of intensivists that occurred under the previous Government and the ongoing shortage of anaesthetists. I am pleased to advise the House that three full-time anaesthetists have been appointed to the Rockhampton Base Hospital. After they leave their present positions, they will be commencing in September, October and January. One of those will fill the position of director of intensive care. Another new and very important position to the children of Queensland is at the Royal Children's Hospital.

**Mr T. B. Sullivan:** This is a ministerial statement.

**Mr HORAN:** An honourable member asked the question. Does the member for Chermshire not want to hear the answer? This is important. Does he not want to hear about the kids of Queensland who need children's mental health services that were never provided by the former Government?

We have appointed a Director of Mental Health Services to the Royal Children's Hospital. That is a joint position with the university, which will cover all the community mental health services for children on the Brisbane north side. The Royal Brisbane Hospital had an adolescent mental health ward that was opened by the previous Government and never funded for any staff. We now have interviews commenced for the position of Director of Adolescent Mental Health, and we plan to staff that unit.

**Mrs EDMOND:** I rise to a point of order. The Minister is deliberately misleading the House. He knows that he is closing down two of the child and adolescent mental health units in north Brisbane.

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

**Mr HORAN:** The Opposition spokesman knows full well that they were closed down as a result of action taken by the previous

Government. The review commissioned by the former Government undertook to close down those units to rationalise the services. It was the former Government that put that process and the decision making process in place.

At the Gladstone Hospital, which has been plagued by shortages of obstetricians and gynaecologists, we provided over \$600,000, not just for those two positions but also for backup staff such as social workers and physiotherapists. Applications close this Friday for those two positions and applications have been received already. We are very optimistic about those appointments.

I turn now to the Mount Isa Hospital in the north west of the State. For the first time, funding has been provided for a full-time paediatrician.

Mr Speaker, I can see that you are about to give me the wind-up signal, so I will briefly discuss the new nursing positions that this Government has provided. Since reopening two wards at the Royal Brisbane Hospital, we have recruited 42 of the 46 additional nurses required. At the Gold Coast Hospital, we have opened a 30-bed ward and already have filled 25 nursing positions and five allied health positions. To the 10 major hospitals in Queensland that are part of our Surgery On Time Plan, we have allocated funding for 10 additional theatre nurse educators. The 10 waiting list coordinators are in place. We are advertising for two nurse educators for Cape York and Torres Strait. At the Rockhampton Base Hospital—

**Mr FOLEY:** I rise to a point of order. The Minister is debating the issue. He has gone beyond answering the question.

**Mr SPEAKER:** Order! There is no point of order. I ask the Minister to conclude his answer.

**Mr HORAN:** I will make two short statements to conclude my answer to the excellent question from the member for Mansfield. The Rockhampton Base Hospital has been advertising Statewide for 14 positions and has already received applications for five of those. Finally, as I started this answer to the question about the QE II Hospital that we are fixing up through medical appointments, I point out that we are currently recruiting 12 additional nursing positions for the QE II Hospital. Already the coalition Government has a proud record in Health of getting back to basics and putting doctors and nurses in positions in which they can actually treat people.

**Mr Nunn** interjected.

### Local Government Commissioner

**Mr MACKENROTH:** I direct a question to the Minister for Local Government and Planning.

**Mr HORAN:** I rise to a point of order. I would like to ask the member for Hervey Bay to retract the statement that he just called out. I take personal offence.

**Mr SPEAKER:** Order! The Honourable Minister has asked the member to retract a statement that he called out.

**Mr NUNN:** I withdraw. The Minister seems to be under some impression that I have said something insulting. I do not know what it is, but I will withdraw. He is unduly sensitive.

**Mr SPEAKER:** Order! I thank the member. Could we have some order in the Chamber, please.

**Mr MACKENROTH:** I refer the Minister for Local Government and Planning to comments by the Premier reported in today's *Gold Coast Bulletin* in which he told the Local Government Commissioner to butt out of the deamalgamation issue. I ask: can the Minister confirm that it is the legislative responsibility of the Local Government Commissioner to draw divisional boundaries in the event of deamalgamation? Can she confirm that the Premier directed her to advise the Local Government Commissioner that his office would be abolished? If that office is abolished, who will be responsible for drawing internal local government boundaries?

**Mrs McCAULEY:** As the member would be well aware, the Local Government Commissioner has been responsible for a great deal of unhappiness and unrest in local government since his appointment. The latest case of this, when he recommended changes to the internal boundaries in the event of a referendum result which deamalgamates the Gold Coast/Albert council, was less than helpful to the whole process. Last week, my office was inundated with comments by people from the Gold Coast who were upset at what Mr Hoffman had proposed for the internal boundaries. That action really did muddy the waters for the people in that region who are facing a decision as to whether or not to deamalgamate the council. I felt that that action of the Local Government Commissioner was less than helpful.

We are examining the role of the Office of the Local Government Commissioner. We have always said that we would do that. It has always been coalition policy to review that office. We are considering changes to be

made. We believe that the process can be done not only more cheaply—at the moment it costs \$1.4m for that person to go around the State and create all that turmoil and upheaval—but also more sensitively, sensibly, logically and without creating upheaval and turmoil. The Premier has not spoken to me about this issue.

**Mr Mackenroth:** Did you speak to the Local Government Commissioner yesterday?

**Mrs McCAULEY:** I certainly did.

**Mr Mackenroth:** Did the Premier tell you to?

**Mrs McCAULEY:** No, I am sorry; he had nothing do with it.

**Mr Mackenroth** interjected.

**Mr SPEAKER:** Order! The Minister is answering the question.

**Mr Borbidge:** Mate of yours?

**Mrs McCAULEY:** I do not think he is a mate of Mr Mackenroth's. I understand that, for the last six months of his Ministry, Mr Mackenroth refused to speak to the Local Government Commissioner.

I believe that the Office of the Local Government Commissioner is long overdue for a very close look, and in the light of the fact that I am going to undertake budget considerations next week, I thought it was only fair to advise Mr Hoffman of that fact. That is what I did yesterday.

### Commission of Audit

**Mr HARPER:** I refer the Deputy Premier and Treasurer to the fact that, during the debate on the Appropriation Bill, the former Health Minister and former Transport Minister, the member for Kallangur, called on her to have the State Auditor-General audit the findings of the FitzGerald Commission of Audit and to report the results to the Legislative Assembly. I ask: has she considered the member's suggestion? Will she proceed as proposed by the member for Kallangur?

**Mrs SHELDON:** I thank the honourable member for his question. It is no wonder that the State's finances copped such a walloping under Labor, because that was a recommendation for an audit to audit the audit. That is the sort of Alice in Wonderland stuff that the members opposite put in place during the past six years. One only has to look at the ability of the people who carried out that audit—Dr Vince FitzGerald, Mr Barry Thornton, Professor Carmichael and Daryl McDonough—to realise the great job that was done.

Our funds and administrative structures were assessed on a cash and accrual basis. What we see in the report of that Commission of Audit is irrefutable proof of the problems that this State was facing under Labor and the disaster that would have befallen this State had it, indeed, stayed under a Labor administration. The Commission of Audit report was an impartial presentation of Queensland's finances, warts and all. So one would have to ask: where are the warts? I think that they are mainly on the faces of the members opposite who are trying desperately to discredit the commission.

**Mr Hamill** interjected.

**Mrs SHELDON:** I say to the honourable member that already the Auditor-General is very familiar with the Commission of Audit. In fact, the Audit Manager of the Queensland Audit Office was a member of the commission secretariat. Earlier this month the Auditor-General wrote to the Acting Under Treasurer and stated—

"As you would be aware, my Audit Manager, Mr Errol Mulvahil, served as a member of the Secretariat of the Commission of audit, who I am sure made a worthy contribution to the work of the Commission.

At one stage early in the piece, there was some talk about recoupment from Treasury of Errol's salary and employer Qsuper contributions, but I see little point in pursuing that idea. The experience was invaluable for Errol."

Indeed, there we have the auditor himself saying what an invaluable experience it was for his audit manager, Mr Errol Mulvahil, to be part of the Commission of Audit.

All I have to say is that it is about time the Labor Party accepted responsibility for its economic mismanagement of the State, faced the truth and realised that this Government is taking the difficult steps to put the State right back on the path Queensland needs for its financial security.

### Workers' Compensation

**Mr BRADY:** I refer the Minister for Training and Industrial Relations to his decision to separate the workers' compensation division from the rest of the department, and I ask: how much will it cost to separate the division? Why does this expensive bureaucratic shuffling exercise take precedence in funding over the preservation of workers' compensation rights for Queensland workers?

**Mr SANTORO:** I thank the honourable member for Kedron for his question. One of the major tenets of the recommendations by Kennedy was to place the Workers Compensation Board and the division on a commercial footing. In fact, one of Mr Kennedy's major recommendations was to make sure that the board, or the reconstituted group of management, plus the division were run on commercial lines.

**Mr Braddy:** At what cost?

**Mr SANTORO:** I will take that interjection from the honourable member. We in Government believe that, by making the body run along corporatised lines and as efficiencies are implemented by a more commercially oriented enterprise, the cost of running the division will, in fact, decrease. In fact, if the honourable member took the time to read the report and go through the sections—including the appendices—which were written by Mr Des Knight at the request of Commissioner Kennedy, he would appreciate that one of the most fundamental aspects of the recommendations is to corporatise and to have the whole division run more along insurance company lines rather than the current situation in which the mess is rapidly getting out of control.

**Mr Braddy:** What is the cost?

**Mr SANTORO:** The honourable member not only fails to read the report but also fails to listen to the sense of the answer.

**Mr Borbidge:** Unlike them to be worried about cost. It didn't worry them when they were in Government.

**Mr SANTORO:** I take that interjection from the Honourable the Premier. The honourable member opposite is asking, "Why does not Government do the job of the board and the implementation task force, which has been recommended by Kennedy?" It was the members opposite who indulged in political decision making rather than seeking to leave it to the experts and accept the recommendations of the general manager of the workers' compensation division. Once that member of the board came to Cabinet, members opposite wheeled him out when he suggested that they should be making the tough decisions. When the actuarial reports and the results of the actuarial investigations were placed before them, members opposite did not want to make the hard decisions. They rejected the economic argument. Now they are saying that this Government should do the same.

**Mr Welford:** You're wrong, Santo.

**Mr SANTORO:** I will take that interjection. There is no answer that can be given by this side of the House because honourable members will appreciate that the process of restructuring needs to be undertaken.

This Government appointed an implementation task force to undertake the planning process, including the drawing up of the legislation. That task force will undertake the necessary restructuring, and from that point onwards the efficiency of the restructuring will become very evident. If honourable members opposite do not regard that as due process, again they demonstrate that they have failed to learn the lessons of their misdeeds in the past. That is indicative of why they are sitting opposite and the coalition is sitting on the Government side: the people of Queensland lost their faith and confidence in the ability of members opposite to steer the workers' compensation system of Queensland in the right direction.

### Regional Tourism

**Mr MITCHELL:** I ask the Minister for Tourism, Small Business and Industry: could he inform the House of what this Government is doing for regional tourism and, specifically, to ensure the successful completion of the Riversleigh Fossils Interpretative Centre in Mount Isa?

**Mr DAVIDSON:** I thank the member for Charter Towers very much for that question. As I discussed with him yesterday, I will be visiting his electorate of Charters Towers over the next couple of months to look at the fossil museum in Richmond and the funding that is required for its completion.

On Tuesday in this House in the Appropriation debate, the member for Mount Isa made some points about this Government's commitment to outback tourism. I will not refer to the debate. I would like to correct some of the things he said. Shortly after I was appointed the Minister for Tourism, I made a real effort to visit many outback areas. I went on a tour from Rockhampton to Emerald, Blackall, on to Longreach and Winton, which is located in the electorate represented by the honourable member and my friend the Minister for Transport, Vaughan Johnson. During that trip, I spent many, many hours with people from all of those communities discussing their requirements and needs for tourism in outback Queensland. We had a great time. As a result of our country Cabinet meeting at Winton, the Premier, the Treasurer, the member for

Gregory, Mr Johnson, and I made a decision to allow the \$650,000 surplus from this year's Indy to be allocated to the Waltzing Matilda homestead at Winton. That met with tremendous support from the people of Winton and the Premier. It was a great day for the people of Winton. So this Government has displayed its commitment to outback tourism.

Earlier this year, I met with the Mayor of Mount Isa, Ron McCullough, who rang my office one day while he was in Brisbane and asked me if I would be able to meet with him. I was delighted to meet Mr McCullough because I had not met him before. During the course of our meeting he explained to me the frustration that he had been experiencing for many years in trying to acquire the funding to complete the Riversleigh Fossil Interpretative Centre. Mr McCullough went to some length to explain to me that he had met with members of the Government and requested the funding to complete the new centre.

On Tuesday during the Appropriation debate, the member for Mount Isa raised the point that funding was required to complete this fossil interpretative centre at Riversleigh. As a result of my earlier meeting with Mr McCullough, I referred to the file that I have on the Riversleigh Fossil Interpretative Centre. Nowhere in that file could I find any correspondence from the member for Mount Isa requesting assistance for funding for the completion of that centre. I find it very unusual that he would raise these points in the House—

**Mr McGRADY:** I rise to a point of order. As I said in my speech, I had discussions with Mr Comben and Ms Molly Robson. As a result, the former State Government contributed a quarter of a million dollars.

**Mr DAVIDSON:** That might be right, but, as I understand it, it was only as a result of the Mount Isa City Council committing the first \$250,000 and the Commonwealth Department of Tourism contributing \$200,000 that pressure was applied. The point I make to the member for Mount Isa is that in the five months—

**Mr McGRADY:** I rise to a point of order. I repeat: I had discussions with the Federal Minister, Michael Lee, and I secured \$200,000 from the Federal Government.

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

**Mr DAVIDSON:** I am not going to challenge that. I do not know what the member for Mount Isa did when he was Minister, although we know that he did not do

a lot. Given that I have been the Minister for five months and given that I was contacted by Mr McCullough on 18 March, I am surprised that in that time the member for Mount Isa has not written to me requesting funding. He has left it up to the Mayor and departmental officers of Mount Isa to make those representations on his behalf.

Given all the things that the member has said about outback tourism and the Government's lack of commitment to it, I inform the House that last week, as an outcome of meetings with the Mayor of Mount Isa, Mr McCullough—and not as an outcome of any request from the member for Mount Isa—I approved funding of \$50,000 for the Riversleigh Fossils Interpretative Centre. I am sure that will go a long way to help in the completion of the interpretative centre at Riversleigh.

### **Wynnum State High School**

**Mr BREDHAUER:** I refer the Minister for Education to his Government's decision to freeze funding secured by the previous Labor Government for the upgrade of the home economics block at the Wynnum State High School—a freeze which has now been in place for over five months, in spite of campaigning and much hard work by the school P & C and the Labor candidate for Lytton, Paul Lucas. I refer the Minister to his continued procrastination and failure to answer a freedom of information request from Mr Lucas on this issue by claiming that third parties need to be consulted. I table the Minister's letter in answer to the FOI request. I ask: will the Minister now give an undertaking to the Wynnum State High School community that this much-needed project will proceed, or will his Government continue to use it as a political football in a by-election that his Premier refuses to call?

**Mr QUINN:** I thank the member for his question. Firstly, I make the point that there is no freeze. On previous occasions in this House I have instanced the number of projects which have been approved and the new schools which will open in the beginning of the next school year. All members who have asked me, through questions on notice, about projects under the Building Better Schools Program and other capital works projects in their particular electorates have received the appropriate replies, which indicate that there is no freeze on capital works programs in the Department of Education.

With regard to the Wynnum State High School—that issue has already been

explained in the context of a question on notice. I cannot remember the full details of it, but my recollection of the fact is that it was a decision made by the previous Labor Government to promote itself in the context of the Federal election campaign that has just been run. Before the candidates were to go out and publicly release the information about that particular project, the Department of Education, through the then Minister, Mr Hamill, advised the members that those projects were not in fact locked in concrete and that they could vary over time—as Mr Hamill well knows.

Disregarding the advice of the then Minister and the Department of Education, Federal members of Parliament went out and made those commitments in their election campaigns. That was the shameful part of this whole exercise; the candidates misled their own electorates in a Federal election campaign, against the advice of the State Government of the day.

**Mr HAMILL:** I rise to a point of order. The Minister for Education has suggested that I issued advice to certain persons not to announce public works proposals and projects which were online under the Capital Works Program. That is quite untrue. I ask him to withdraw.

**Mr QUINN:** If I have given that impression, I do withdraw and I take that advice. I make the point that the Department of Education issued advice that, in fact, members should not publicly state that those projects were locked in concrete, because at that time they were in no position in a budgetary context to make that commitment. That was well known within the department, that advice was given to the Minister of the day, Mr Hamill, and, as I understand it, that advice was made plain to Federal members before they made commitments in the election campaign. It was not the decision of this Government to cancel that project. The decision emanated from those who sit opposite—as usual, bungling by the Labor Party.

With regard to the FOI request—it is true that one has been lodged. However, because of correspondence which involves another Federal member of Parliament, the correct procedure is that that Federal member, or any other person in the third party, be informed that an FOI application has been lodged. I am not aware of whether, in fact, the information has been conveyed back from the Federal member of Parliament concerned, but I understand that his approval is needed before

we release the information. Because the problem relates to a former Labor member of Federal Parliament, of course, the onus again is on the opposite side of the House.

The blame for the shambles that has been visited upon the P & C and the students of the Wynnum State High School can be sheeted home to those on the opposite side of the House. The Government has not been involved and I have made no ministerial decision on this subject at all. It is all within the administration of the Department of Education, which has followed the guidelines to the letter. I have not interfered, I will not interfere, and if there has been bungling, it has been bungling by the Labor Party.

#### **Department of Primary Industries Staff**

**Mr BAUMANN:** I refer the Minister for Primary Industries to the constant Labor lie about public sector purges and attempts to convince DPI staff that their jobs are in danger under this Government. Will the Minister explain the true position regarding the DPI?

**Mr PERRETT:** I thank the honourable member for his question and I welcome this opportunity to put things right. I want the House to know the true story, because I am very proud of my record as Minister in putting the DPI back on track after six years of Labor purges. I have put jobs back into the DPI, which is in stark contrast to the way that the former Labor Government behaved. The member for South Brisbane in particular should hang her head in shame, because during the Goss years she was an insider in the Cabinet office and we all know the role that that office played in purge after purge in the public service, particularly in the DPI. I do not know how that member could have the cheek to ask public servants to forget her past activities and believe that she really has their interests at heart.

Labor purged 692 staff from the DPI and cynically concentrated those job losses where they really hurt—in the service delivery areas of rural Queensland. It concentrated the purges on the service delivery people on whom primary producers depend. To top that off, Labor borrowed the money to pay for those purges—over \$7m at variable interest rates. Now the coalition Government is faced with making the repayments. Shame on the Opposition for the way it went about that!

However, all is not lost. Since I took over as Minister for Primary Industries, the department has begun the rebuilding of service delivery staff. On Monday I announced

the creation of 40 new positions designed to enhance our capacity to deliver services. Most of those new positions will be based in rural and regional areas. They represent a start on undoing the Labor decimation of primary industries. Producers will benefit and staff will benefit from a boost in confidence that DPI is once again a good place in which to work, and rural communities will benefit from new families moving into their areas. But that is not the end of the good news.

**Mr WELFORD:** I rise to a point of order. Mr Speaker, the Minister is having awful difficulty reading. Perhaps you could help him by letting him table the document.

**Mr SPEAKER:** Order! There is no point of order. I do not wish to hear any more frivolous points of order from the honourable member.

**Mr PERRETT:** Before I announced those 40 new positions, I had authorised the advertising and filling of another 30 positions. These included three new full-time positions and 15 new temporary positions. I also authorised the filling of 12 permanent positions which Labor had refused to fill. The DPI is back in good hands. That is in stark contrast to the Labor Party's decimation of the DPI and the spirits of the farmers who were battling droughts and commodity price downturns. And Opposition members have the gall to accuse us of decimating the DPI! Shame on them!

### Minister for Transport and Main Roads

**Mr J. H. SULLIVAN:** In directing a question to the Minister for Transport and Main Roads, I refer to the fact that he has been successfully sued in the courts as a tax defaulter by the Deputy Commissioner of Taxation, and I ask: does he believe that, as a judgment has been entered against him, in these circumstances he should remain a Minister of the Crown? Does he agree that his remaining contradicts ministerial guidelines laid down for the proper behaviour of Ministers of this State?

**Mr JOHNSON:** I will not thank the honourable member for the question. This is a personal matter, one that I have been totally cleared of. It has nothing to do with my portfolio. In my six and a half years in this place, one thing I have never done is enter into gutter politics. The honourable member for Caboolture has just slurred the Australian Labor Party, its leadership and the principles of this establishment.

### Nundah Bottleneck

**Mr J. N. GOSS:** I ask the Minister for Transport and Main Roads: what is this Government doing about the ongoing problems facing the people of Nundah regarding the traffic bottleneck in their neighbourhood, a problem allowed to fester by the previous administration? Is it the case that the so-called solution put forward by Labor was unresearched and unfunded, leaving Nundah residents further disillusioned?

**Mr JOHNSON:** I thank the honourable member for Aspley for the question. Under the former administration, the Nundah bottleneck was to be addressed in a five-year plan. The former Transport Minister, the member for Capalaba, the now Deputy Leader of the Opposition, said that that five-year plan would be put in place after the impact assessment study had been done. He said that study would be done, but it was never done.

Representations on this issue have been made by the Honourable the Minister for Industrial Relations and Training, Mr Santoro, and other members, including the member for Cherside. That impact assessment study was never carried out by the former administration. The former Transport Minister knows that. The \$35m that was supposed to be earmarked for that project was never put in place.

**Mr T. B. Sullivan** interjected.

**Mr JOHNSON:** The former Minister said that \$4m was going to be spent. It is true that \$4m was going to be spent, but not until 1999-2000. That work would have been done a long way down the track. I will tell honourable members what we are doing about it. We are currently putting in place an options feasibility study. That study will be carried out within the next 40 weeks. We will then tell the people of the Nundah area exactly which option will be chosen. The three options include a link to the east of Sandgate Road, widening Sandgate Road, and a link to the west, known as the cut-and-cover option. I know that members of the former Government and a lot of members on this side of the House support the cut-and-cover option.

Members on this side of the House will do it right the first time. We will conduct an impact assessment study. We will consult with the people in the area in question. In response to the question from the member for Aspley, I point out that, when we finish that impact assessment study, which is the proper way to go about this project, we will put the program in place and the project will be commenced.

### **Mahogany Glider**

**Mr WELFORD:** In directing a question to the Treasurer, I refer to her reported statement that "any formal document recording a party's policies should contain appropriate qualification, reserving to the party the right to reconsider its commitments in the light of circumstances which may become apparent if the party wins government". I point out that no such disclaimer or escape clause appears in a letter of undertaking that she sent to Dr David Sutton of the Townsville Environment Centre on 1 December last year in relation to the mahogany glider, in which she gave a clear commitment to honour the previous Government's \$16m conservation package? I ask: did the Treasurer read the letter before she signed it and, if so, what has happened to her firm, unequivocal promise that the coalition would honour the State Government's \$16m conservation package to protect the endangered flora and fauna of Queensland's coastline? Is it just another victim of the Treasurer's funding freeze?

**Mrs SHELDON:** As usual, the member is totally misinformed. I say to the Leader of the Opposition that, if this is as good as his crew can do this morning, he has a few problems.

I have had very recent discussions with the Minister for Environment, under whose portfolio this issue rests. He is totally committed to protecting the mahogany glider. Last night, we went through our Budget review process with the Minister for Environment. One of his major priorities was continued funding for the mahogany glider and to make sure that the mahogany gliders' habitat is protected.

This Government is looking after real environmental issues, unlike the previous Government, which did a lot of loud talking but took no real action. The former Government did not fund this initiative. It did not put any money into it at all. This Government and this Minister are committed to protecting the mahogany glider. The issue is of great importance to us. It is a very important environmental issue. Opposition Ministers will notice that that is reflected in the Minister's statements.

### **Kennedy Report**

**Miss SIMPSON:** I direct a question to the Minister for Training and Industrial Relations. Earlier today, the member for Kedron said that the Minister would endorse the Kennedy report, including a number of recommendations which were not costed. I

ask: could he outline to the House the true position with regard to the costing contained in the 2,100-page report by Mr Kennedy?

**Mr SANTORO:** With respect to the promise of an irrevocable election provision, the actuary, Mr Chris Latham, on page 4 of his letter, under the heading "4.1.5—Irrevocable election", states—

"This is taken into account when costing the common law proposals . . ."

However, earlier today the honourable member for Kedron stated that it was not costed.

With respect to the definition of "injury", in section 4.1.1 of the same letter, Mr Latham states that he was not able to estimate the effect of the change with any certainty and has therefore made no specific allowance for the effects of the change. The statements by the honourable member for Kedron indicate that he has not read the report. He is disgraced by his useless statement. If he thinks that he is a better actuary than the actuaries used by the former Government, now in Opposition, and the current Government, he should give up his current job and try to give them a hand. He would also fail at that.

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

**Mr BRADY:** I rise to a point of order. I take exception to the language used by the Minister—the allegation that I am disgraced by my comments and that I have not read the report. I ask that those statements be withdrawn.

**Mr SPEAKER:** Order! The honourable member has taken objection. Does the Minister withdraw?

**Mr SANTORO:** If the honourable member takes objection to anything that I have said, I will withdraw whatever he takes objection to.

**Mr SPEAKER:** Order! Question time has expired.

## **LOCAL GOVERNMENT (MORAYFIELD SHOPPING CENTRE ZONING) BILL**

### **Second Reading**

Debate resumed from 15 May (see p. 1106).

**Hon. T. M. MACKENROTH** (Chatsworth) (11.30 a.m.): I want to raise a few matters in relation to the Local Government (Morayfield Shopping Centre Zoning) Bill. It is a shame that we have to legislate to enable a

development such as this to go ahead. This is about the third occasion on which legislation of this type has had to come before the Parliament. It comes about as a direct result of competitors abusing the current appeal system.

In order to prevent the necessity for this type of legislation, the best course to adopt is to put the new planning legislation in place as soon as possible. I am not commenting now on the form of that proposed legislation, but I believe the Minister should ensure that contained within the new legislation are provisions to prevent this sort of action occurring. I suppose the best way to facilitate that is to ensure that the new planning legislation allows local councils to designate within their areas the location of major shopping centres so that developers know where they can and cannot build. Perhaps by doing that we would avoid the current system, under which most shopping centres are approved through rezoning applications because insufficient space is set aside under planning schemes. Such an approach would negate the need for this type of legislation.

The Opposition will support the passage of this legislation. However, we do hold some concerns. Those concerns basically arise from my dealings with the particular company that seeks to construct this shopping centre. When making decisions of this type, one needs to put aside one's views on individuals or individual companies and make what one believes to be the right decision. I think the right decision is to support the passage of this legislation. I understand that yesterday afternoon an appeal was lodged in the Appeal Court by a competitor seeking to stop this development from going ahead. That was really only a delaying tactic, but there is so much money involved in these developments that it is worth the while of competitors to take such action.

The concern that I hold—and I seek some assurances on this matter from the Minister in her reply—is that the developer will seek to amend the deed that has been entered into as a result of the court appeal. The court found in favour of rezoning but placed a number of conditions on the rezoning such that it would proceed only provided that all of those conditions were met. Those conditions have now been incorporated in a planning deed, of which the Minister has provided me with a copy. After this legislation is passed, that planning deed will become a regulation to the Act. In effect, it will put in place the conditions of the court.

Under the legislation itself, the opportunity exists to amend the deed and also to bring in subsequent planning deeds. The legislation is in place for a year, and after a year it ceases to exist. That means that, after a year, if the developer wishes to amend or change anything—if it wants to go outside what is lawfully allowed on the land—it will need to apply under the rezoning processes. But if within that one-year period the developer seeks to change anything, I suggest that the Minister will find the company at her door asking her to amend the planning deed. That request could very well be to make changes which are far greater than the legislation contemplates.

This legislation is similar to legislation which I introduced into the Parliament two years ago. Under that legislation, the ability to amend the deed existed only so that if a minor mistake was made in the deed or the regulation, it could be rectified. Not long after the legislation was passed by the Parliament, the developer came back to my office and wanted us to amend the deed to allow a tavern to be built, which was way outside anything that had been envisaged. The Minister should not be surprised if, over the next six months, she receives a request to amend the planning deed. In giving support to this legislation, I ask the Minister to assure the Parliament today that she will not amend the planning deed outside of minor changes that may be necessary because of some drafting error. That is the intent of the provision which enables the deed to be amended.

I am aware that, in terms of the agreement that was reached before the court, the developer and another developer entered into an agreement themselves that there would not be a department store built on this land. Schedule 2 of the proposed regulation actually states that the land must not be used for the purpose of a department store or for any activities or facilities relating to a department store. I understand that the developer who argued for and was granted that provision by the court has been negotiating with the Minister's department on that matter. It may be comforting for those people to read in the Minister's reply that she has no intentions of allowing the deed to be amended in a way that will allow a department store to be built on the land. Even the Government departments would not want to see that happen, because they would want to enter into new discussions in relation to payments to them.

As I said, the Opposition will support the passage of the legislation through the

Parliament. I do so reluctantly. I brought similar legislation before this Parliament, and I did so reluctantly. In my view this is not a good way to go about doing business, but it avoids individuals being accused of undertaking ministerial rezonings. That may have been another way to achieve the development of this proposal. This is not a ministerial rezoning. It has gone through the court system and the council has agreed to it. This legislation is a way of ensuring that the development can proceed without being impeded by competitors abusing the appeal system.

Yesterday, I saw another developer who has a similar problem to that encountered in this case. I am sure that the Minister has already spoken with that company. In that case, the council agreed to the proposal for a shopping centre development, the decision of the council was appealed, the developer won the appeal, but then the matter went to the Court of Appeal and on the definition of a word the company has lost out. The Minister will probably find that developer at her door, if it has not already been there, arguing that legislation similar to this should be instituted in that case. Each and every one of these cases is different, and the Minister needs to look at what is involved and how the matter reached its current stage.

While we continue to operate under the current planning system, with the ability for third-party objectors who are responsible only for their own costs to appeal to the court, we will see a continuation of this type of matter. The best way to fix this problem for good is to see new planning legislation in whatever form before this Parliament, but legislation that will allow the councils to specify explicitly in their planning documents where they do want shopping centre developments and where they do not. If people apply outside of where the council has designated it will allow such a development and they lose out, it will be very easy for us as legislators to simply say to those people, "Do not bother knocking on our door because it was never envisaged that we would see that type of development there." It would then be very easy to deal with this type of case. Those are the matters that we need to take on board.

As I said, I would like to get from the Minister, in her reply, a guarantee that she sees the provisions of this Act and the regulation power to amend the deed as being something that would amend the deed only if it contained a minor mistake—which I believe is the intention—and that, secondly, in no way will she amend the deed to allow a department store to be built on that land. I

remind honourable members that this lasts for only a year. After that it is back to square one. If the developer wanted to go ahead and build a department store, he or she would have to apply for a rezoning in the normal course of business.

**Mr WELFORD** (Everton) (11.41 a.m.): I would like to make a brief contribution to this debate and say something generally about planning for shopping centres. In this context, and as the shadow Minister pointed out, the Minister will no doubt have come under considerable pressure from persons other than the one wanting this piece of legislation. No doubt serried ranks of people will be queuing up at the doors of planning Ministers, both now and in the future, for special consideration in relation to shopping centres.

If there is one issue that has been very much a vexed issue in relation to planning for south-east Queensland in particular over at least two decades it is the issue of planning for the provision of shopping centres. There are those who hold the view that there is already too much provision for large regional-scale shopping centres in south-east Queensland. As the Minister may be aware, over a number of years there has been a very vigorous debate over whether or not there are too many shopping centres, especially on the Gold Coast. So the issue is one generally of concern in south-east Queensland.

The Minister has previously discussed with me the issue of a shopping centre proposal in Hamilton Road at McDowall in my electorate. This raises the very issue of how we plan for shopping centres in our region. Already we have in my electorate the Brookside shopping centre at Mitchelton, which is a very large shopping centre. As I understand it, there is provision for future expansion of that shopping centre. There is also the Village Fair Shopping Centre in Flockton Street at McDowall—a small, neighbourhood shopping centre which is concerned about the impact of the new proposal in Hamilton Road. Many of the residents in that area are also concerned about the scale of that shopping centre.

I made representations to Councillor Quinn, the planning chair of the Brisbane City Council, in relation to that proposal. I believe that there is a role for local shopping centres, because if people have access to local shopping they can minimise the number of car trips they make and minimise the distance they drive to shopping centres. Although the principles of that are appropriate, the question arises as to what is the appropriate scale of that local shopping centre? The particular one

of concern in Hamilton Road gives rise to community concern in that area largely because of its scale. I believe that there is a real issue as to whether that shopping centre needs to be the size that it is.

Immediate impacts arise in terms of the neighbours to that site who live on acreage residential land. I believe that one or two blocks are being purchased by the developers of that shopping centre, and there are acreage property owners beside them. One particular owner's house will be very close to the wall of the shopping centre at the eastern end of the boundary of the shopping centre land. Councillor Quinn has intervened very effectively to ensure that that wall has been shifted back so that there is as much of a buffer as possible between that landowner and the shopping centre. But the scale of the shopping centre is still an issue. No doubt the Minister will receive representations from local residents and me in relation to that.

This raises the very difficult question of how we plan for shopping centres. The economic rationalists say, "Let the market sort it out. If developers make applications, the councils approve them and the developers make their development applications on the basis that their assessment is that the economics of the catchment for that shopping centre will sustain the centre, then the market will sort that out. If it turns out that there are too many shopping centres in the region and some of them go broke, so be it." On the other hand, there is an argument that says, "The way we look at this is not in terms of what one particular developer might assess the economics of it to be, but rather what is the appropriate level aggregate community investment in shopping centre infrastructure?" Because at the end of the day the community will pay one way or the other for any overinvestment in infrastructure which is not economically or financially viable in the long term.

I do not know whether that particular shopping centre in Hamilton Road will be financially viable in the long term. On one view, with a neighbourhood shopping centre within two minutes' drive, and Brookside and the Hypermarket at Aspley each within five minutes' drive, one would have to question the financial viability of that shopping centre. I understand that one assessment was done which did raise questions about the economic or financial viability of that particular shopping centre. On the other hand, the developers have done their assessments. With the growth that is occurring in that corridor along Beckett Road towards Aspley, they say that there will

be ample provision for sustaining a centre of the size that is proposed.

It is a very difficult argument. On a planning front, it may be wise for the Minister—not just in relation to this particular shopping centre, because the Brisbane City Council has done a fair deal of work in terms of planning for locations of shopping centres within Brisbane City—to look at south-east Queensland regionally and to look at the provision of shopping in south-east Queensland to see whether we are reaching a stage at which there is a saturation of shopping centres and whether there is an aggregate overinvestment of funds in shopping centre infrastructure. This is an issue that will affect not only those shopkeepers who are already in shops but local communities as well in terms of the impacts of the kind that the local community of McDowall are clearly concerned about.

Just as State Governments in the past have looked at issues of open space and how we plan regionally for appropriate levels of open space—through the SEQ 2001 process, for example—it may also be appropriate for the State to have a look at retail centre infrastructure to see where the network of infrastructure provision is, whether there is already an overprovision in some areas, and how we manage that. In the past, it has largely been driven by developers. Right throughout Queensland local governments are very much under pressure from the development lobby.

**Mr Mackenroth:** If the Minister hasn't taken the money away, the regional study in south-east Queensland, which was funded by our Government, is presently under way.

**Mr WELFORD:** That is right. I urge the Minister to resist any pressure from the Treasurer to cut back on that planning. That planning is going to be very important to Queensland's long-term future. The livability of south-east Queensland in particular, but that of the whole of the State, will be seriously affected if the regional studies of infrastructure provision are not pursued. At the end of the day, it is about the quality of life for people in the area. There is nothing worse than having shopping centres where half the shops are empty. I have seen some of them. They become ghost towns and havens for people who are up to no good. I would hope the Minister would be very concerned about that.

This planning issue is very important. I urge the Minister to take it up with her departmental officers and try to avoid the department suffering the problem of agency

capture, whereby planners who are constantly dealing with private sector developers tend to become captured by the culture of that development lobby. We need to try to plan in some objective way so that the infrastructure and economic issues are appropriately and objectively addressed and are not driven—as local governments are susceptible to being driven—by the development lobby.

The State Government is the one bastion of protection for the community against pressures that, very often, local governments, because of their smaller scale and the pressures that are on them to permit development, cannot resist. The State Government needs to take a leadership role in regional planning for infrastructure. Retail space is one example of infrastructure that, until now, has not been addressed adequately in terms of regional planning. In this context, I urge the Minister to give serious consideration to that point, particularly to the planning involved in assessing the need for the shopping centre at Hamilton Road.

**Mr J. H. SULLIVAN** (Caboolture) (11.51 a.m.): I rise to briefly support the Local Government (Morayfield Shopping Centre Zoning) Bill.

**Mr Mackenroth:** To briefly support or support briefly?

**Mr J. H. SULLIVAN:** I briefly support it.

I express my gratitude and the gratitude of the people whom I represent in this place to the Minister for bringing this legislation to the Parliament.

**Mrs McCauley:** I expect to read about it in the paper.

**Mr J. H. SULLIVAN:** I shall certainly be putting this into the paper for the Minister's benefit, because there is a barb at the end of what I am about to say.

This shopping centre is not in my electorate, but the line that divides the electorates of Kallangur and Caboolture does not divide the communities of Caboolture and Morayfield. It is one community and the benefits will apply evenly to the surrounding communities. The legislation will bring direct benefit to my community in a way that probably very few pieces of legislation that come before this Parliament will bring direct benefit to the community. For example, it will bring jobs. Caboolture is a somewhat depressed area in terms of employment. Many other areas are also, but that is the truth about our area. In fact, during the last Federal election Dr David Kemp chose to highlight the employment situation in Caboolture when he

was discussing what the Federal Government would do for unemployed people, particularly unemployed youth. To date, we have seen that that entails cutting out employment programs and reducing the number of staff at the local CES by 10. I think that that is a pretty strange way to go about solving the unemployment problem, but that is the way that the Federal Government has gone about it.

The other important factor for our community is that this development proposes to include movie theatres. As I said recently in the Parliament when I spoke on this issue, those are facilities that a great many communities much smaller than ours take for granted; yet people living in our communities have to embark on something of a trek in order to enjoy the entertainment provided by wide screen movies.

The purpose of this Bill is to overcome the problem of a continual and protracted stopper action being taken by a competitor. That is the norm in this type of development. I noted that in her second-reading speech the Minister indicated that there is a need to overcome that by way of legislation. I encourage her to have a look at that problem and bring appropriate legislation to the Parliament as soon as she can.

The development fulfils everything required to be fulfilled by the Caboolture Shire's town plan. It has been a long-stated policy of the council that the Morayfield Road area would be developed as the retail/commercial area of Caboolture. To my knowledge, that policy is about five years' old. This project fits quite squarely within that policy.

As the Minister is aware, I have spoken to the media about my disappointment that this Bill was not brought on last week. I will indicate briefly why that is so.

**Miss Simpson:** Where were you last week.

**Mr J. H. SULLIVAN:** I was here. The Bill was sitting at No. 6 and No. 7 on the Notice Paper. I am sorry; I am referring to the last sitting week.

**Mr Mackenroth:** When you are talking in Parliament and say "last week", it is the last parliamentary sitting week.

**Mr J. H. SULLIVAN:** The honourable member has not been here long enough to know that.

The Minister did not bring it on in the last sitting week. I am a little uncomfortable with the result of that inaction. We will let the blame

lie where the blame ought to lie. I am uncomfortable that, had the Bill been brought on for debate and passage through the Parliament in the last sitting week, the Parliament would have changed the law before a legal action was taken. Now we have changed the law after an action has been taken. Everybody is aware that the appeal was lodged yesterday at 4 p.m., virtually five minutes to midnight. This smacks to me of an example of a developer calling the Parliament's bluff. I do not think that it does the Parliament any good to have its bluff called. Had there not been an appeal lodged, there would have been no need to bring this Bill forward today.

Nevertheless, I express to the Minister the gratitude of the great many people in the Caboolture area. This legislation will bring direct benefits to our community and it is very welcome indeed.

Debate interrupted.

#### **DISTINGUISHED VISITOR**

**Mr SPEAKER:** Order! Before I call the Minister I wish to advise the House that the member of the Federal Parliament for the Brisbane seat of Moreton, Gary Hardgrave, is in the public gallery.

**Honourable members:** Hear, Hear!

#### **LOCAL GOVERNMENT (MORAYFIELD SHOPPING CENTRE ZONING) BILL**

##### **Second Reading**

Debate resumed.

**Hon. D. E. McCAULEY** (Callide—Minister for Local Government and Planning) (11.57 a.m.), in reply: I share the Opposition spokesman's concerns about having to put this sort of legislation through the House. That was certainly not a track that I wanted to go down, but it seemed to be the only course to resolve the matter at hand. As the spokesman said, he had to take similar action when he was the Minister. That does not make it a good way to go. I am hopeful that the new planning legislation will resolve those difficulties. I think simply using a delaying tactic of fighting in courts about very small matters that have nothing to do with the development has to be discouraged at all costs.

I also share the Opposition spokesman's concerns about the developer in this regard. My own thoughts were that he was perhaps a graduate of the Bill Prest charm school. I have taken on board his concerns. I am more than happy to give a guarantee that, in the life of

this Bill, there will be no subsequent amendments to the planning deed that involve a department store, an increase in floor space or anything similar to that of any description. I am more than happy to give that. I understand that that will make most players in this matter happy.

The member for Everton spoke about regional shopping centres and their proliferation. He probably should be aware that these are a major part of the SEQ 2001 regional framework for growth management follow up, which is being undertaken currently by the Regional Resource Unit. Hopefully something positive will come out of that, because that is a concern. It is one that I acknowledge and share.

I am pleased I made the member for Caboolture happy. He slandered me dreadfully in the media, so I expect him to now address that situation.

**Mr J. H. Sullivan:** I will fax the green off straightaway.

**Mrs McCAULEY:** Jolly good.

As I indicated in my second-reading speech, this Bill is to facilitate the development of a regionally significant shopping centre to serve the needs of Caboolture residents. The Bill was introduced following the Planning and Environment Court's decision in favour of the development proposal because of concerns by the developer that ongoing litigation on technical points of law would be initiated by a retailing competitor in order to frustrate the project. That concern was realised yesterday with the lodging of an appeal to the Supreme Court by the principal objector.

All the land use planning merits of the proposal were thoroughly examined by the Planning and Environment Court, which subsequently also approved conditions under which the development can proceed. Those conditions are in the form of a planning deed negotiated and agreed to by the applicant, the council and the various objector parties to the appeal, apart from the principal objector. The court-approved conditions are identical in all respects—other than for minor changes of clarification and to correct typographical mistakes—to those that are now contained in the planning deed associated with this Bill. They are one and the same conditions of approval that will now be implemented by way of regulation. Had not an appeal to the Supreme Court been lodged, the rezoning application together with the conditions contained in the court-approved planning deed would have been recommended by me

for Governor in Council approval in the normal manner.

My action in progressing this Bill as a result of the Supreme Court appeal will, in effect, validate no more and no less than what is already contained in the decision and conditions approved by the Planning and Environment Court. Further delay to this project is not warranted and I therefore commend the Bill to the House.

Motion agreed to.

### Committee

Hon. D. E. McCauley (Callide—Minister for Local Government and Planning) in charge of the Bill.

Clauses 1 to 12 and Schedule, as read, agreed to.

Bill reported, without amendment.

### Third Reading

Bill, on motion of Mrs McCauley, by leave, read a third time.

## JUVENILE JUSTICE LEGISLATION AMENDMENT BILL

### Second Reading

Debate resumed from 24 July (see p. 1861).

**Hon. J. FOURAS** (Ashgrove) (12.02 p.m.), continuing: As I said yesterday, the Juvenile Justice Act 1992 is more than adequate. It is very obvious that this Bill is about politics rather than good social policy, particularly in regard to community service. This amendment Bill extends the period of community service from six months to one year. It also extends the number of hours of community service that can be imposed, which is contained currently in section 120 of the Act. This Bill is just dressing to indicate that that mob opposite is tough and that it will protect the community. However, it is bad social policy. The CJC's submission to the Government on this Bill which, like its many other submissions was ignored by the Attorney-General, stated—

". . . the proposed penalty increase is excessive and is inconsistent with the general sentencing scheme of the Act . . ."

Community service is not only about fulfilling the role of punishment for the commission of the offence but also it is about providing the offender with an opportunity to

make reparation to the community through constructive activity. The moment the order becomes punitive, the moment the hours of community service are extended, that effect will be lost. In fact, the CJC is of the view that a community service order yields benefits only up to a certain point. Currently, the Act contains the perfect length of time in which community service could be ordered. However, the Government wants to be seen to be tough and to be reacting to the views of the community. For example, I believe that a young offender should be sentenced for an offence instead of receiving as punishment the length of community service that this Bill proposes, which is counter-productive and bad social policy.

The other point to consider is the way in which the young person fits into the community. When a young person is carrying out a community service order, that person is seen to be making reparations and mixing in the community. The moment that order becomes punitive, it destroys the whole concept of community service orders. I think that it is absolutely disgraceful that we are doing that.

Because my time is just about to expire, I would like to move for an extension. I think that in regard to those young people who are in detention, we should strive to break their juvenile crime cycle. We should conduct alcohol and other drug programs. We should have counsellors who could work towards reducing drug-related offending, such as facilitating appropriate diversion rehabilitation and providing ways to stop other people committing drug-related offences.

We should also have a sex-offenders program, such as that which exists in New South Wales. Because young people have been abused, they abuse other people. We have to break that cycle. We have to develop in those young people a positive sense of self. I think that these sorts of programs are very worthwhile, yet they are not happening.

Time expired.

**Mr ROWELL** (Hinchinbrook) (12.06 p.m.): During the course of this debate, many points have been raised by the Opposition. In 1992, when the Juvenile Justice legislation was introduced, it received strong support. Police told me that they thought that it was worth a try. They believed that the legislation contained good initiatives and that they wanted to give it every opportunity to succeed. However, after a short time it became apparent that the Juvenile Justice Act was not working. Despite that indication, the

Government failed to address the problems that were created as a result of the legislation.

In relation to juvenile crime, the community wants a more effective outcome. Under the current Act, this is not happening. Of course, many juveniles who commit crimes come from dysfunctional families, and that is a major concern. A lot of families are doing it pretty tough. However, some parents do not consider their children's wellbeing, and that is causing an enormous amount of problems. There is pressure on the family unit when both parents are working. In the past, the mother was the predominant person in the home and she looked after the children. In many cases both parents work and very often children are not supervised when they come home from school. Consequently, they are left to their own devices. Of course, when children are left to their own devices, they can get up to numerous things and very often that is the cause of the problems that occur. Because of peer group pressure, children certainly get involved in activities that are not becoming of kids. They indulge in activities that are socially unacceptable and, of course, very often crime is a part of those activities.

Another and very important issue relating to juvenile problems is the lack of job opportunities. For some time, the juvenile unemployment rate has been 30 per cent. That is a major concern because if young people have no job prospects, they find it extremely difficult to keep their energy under control. Very often they get up to antics that, as I said before, are not becoming and are not socially acceptable.

Previous administrations both at Federal and State levels are very much responsible for this situation. Apprenticeship opportunities that should have been created were lost because employers were saying that it was far too difficult to put on an apprentice. Of course, as a result young unemployed people were affected. Juveniles require a considerable amount of training for their future development and for the work that they are doing. That is absolutely essential. When one considers the pressure that employers have been under for a number of years in relation to superannuation, tax file numbers, workplace health and safety regulations and workers' compensation on top of training a person who is fairly young and who needs somebody there to back them up, it is not easy for an employer to take on a young person. I think that that is one of the causes of high unemployment levels and a reluctance of employers to take on young people.

Juvenile justice is certainly a very sensitive matter. Laws have to try to address the balance between stigmatisation and responsibility, and the courts have to address those laws. It is a challenge to society to ensure that our young people are aware of their responsibilities and the deterrents to illegal activities. They must understand that they can do so much, but that they have to accept a level of responsibility to society. They must understand that if they step over the line in any way, a deterrent will be invoked to stop them engaging in that activity.

The police are really no longer capable of controlling how they deal with kids. Years ago one of the techniques used was a swift kick in the backside. Various members on the opposite side have spoken about how they got up to certain antics as children. In those days the police took a pro-active role in dealing with children, and they did that with the best interests of the children in mind. If the child did not get it from the policeman, when he got home he would probably get a swift kick in the backside anyway. In those days that deterrent was in place. These days society does not believe that that type of deterrent is acceptable and I believe that the police, to some degree, have been nobbled in terms of what they can do with a young person who is going off the straight and narrow.

Today children face a considerable amount of peer group pressure. When groups of young people get together, one will dare the other as to the level of activity that they will get involved in. Occasionally, things get out of hand. There is little doubt that some juveniles are malicious in their actions and it is important—

**Mr Fouras:** What is this legislation going to do to solve that problem you are talking about—except rhetoric?

**Mr ROWELL:** The honourable member is all rhetoric. He just talks and he does not know what he is talking about. Perhaps the former Speaker could let me have a go.

The police and the courts require adequate powers to deal with juvenile offenders and it appears that this has not been the case under the present Act. We have tried the "softly, softly" approach, but it has not worked. As I have indicated, the police must have some discretionary power. It appears that over a period that power has been lost and, unfortunately, young people do not respect the police as they once did.

I turn now to the community youth conferencing system, which I believe has

considerable merit. Family conferencing may not be a panacea for all juveniles who have crossed the fence and ended up on the wrong side of the law, but it is a sound initiative. It is a shaming process that requires the participation of the offender, the victim and the family of the offender. I am not aware of any other mechanism in the legal system that gives the victim the opportunity to tell the offender of the impact that his action has had.

I have received videos and other information about this system from New South Wales where it has been working very effectively. The court system is clinical and it does not give offenders the opportunity to face their victims. Unless that sort of thing happens, offenders will not be made to feel responsible for the distress that their activities have caused their victims, whether that be breaking a window, breaking into a person's home or stealing a car, with the consequent loss of income that may occur because that car is not available. Further distress can be caused if the victim is not fully compensated for the damage done. A whole range of things which cause distress to victims can occur as a result of the activities of juvenile offenders. The family conferencing system also has the advantage that it does not involve the level of costs that court appearances involve, and that is quite an important issue.

Of course, restitution is another important issue, and there are various ways that that can occur. It may be incumbent upon the family of the offender to make restitution, whether that takes the form of payment of money or some other means by which the offender can assist the victim in ways that are important to the victim. Following the process of family conferencing and restitution, it is important that young offenders are given backup support. That can be provided by organisations such as police youth clubs. These clubs enable young people to get involved in a range of supervised activities. As long as offenders adhere to any requirements placed upon them, that sort of support enables them to get back on a track which is socially acceptable.

When I first became aware of the family conferencing system, I spoke to Sergeant Terry O'Connell of Wagga Wagga, New South Wales. He has sent me videos and a whole range of other information which were very enlightening. Terry O'Connell is presently in England where he is involved in a \$10m British Government program. I understand that his techniques have also been recognised in Canada and that he does some work in that country. The concept of family conferencing

originated in New Zealand. Terry O'Connell and a number of social workers from Wagga Wagga expanded the concept. They were very successful in evolving a process which effectively dealt with young people who had gone off the straight and narrow.

The Queensland education system has certainly taken note of what is happening with this type of dispute resolution system and its implementation in some schools seems to be working quite well, although I have not followed that through fully. The previous Government started to go down this track, and it is a direction that is worth taking when schoolkids are not doing the right thing. The kids have an impact on the process and they can be brought to task in a situation in which everybody sits down and tries to resolve the anguish that they have caused. I understand that the New South Wales royal commission is also considering such an approach for the police force. This has become an extremely important initiative and I am pleased to see our Government, and the Minister, implementing it. I am sure that, as we research and develop the concept, we will find that there are issues which need to be considered and promoted but that this is an effective way of dealing with some of the problems caused by young offenders.

I turn now to initiatives designed to help young people once these sorts of events have occurred. In north Queensland young offenders can become part of a system that is beneficial to society. I have spoken to Steve Appo who is involved in a project in which young Aboriginal people who have had problems with the law are helping to repair the C4 walking track near Clump Mountain, Mission Beach.

It is important that we find suitable activities for them. The activities in which these young people who have had problems are involved at present are quite important to their rehabilitation. Another project has been progressing for some time on the tablelands at Petford. In that project, young people are trained in the grazing industry. A concept has been developed whereby these young people are moved from one area to another. As a result, they are provided with important activities and can reach the point at which they are once again useful and productive members of the community.

I support the Minister in many of the things that he is doing with this legislation. It is unfortunate that we have to take stringent measures. However, if people are allowed to drive a horse and cart through the system,

there is probably no other alternative than to find some measures that are not as easy to get around. These measures need to be implemented to send a signal to people that, if they continue with activities that are undesirable to society, they will wear the consequences. The issue is not an easy one. The young people of this country are extremely important to us. They are our future. They are the future leaders of society. If a large number of young people have nowhere to go, that can create only more concern for society in general. With those few words, I congratulate the Minister on the initiatives he has taken. If adjustments are required in the future as society evolves, I hope that as a Government we will be able to make changes to ensure that the young people of this State are kept in good hands.

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (12.23 p.m.): The Juvenile Justice Legislation Amendment Bill 1996 is an attempt by the State Government to try to look tough on the law and order issue. In this debate it is important that we clearly put on record this Government's hypocrisy and double standards, which are reflected in its self-serving political desire to use this legislation as a poor excuse to tackle the problem of law and order head on.

Nowhere do I see an attempt by this Government to tackle the root causes of crime. As the Police spokesman and the spokesman on justice matters and shadow Attorney-General have said on a number of occasions throughout this State, there is no attempt by this Government to tackle the root causes of crime. When our policies are announced in the lead-up to the next State election, we will be making it very clear that we will be attacking the root causes of crime. We will be implementing long-term solutions, not the short-term fixes attempted by the Government. All it is seeking to do is paper over the cracks.

Let us turn to the substance of the issue. This Government is tough on rhetoric but poor on delivery. There is no assistance for the victims of crime. That is this Government's other downfall. We do not hear this Government talking about assisting the victims of crime—the people who are hurt, the ones who are suffering. We do not see the Government focusing on them at all. What do we have? We have a strategy by this Government that misses two central links. Firstly, there is no attack on the root causes of crime. Secondly, there is no assistance to the victims of crime. Where does that leave the strategy? It leaves it nowhere. All we hear from

the Government is empty, hollow rhetoric. I will give some clear illustrations of that.

When we were in office, we had a strategy of urban renewal programs across this State. We had five urban renewal strategies—one in Cairns, one in Leichhardt in Ipswich, one in the Beenleigh area, and two more in other areas. Those strategies were designed not only to lift the self-esteem of certain communities but also to attack crime, particularly juvenile crime. I visited those centres. For example, I visited the centres at Cairns and Ipswich recently. Those programs, had this Government not cut them, would have continued to be an effective means of tackling crime at its roots. But what has this Government done? It has withdrawn their funding or put it on hold. It is part of the freeze!

If this Government were serious about juvenile crime and tackling the root causes of crime, those urban renewal strategies—those key strategies to tackle juvenile crime—would be funded by this Government. However, they are not funded by this Government, because it is interested in rhetoric and not substance when it comes to tackling the problem. The Government is not only abandoning the long-term solution offered by the urban renewal strategies but is also abandoning others. I refer to the Youth Conservation Corps and the Youth Jobs Plan, which were part of the \$150m Jobs Plan. I refer to the Work Plus Scheme and the Youth and Community Combined Action Program, which sought to reach out to community groups concerned with juvenile crime prevention.

A range of projects was conducted with Aboriginal and Torres Strait Islander people in places such as Murgon, Cherbourg, Palm Island, Aurukun and Brisbane. Those strategies were designed to get to the root cause of crime, to prevent it and do something effective about it, yet this Government has refused to fund those programs. It has frozen their funding. That reflects this Government's level of commitment.

It is important to get to the root causes of crime. That is why—and I repeat very clearly today—in the lead-up to the next election, in conjunction with the future Attorney-General and the future Police Minister, I will outline very clear strategies to tackle the root causes of crime and help victims of crime. Our strategies will be long term and they will work. They will not contain the empty, hollow rhetoric that we have seen from this Government.

What has happened to the Government's promises about law and order? Members

opposite deliberately ran scare campaigns alleging a crime wave and increased numbers of home invasions which terrified elderly Queenslanders into barricading themselves in their homes. We saw the dishonest campaign in Mundingburra. What an appropriate day this is to have a debate about juvenile crime! Where is Mr Cooper? He is before the Carruthers inquiry today, because of the memorandum of understanding. Crime experts tell us that the truth is that Australia and Queensland in particular are some of the safest places in the world with respect to the incidence of violent crime. Shortly after taking office, the Premier said that he recognised the importance of both law and order and convention because, if convention is not respected, the law itself is brought into disrepute. This Government has consistently broken promises it made even after it signed what it called a contract with Queensland. That contract has been broken so many times by this Premier and Deputy Premier.

Let us look particularly at the commitments that were given in Mundingburra, the by-election that partly brought this Government to office. What did they say? They said that they would introduce more police. They said they were going to have a north Queensland academy and that 80 officers would graduate from that academy in the first year. Let us look at the substance and forget about the rhetoric.

**Mr Stoneman** interjected.

**Mr BEATTIE:** The honourable member can get upset if he wants to. He ought to get upset. Not only was he left out of the Ministry, leaving the north with no representative, because they did not think he was good enough; all of the promises that he and his mates made in Townsville and Mundingburra have been thrown out the door. They betrayed every one of them. All Government members are about is turning back the clock and, when they are not doing that, they demonstrate that they are not up to the task. I will come back to the Government's turning back the clock and will deal with its facade of law and order in a moment.

Members opposite said that there would be an increase in police numbers. When was the first test of whether there would be more police? It came in July this year. What happened? The Police Minister said that there would be no recruits at the Police Academy.

**Mr Foley:** Shame!

**Mr BEATTIE:** I take the interjection of the future Attorney-General; it is a shame. The

intake of 40 recruits was cancelled. How can the Government possibly say it is serious about law and order after it cancelled the intake of 40 recruits at the Police Academy? That exposes for all time what a fraud this Government is on the issue of law and order.

I turn to the other great law and order commitment given in Mundingburra. The coalition promised that there would be 80 graduates from the Townsville academy in its first year. It is impossible now for even one trained officer to emerge from that academy. So again the coalition betrayed the people of Mundingburra; it betrayed the people of Townsville. That was another National Party lie, another Liberal Party lie on law and order. The very basis of winning that by-election has been destroyed.

The coalition promised to build more police stations, and it has failed to deliver. Just take Palm Beach at the southern end of the Gold Coast as an example. The coalition promised no reduction in the services provided from police stations. Consider what is going to happen in Red Hill and The Gap in Brisbane: there will be police station closures. I understand that my colleague the shadow Attorney-General is fighting to keep a police station in his own electorate. That is the legacy of this Government. It is closing police stations, it is taking away police recruits and the north Queensland academy is not happening, as the coalition promised it would. What a mob of frauds! Talk about National and Liberal Party lies on law and order! Why would anybody want to believe them?

This legislation refers to youth detention. What a hide! The promises in relation to certain youth detention centres in this State being closed and moved to better facilities have not eventuated. I have one in my electorate at Windsor which was supposed to be closed on 30 June and was funded accordingly. I refer to the Sir Leslie Wilson Centre. I remind the various Ministers who have not heard of it that the Sir Leslie Wilson Centre, which is right in the middle of a residential area in Windsor in my electorate, was to be closed because it was an antiquated building which had security problems. We beefed up security, but we said that that youth detention centre would be moved to an upgraded facility to provide proper security and better facilities for inmates.

What has this Government done in relation to the Sir Leslie Wilson Centre? It is not closing it, as we had budgeted for, so we still have young people detained in the Sir

Leslie Wilson Centre, which is below standard and provides inadequate security to protect the local residents, and there is no plan at the moment for it to be closed. What a disgrace! This Government talks about security. It provides revolving-door security in prisons. When he replies, I ask the Attorney-General to tell us when the Sir Leslie Wilson Centre is going to close and when he is going to do something about Cleveland, the centre in Townsville. When is he going to do something about these detention centres, which we had budgeted for to be closed and replaced? The coalition lied to the people in Mundingburra, it has betrayed their faith, and at the next State election I have no doubt what their verdict will be.

When in Opposition, the coalition attacked the Labor Government of the time for its record on prison escapes—a record which improved every year from 1991 to 1994-95.

**Mr Stoneman:** You shot yourselves in the foot.

**Mr BEATTIE:** If I were the honourable member, I would not interject. He cannot even make the Ministry, and the people of north Queensland clearly know why.

When in Opposition, the coalition attacked the Labor Government of the time for its record on prison escapes—a record which improved every year from 1991 to 1994-95, which was the last full year of the Labor Government. In the more than five months that the coalition has been in power, the figures relating to prison escapes have gotten worse because it has a revolving-door corrective services institution policy. It is fast becoming a "come and go as you like" system which is seriously eroding public confidence. A convicted criminal such as Sir Terry Lewis, who is doing 14 years for corruption, is told, "Look, mate, we will let you out to do a few interviews. If you want to go to Brazil for a holiday or you want to go to Honolulu, that is fine. We will let your mate in to do a television interview. We will give you prime-time television—no worries at all! This is like a holiday farm, guys. In you come! Have a beer, have a wine. This is a terrific place. What do you want to watch on television? I have got the latest videos. Come and have a look—whatever you want to see. I am on holidays for a few years." That is the way this Government runs things. That is the hypocrisy of its double standards on law and order. This Government has the Sir Terry Lewis approach to law and order, the Sir Terry Lewis approach to prisons.

As if that is not bad enough, what did this Government do with regard to Allen

Callaghan? It said, "Oh, forget the rehabilitation programs—forget all that stuff. We will put Allen on the Library Board. We won't go through the proper processes—we won't worry about that—but we will make sure that he is there. We will look after him. We will look after our old mates." That is what occurred. This Government has a law and order policy that stands for turning back the clock and looking after its mates. It is just as well that Geoff Muntz is out of prison now!

When it made its policy announcement before the last State election, the coalition said that preventing crime means combating all its causes. This legislation betrays that statement, because it does not do that. The coalition said in July last year that the National/Liberal Party coalition policy on law and justice is guided by certain priorities. Those priorities included a crime prevention policy and the prevention of crime in the first instance. What does this legislation do to prevent juveniles becoming involved in the criminal justice system? Where in the legislation does it do that? It has betrayed all the principles that this Government outlined when it was in Opposition.

Last July, the coalition promised that a coalition Government would immediately amend the Penalties and Sentences Act. It has had five months, and it has done nothing. What does "immediately" mean? I suppose it is like "signed" or "agreed" or "maybe I agreed"—who knows? The Premier signs memorandums of understanding like they are going out of style but does not live up to any of his commitments. Following on from his answer today, I assume that when he puts his signature to a document it means nothing. I would hate to be his banker getting his cheque! Nothing has happened with the Penalties and Sentences Act—yet another broken promise.

Recently in the newspaper the Police Minister, Mr Cooper, talked about meeting some prisoners when he visited various gaols. As I have stated on other occasions, Mr Cooper made this comment in relation to prisoners—

"Some of them are pretty genuine people—a bloody sight more genuine than some of my colleagues."

I can understand why he made that comment: because quite a lot of them were his colleagues! Sir Terry Lewis, Allen Callaghan and some of the others were his colleagues, so no doubt they were genuine. Of course, some of the Minister's former colleagues did go to gaol, such as Brian Austin, Geoff Muntz,

Leisha Harvey and a few others along the way.

**Mr Elliott:** Tell us about Keith Wright.

**Mr BEATTIE:** The member can interject all he likes. He is one of the people who is prepared to come into this place and say, "I am part of a Government that believes in cancelling 40 police recruits at the academy. I am part of a Government that does not want to see a police academy in Townsville. I am part of a Government that believes Sir Terry Lewis should use gaol like a holiday farm." That is what the member stands for. If he wants to interject any time, that is fine by me. I am happy to go out and tell everyone what he stands for. The member supports a law and order policy run by Sir Terry Lewis.

**Mr Hamill:** Even Joh threw him out.

**Mr BEATTIE:** That is right—even Joh thought the member was not up to it.

I understand my colleague the future Attorney-General tabled in the House the Criminal Justice Commission's views on various aspects of this legislation. We must expose the fraudulent nature of this legislation. Take as an example the provisions relating to the presence and liabilities of parents. The truth is this: most parents will not end up paying anything under this legislation. Under this legislation, most parents will not end up paying a cracker. To suggest otherwise, as the Attorney and the Government have sought to glibly do, is another dishonest representation about their law and order policy. It is a stunt, a stunt, a stunt and a stunt. It is nothing more than that. Let us consider what the CJC says about these provisions. This is not what the Labor Party says; this is not what the Opposition says; it is what the CJC says. Its view is—

"The CJC is of the view that any proposal to amend the law in this way is ill-advised and dangerous."

Mr Beanland is the Minister responsible for the CJC. It is advising him that this provision is ill-advised and dangerous, yet he brings it into this Parliament in the most irresponsible way. He presents this facade to try to make people who have been victims of crime—and many of us have been—feel good by putting forward a phoney clause which is fraudulent and which the CJC says is ill-advised and dangerous, a clause by which the overwhelming majority of parents will not even be affected. He is out there pretending that this applies to all parents. What a fraudulent misrepresentation of what the Bill provides!

The CJC summed it up very carefully when it said that this was ill-advised and—

**Mr Beanland:** You're just being a hypocrite.

**Mr BEATTIE:** So the Attorney-General thinks the CJC is a hypocrite. Now he is going to attack the CJC. The Attorney-General says that the CJC is a hypocrite.

**Mr BEANLAND:** I rise to a point of order. I did attack the Leader of the Opposition, with every justification, but I made no attack on the CJC.

**Mr DEPUTY SPEAKER (Mr Laming):** Order! There is no point of order.

**Mr BEATTIE:** The Attorney-General knows that he has been out there trying to misrepresent this clause. He is embarrassed. I understand why he took that point of order.

**Mr BEANLAND:** I rise to a point of order. I am not embarrassed in the least.

**Mr BEATTIE:** That is not a point of order.

**Mr DEPUTY SPEAKER:** Order! I call the Leader of the Opposition.

**Mr BEATTIE:** The Attorney-General is embarrassed all right, because the CJC says that the law which he has brought in here is ill-advised and dangerous. Of course he is embarrassed. He has no control. In common with the people sitting next to him, he is not up to the job. It is a fraudulent misrepresentation to say that parents will be caught by this, because the overwhelming majority of parents will not.

This Government's law and order policy is based on one overriding principle. It is called turning back the clock and looking after your mates. That is what it is about. Law and order under this Government means Allen Callaghan, Terry Lewis and cancelling the 40 recruits at the Police Academy. It means not setting up the north Queensland police academy, as the Government promised it would do.

If this Government wants to get serious about law and order then it should look at it in the same way as the Opposition does. The Opposition will tackle the root causes of crime. We will make certain that, at the end of the day, we look after the victims of crime. The Government has done nothing about that in this legislation. This legislation is a poor excuse for tackling crime. This Government ought to do what it said it would do in its policies, instead of misrepresenting what it is trying to do and betraying the people who put it here.

**Mr ELLIOTT** (Cunningham) (12.42 p.m.): In rising to take part in this debate, I wish to make a few comments about how this legislation applies to my electorate. Some interesting experiments have been carried out in my electorate. I suppose they are much more than experiments, because they have become fairly accepted in practice. I refer to towns such as Pittsworth, where a set-time curfew has been placed on young people and police have been enforcing that curfew. Most people in the community are supportive of that curfew, and there is no doubt that it has worked. There have been far fewer problems since the curfew has been in operation. This is an issue that should be considered right across the State—with one caution.

When considering putting in place a curfew, it is very important to have the right type of police on hand to administer it. Regardless of whether the curfew is in force in Pittsworth, somewhere else in the north of the State, a small coastal town or wherever, it is important that those community police officers well and truly understand local family situations. In many instances they are probably family people themselves. They should understand people's problems. In this day and age both parents are often working. Therefore, it is not quite as easy as it is in the traditional family where one parent is working and, more than likely, the mother is at home when the children come home from school, or she is able to pick them up from school, the bus or whatever, and can look after them fairly easily. When both parents are working, in many instances they have to rely on people other than members of their own families to take care of their children. There has been strong support within the community for curfews. The feedback that I have received is that they seem to work pretty well. I pass on that information to the Minister—for what it is worth—because members are considering this legislation in some detail.

As Chairman of the Scrutiny of Legislation Committee, there are a few issues that I would like to raise. Committee members were quite interested in many aspects of this legislation. I will not bore the House with the details. Alert Digest No. 5 has been distributed for members to consider. However, I would like to touch on some aspects of the legislation, because it is important that members understand where we are coming from. I know that I should not be referring to clauses at this stage of the debate, but clause 8 refers to the various Acts to which this legislation would apply.

I refer particularly to the concept of fingerprinting and palm printing young people without first arresting them. If this procedure is undertaken by people of goodwill—and I refer to the police in particular—then it could well be a great advantage, because it would keep juveniles out of the court process. Anything that we can do to keep young people out of the court system, such as cautioning them or involving them in conferencing or whatever, obviously is a plus. In that way we can improve their moral behaviour and encourage them to be upright and reasonable citizens in our community. However, members of my committee did have some concerns, and I intend to elaborate on those concerns without giving the details of what was said in the committee. Many members are parents of teenagers. Anyone in this House who is a parent of a teenager—

**Mr Stoneman:** Don't forget the grandparents.

**Mr ELLIOTT:** Even grandparents can take a tip, too.

**Mr FitzGerald:** Your parents had to go through it too, don't forget.

**Mr ELLIOTT:** Our parents had a slightly different problem. In our day and age we went off and attacked the bar when we thought our parents could not see us, and we had a bit of a go at whatever was on the bar. But that no longer seems to send the same thrill through teenagers today. Unfortunately, there always seems to be some idiot who will turn up at a party with marijuana. That is of great concern to me as a parent.

My concern is that someone can turn up with marijuana at a suburban party. There might be 100-odd people at the party and, quite naturally, it might get fairly rowdy. Some neighbour will then take exception to the noise and call the police. Then the police turn up. They think that all they are about to do is knock on the door and say, "Do you realise there has been a complaint about your party? Perhaps you might tone it down." But when they open the door and walk in, lo and behold, if their olfactory nervous systems are working very well they will pick up the scent of something that people at the party would rather they had not picked up. In the course of doing their job, the police walk in and take exception to the fact that people on the premises are smoking marijuana.

The person who brought along the marijuana may well have it in a plastic bag, a Tupperware container or something of that nature. A parent might quite innocently have dropped his or her children at that party. It

might have looked like a very reasonable teenage party where everyone was going to behave nicely and there was not going to be any problem. But I say to members: these kids will offer your children marijuana; whether you like it or not, that will happen. It takes strong moral courage on the part of many teenagers to say, "No, I won't take part. I know the consequences of smoking marijuana. I do not wish to have a criminal record." It is important to understand the potential consequences.

For argument's sake, let us suppose a child takes up that offer. The child may touch the container holding the marijuana, perhaps holding it briefly while the offerer gets something. Lo and behold, that child has his or her fingerprints on a container that is holding a bulk quantity of marijuana. Even if it is only a fairly small quantity, it may be considered to be enough to come within the definition of a trafficking offence. This is something that should be of concern to all of us who have teenage children. We should have a very long, hard look at this provision and consider the consequences. Quite properly, the police officers might decide to charge a number of people at that locality and take them to the watch-house because, in their opinion, they were all involved. Under this new legislation, the police officers may decide to fingerprint those children to determine who they consider to be responsible for the action. This is an issue that concerns me and other members of the Scrutiny of Legislation Committee.

At our last committee meeting we expressed a desire to hold a public hearing. We considered the possibility of inviting various groups within society who have an interest in this issue to a public hearing—we were not thinking of just the Council for Civil Liberties; we were thinking about inviting a cross-section of the public—so that we could get their feedback on some of the matters about which we are concerned. As the Minister has indicated that he will be reviewing this legislation in 12 months' time, committee members thought that that process may have been helpful to the Parliament and the Minister. However, it was brought to my attention that under the Act under which the committee currently operates the committee may not have the powers to require that public hearing to be held.

**Mr Beattie:** When are you thinking of doing that—having that meeting?

**Mr ELLIOTT:** Committee members would have liked to have held that meeting this Friday, but we were unable to do so at

such short notice because of our prior commitments. Various committee members, including me, were unable to be present at that time, so we were considering holding that meeting perhaps in August, September or October.

I think it is important for the Parliament to understand the way in which the legislation is structured. Under the Act as it is presently structured, the committee's role is to examine legislation as it comes onto the table of the House and to publish our Alert Digest. Of course, Acts have been passed so quickly by the Parliament that they have been proclaimed before the next Alert Digest is published. The Parliament needs to consider whether the provisions of the Act are sufficient to enable the committee to carry out its examination of legislation so that we know where we are going from here.

On behalf of the members of the Scrutiny of Legislation Committee, I ask the Minister to take on board our concerns about the legislation that is before the House. I know that he will; he has been very helpful and cooperative in the past. In the past the Minister has been able to work with the committee for the betterment of the legislation that he administers. We thank him for his assistance and look forward to his cooperation in the future.

**Mr D'ARCY** (Woodridge) (12.54 p.m.): It gives me great pleasure to speak to this Bill before the House, because it is a tremendously important Bill. After examining the legislation and the way that it will be implemented, I believe that the Minister has several sections wrong. Basically, the Government's response to the problem that exists in the community is a classic example of using a sledgehammer to crack a nut.

In his second-reading speech to the Juvenile Justice Amendment Bill, the Minister made some quite telling statements that concern me. He referred to the community, the victim, the parent and the strengthening of the family. I cannot see how the provisions of this legislation change community attitudes in any way. In fact, as the Leader of the Opposition outlined very well in his speech, the legislation is not addressing what we in the community need to have addressed, that is, the root causes of juvenile crime. That is where we should be focusing our attention rather than considering changing the punitive law in Queensland. It saddens me greatly that this ham-fisted approach has been used by a Government that knows darned well that the increased penalties and other provisions of

this Bill—and I could not agree more with the member for Cunningham, who raised issues regarding the fingerprinting of teenage children—will not change community attitudes.

All members of Parliament, particularly those who represent electorates in which there are a large number of families struggling to raise teenage children, such as my electorate of Woodridge and that of my colleague the member for Waterford, know that community attitudes must change if we are to address the root causes of crime. I do not believe that this Bill does very much in that regard. A Bill with a punitive focus is not effective in electorates such as Woodridge and Logan. This legislation will serve only to increase police powers. That approach will not make one iota of difference to crime. Change will not occur until Government receives the total cooperation of the community, and that will not happen until the community believes that the Government is taking action that will have a genuine effect on the problems. This Bill does not do that.

This legislation is a great disappointment to people like me who have been here a very long time and have not seen the changes made that are necessary to make the community safe. This Bill does not do it. The Leader of the Opposition referred to some programs that the previous Government put in place. When one is working on the ground, one sees which programs are working and which ones are not working. Some programs were working. I am tremendously disappointed that the Urban Renewal Program has been canned, because Woodridge and Logan were two of the areas next in line to be afforded moneys under that program. That program has made a difference; it has helped people to develop a more positive attitude and improve their self-esteem.

The program that Labor put in place in relation to Housing Commission homes made an enormous difference to electorates such as mine. People thought that they were useless and worth nothing, and then they saw that the Government had done something for them, such as painting their house or finally installing a new stove after 20 years. Those actions made a difference. People started to take more care of their houses. Kids' attitudes started to change in some of those areas. Those are the sorts of programs that made a difference.

I believe that that is what we should be focusing on, not punitive legislation such as this. Nobody has mentioned the cost to the community of gaoling more youths and

providing more police. In my book, gaol and punitive actions have never been an answer to the problem of youth crime. The end result of gaoling is a loss of education, which is necessary to take children through their difficult teenage years. Recently, as a member of the Public Works Committee, I inspected a new gaol on the tableland. After asking to look at the educational facilities, we realised that nothing has changed: our gaols have no real educational facilities. Despite attempts to have prisoners better educated in gaol, it is just not happening. The Parliament should be considering programs such as those that I have mentioned.

Sitting suspended from 1 to 2.30 p.m.

**Mr D'ARCY:** Before lunch I was espousing the view that this Bill will do very little for juvenile crime in electorates such as the one that I represent. It does not have the capacity to change community attitudes in such areas.

The Logan electorate has an active grapevine. When the police are targeting a particular type of crime in the area, it generally stops the incidence of that crime fairly quickly. For example, if the police were targeting break and enters in the Rochedale area, the incidence of that crime would decrease dramatically for a period. The policing is very effective. At one time there was a particular problem in my area. A tremendous number of cars were being stolen from railway station car parks. At that stage, each week between eight cars and 10 cars were being stolen from railway station car parks in the area between the Kuraby Railway Station and Loganlea. I complained to the police about it bitterly, and the local police would not do anything about it. After I received no action, I contacted the Commissioner of Police, who also took no action. He pleaded that he did not have a squad that could do such a job.

In the end, I must have complained enough because the commissioner sent two plain clothes detectives from the Drug Squad to sit in a car at one of the car parks. At about 10 o'clock on the very first morning that they were there—and I was not aware that they were there—the phone in my office rang. It was an irate parent calling who said, "Mr D'Arcy, I have a complaint about the police. They have belted up my son." I said, "What happened?" He said, "He was taking a car from the Kuraby Railway Station." I did not do much about that particular complaint because I was very pleased to hear that action had been taken. However, immediately after that action was taken, the grapevine in the

community worked and for some months afterwards the incidence of juveniles stealing cars from railway station car parks in the district dropped off severely.

So when police are asked to implement laws—and I think this matter was raised by the honourable member for Cunningham—some policemen will do that; others will not. We have not considered properly the change in community attitudes. We have come through a period of great political correctness. Just because a Bill is introduced into this House and then passed, it does not transform community attitudes overnight. That is why I am complaining that we are not taking the other actions that are necessary—and I mentioned some of the programs, as did the Leader of the Opposition in his speech—such as the urban renewal program, the Youth Jobs Plan, the Youth Action Plan and the Youth and Community Action Plan. All of those programs raised community standards so that we were achieving a change in attitudes.

However, the punitive attitude does not work in the community. That is why this Bill leaves a lot to be desired. It is also an expensive Bill. It is going to cost a lot to implement. The police are going to have to change their attitude. The political correctness period coincided with a period in which there was an outbreak of serious misdemeanours. Great changes took place in schools. People talk about the cane and such things. I was never in favour of corporal punishment. However, the fact is that when political correctness came along, there was nothing to replace the unfriendly policeman who used to kick the local boys up the tail when they did something wrong. My generation experienced that. However, nothing has replaced it. We did not fill that massive gap that was left in the community. Of course, families started to break down and there were no programs in communities such as Logan and Woodridge that could offer assistance. The programs to which I have referred were positive programs that got to the root of the problem. In that regard, this Bill does nothing.

Minister Muntz—as he was when he was a member of this place, and not the other place that was referred to today—attempted to introduce a Bill along the lines of punitive action against parents. On that occasion I spoke to the Bill, and I am going to say exactly the same thing today: it will not work. If it will work at all, it will be selective. The Government talks about financially penalising parents. I would like to know from some of the brain trusts in the public service—and I suppose that is where the Government gets its information

from—how they are going to find the parent that the child is living with. What happens when the child is a ward of the State, which is often the case with children in my area? Is the Government going to penalise de facto fathers? The Government has no idea what happens in electorates such as mine. Commonsense has not prevailed one bit on anything that the Government has done since it came to power. Commonsense has gone out the window.

Basically, we have to look at the problem that is occurring in the street, and this Bill does not do that. It is just a punitive Bill that ignores the change in community attitudes. I notice that an amendment has been made to the Bill, about which I am happy. I refer to violent crime committed by youths. I am not a bleeding heart: if a youth has committed a horrendous crime—and during my years as a member of Parliament I can think of many occasions during which I heard about horrendous crimes committed by youths, and I am talking about cold-blooded murder that was committed for no reason and there were psychological factors involved—that youth must be taken out of society. Of course, the current Act did not allow for that to happen because, during the passing of the legislation in the House, a division was called on that clause. In those particular cases, I do not mind seeing the life penalty applying to children, but for only those crimes, not for a great range of crimes across-the-board. It just does not make sense.

No matter how we look at it, we know that the justice system does not work fairly. I know of a boy who was just old enough to be tried, and he is now serving a life sentence. I know that he did not do it, the police know that he did not do it, yet he is still in gaol for life. At the time, the police told me that he did not do it. The police knew how the murder had been committed. So we cannot say that these punitive measures are going to work. The matter is just handed to the courts and the courts make their own determination. As I have said, as members of Parliament, we have all seen justice go awry in the courts. The fact is that when we hand this Bill to the courts and say, "Go ahead and implement it", we will receive a backlash in this place that we are not going to like.

I was particularly mindful of what the member for Cunningham said about teenage children. I still have teenage children. The fact of life is that if a particular policeman takes a set against a child, or a particular set of circumstances arise during the time of that child's life when he or she is terribly vulnerable,

this type of legislation can be absolutely horrendous for them and out of kilter. I am for changing community attitudes, and I think that it is absolutely necessary that it be done.

Things are being done in my electorate. I have mentioned already the programs that the former Government introduced. However, some other programs are being introduced by the community itself. I am pleased to see that the Minister for Education and other members who are associated with education present in the House. One of the great initiatives that has been taken for youth relates to the educational area, and it is working. As I said, there was a vacuum in schools such as those in my electorate in relation to behavioural matters. Corporal punishment had been abolished. The kids knew that, and the worst kids got on top of things. It was getting so bad in the schools that, regardless of whether it was a school trip or just a lesson in the classroom, those students who were in the upper echelon of the class and who wanted to learn were being held back by the behavioural patterns of the minority. Schools have themselves developed a lot of these programs, not the Education Department, because in my experience as a teacher it very rarely comes up with anything.

**Mr Schwarten:** Anything sensible.

**Mr D'ARCY:** Yes, anything sensible. Some of the things the Education Department used to foist on teachers and students were quite amazing, and nothing much has changed. The Springwood State High School behavioural management plan is biting. It has taken a while for the various schools which have these plans to get them working. These programs are not totally punitive but they are biting.

Teachers are doing things in a different way. Under the old system, if a kid played up in class he would be sent off to the principal or the deputy principal. Now teachers are targeting the behavioural problems of the child. Instead of raising their voice at Vince Lester—who I remember was a disaster in class—they tick a behavioural sheet, rating Vince from 1 to 5 or from A to E. Of course, Vince would have received an E for disrupting the class. That information will then be fed into a computer and the teachers are able to see that Vince plays up in French because he does not understand it, but he is okay at manual science because he can get through that. A behavioural pattern emerges for the child. Of course, some students will consistently receive a score of 5 or E.

These sorts of systems can work only with the cooperation of the whole school. The students who consistently behave badly and for whom nothing can be done may be denied certain privileges. For example, for a period they will not be allowed to represent the school in sporting events or take part in field trips. An internal monitoring system will operate within the schools. Believe it or not, this system is working, although it has taken a long time.

**Mr Quinn:** Some schools have even got classrooms where the students go.

**Mr D'ARCY:** Yes. I have the Springwood High School plan. It is quite revolutionary. It is based on experiences from overseas and from other organisations. If we were implementing some of these positive programs and supporting them to the extent that some of our schools are, rather than continually returning to punitive measures that will not work and will cost the taxpayer a fortune—

**Mr Quinn:** All schools are required to have this.

**Mr D'ARCY:** I understand that the department finally got the message and that this is starting to be implemented and is taking effect. Could the Minister tell Mr Beanland about it, because he does not understand it? He has presented this legislation, which will work partially, but it will satisfy only the Right Wing crazies by saying that we are doing something about child crime. This Bill does nothing about child crime. It is a violation of many of their rights. At the same time, it does not do anything to change community attitudes, and that is necessary.

**Mrs CUNNINGHAM** (Gladstone) (2.46 p.m.): Over the past 18 months, and probably longer, there has been much community comment about law and order issues. Indeed, one major platform of the 1995 election was this very thing. It would then be a fair criticism by the community if the Government failed to address the matter.

After a number of incidents in my own electorate, a series of public meetings were held at Boyne Island, Tannum Sands and Gladstone. A broad cross-section of people attended. However, a number of consistent points were raised. Firstly, there is a perception by parents that they have lost their ability to discipline children—that is "discipline", not "abuse". With young children returning from schools with a phone number to ring if mum or dad hits them, many parents feel threatened by the faceless system. The primary responsibility for preparing children for life belongs to—as it should—parents. Secondly,

community members are frustrated because many young people, after breaking the law, appear to be able to escape equitable justice for their actions. Thirdly, there is apparent frustration within the police force when young repeat offenders slip through the system merely because of their youth.

In a media release Mr Beanland has said—

"At one end of the spectrum we are giving the courts the power to crack down on hardened, violent and repeat offenders, while at the other, we are putting in place a system of victim-offender conferencing that will allow minor juvenile offenders to apologise, make restitution and face the error of their ways."

If this Bill achieves that result it will address many community concerns. No piece of legislation is 100 per cent correct, and I note the Minister's repeated comment that he intends a review of the Act within 12 months.

In May 1996 the member for Thuringowa asked a question which reflected many community concerns. In opening his question, he said—

"With reference to a juvenile crime wave occurring in Townsville and Thuringowa and concerns by residents at the apparent inability of police to do anything about it"—

and then he continued with his question. This legislation is intended to address those very concerns.

Concerns have also been raised about taking finger or palm prints of children prior to a charge being laid. Following discussions with the Minister's office and by noting the controls within the legislation, it is quite clear that constraints appear to apply to the requiring of printing. It will be important to review the appropriateness of this section in that 12-month period. I note the strict requirement to destroy those prints should the offence not proceed.

In consultation with people active in the juvenile sector in my electorate, I queried the effectiveness of community conferencing. Their comment was that its effectiveness is under question unless adequate staff, with the time and the will to work for positive results, are ensured. Therefore, the attitude of those who are involved in conferencing is critical and the availability of adequate people to run the program is also critical. The principles are good, but practical issues will prove the success or failure of the process.

Concerns have also been expressed at the admissibility of cautions to juveniles at subsequent and separate hearings. There are a number of qualifications as to which cautions may be used. Again, members of my electorate have voiced concerns that this has been prohibited in the past. Instances have occurred where juveniles with a significant history of criminal activity appear before a court as if they are first offenders. For victims of that person, this is of great concern and frustration.

The issue of parental responsibility for restitution for their child's crime is also one supported by some in the community and, conversely, vehemently opposed by others. After inquiries to the department, I was informed that a great deal of discretion applies in this matter, so judges can determine if indeed parental disregard contributed to the offence. Again, this is an issue deserving very close scrutiny over the next 12 months, and I note those clauses will also be looked at during amendments proposed by the shadow Attorney-General.

Concerns have also been raised about the transfer of control of juvenile centres to the Queensland Corrective Services Commission. Again after discussions with departmental officers, I am advised that all the current constraints on those overseeing the centres, their qualification and training requirements as social workers, will remain. It is essential that juveniles are assisted in their rehabilitation as opposed to simply incarcerated. I am advised that section 203 of the Juvenile Justice Act 1992 will continue to apply. That Act includes such things as the authorities being responsible to ensure contact between children detained in the detention centre and members of the public. They are required to take responsibility for arrangements for educational, recreational and social activities for children detained in the centres. They are responsible for providing services that promote the health and wellbeing of children detained at the centres. They are responsible for promoting the social, cultural and educational development of children detained at the centre. They are responsible for maintaining discipline and good order at the centre, and for maintaining the security and management of the centre. Those obligations are being transferred.

Any decision by this House which affects the rights and liberties of anyone, in particular young people, must be scrutinised closely. However, complementary to that principle is the fact that some young people wilfully choose to affect the rights and liberties of

others. They must be made aware that illegal activity brings reactions and, potentially, legal prosecution and confinement.

Again, I have little doubt that inefficiencies or indeed inappropriate outcomes will result from this Bill. However, based on the comments in my electorate, it goes some way to addressing problems in the community. These initiatives, in concert with the reinforcement of the Families Minister of the institution of the family unit and his policies for early intervention, that is, identifying youth at risk and working to keep them from pursuing their anti-social or illegal behaviour, augur well for the future of the State. I endorse the principles in this Bill. I believe it will address a lot of the community's concerns that have been expressed to me.

There are potential pitfalls. As a Government, we have a responsibility to monitor and review the process both internally and externally by listening to the people at the coalface who deal with young people, be they in a role of correcting, overseeing or nurturing, to get their feedback in the next 12 months to see how effective these proposals have been. The electorate called out for change, and I believe that this legislation goes some way to achieving that.

**Mr CAMPBELL** (Bundaberg)  
(2.51 p.m.): I move—

"That the debate be adjourned to 3 September 1996 to enable the Scrutiny of Legislation Committee to consider the Bill further."

**Mr LIVINGSTONE** (Ipswich West)  
(2.52 p.m.): I second the motion.

**Hon. M. J. FOLEY** (Yeronga)  
(2.52 p.m.): I encourage the House to support this motion. It enables the House to have the benefit of the further work to be done by the Scrutiny of Legislation Committee. That committee has already reported by way of an Alert Digest to the House a number of concerns in relation to the Bill.

**Mr DEPUTY SPEAKER** (Mr Laming):  
Order! Is it possible for the Clerk to be given a copy of that motion?

**Mr FOLEY:** Yes. The concern expressed by the committee was exemplified in the observations of the honourable member for Cunningham, who spoke prior to the luncheon recess. He indicated that the committee wished to conduct public hearings on the matter to enable community groups who are concerned to have their say, and thereby to enable the committee to carry out its proper duties. That committee is a most

important one. It has functions to carry out under the Legislative Standards Act, namely, to scrutinise legislation that comes before this House and in particular to consider whether or not such legislation trespasses unduly on the rights and liberties of citizens.

Material has already been placed before the House in the form of a response by the Criminal Justice Commission outlining its concern with respect to the rights and liberties of citizens. Concern has also been expressed by other community groups in relation to the need for greater scrutiny. In this respect, I refer to the contribution of the Youth Advocacy Centre, and I table a letter dated 22 July 1996 from Ms Gwenn Murray, the Coordinator of the Youth Advocacy Centre, in which she says—

"We urge you to call for proper time to consider the views of the stakeholders in Queensland in order to properly consider the detriment of this Bill to our children."

I draw the attention of the House also to a communication sent by Mr Lawrie Moynihan, the Coordinator of the Logan Youth Legal Service, on behalf of the Youth and Family Service (Logan City) Incorporated, to members of the Queensland Legislative Assembly. That communication includes the following recommendation—

"We recommend that the Juvenile Justice Legislation Amendments Bill 1996 be postponed until such time that a full consultation and review of the Juvenile Justice Act 1992 is conducted."

I table that communication.

The situation is this: this is a Bill which deals with the rights and liberties of citizens, in particular our children. As such, it is a very proper matter on which the Scrutiny of Legislation Committee would wish to conduct public hearings. I note the concern expressed by the member for Cunningham, as chair of that committee, as to the desirability of enabling that process to occur. If the parliamentary committee system is to work in an effective way, parliamentary committees must have the opportunity to scrutinise legislation. It would be unacceptable if legislation were pushed through this House in a way that prevented full and proper scrutiny by the Scrutiny of Legislation Committee. That is the task that committee is set under the Legislative Standards Act. That came about through recommendations of the Electoral and Administrative Review Commission, and those recommendations came about in turn as a result of an important recommendation of the

Fitzgerald report following the commission of inquiry in the period 1987 to 1989.

The case for adjourning this debate in order to enable the Scrutiny of Legislation Committee to consider the matter further is a very simple one. The committee itself has expressed a desire to conduct public hearings. There is an expression of concern about the rights and liberties of citizens raised by the statutory body set up to make submissions, namely, the Criminal Justice Commission, and there are expressions of concern from youth bodies, which I have tabled during this address.

This is an issue not about the ultimate desirability or otherwise of this Bill. This is an issue about proper and due process. This is an issue about whether or not the parliamentary committee system is to be allowed to function in a proper way such that it can give proper scrutiny to the legislation. I urge members to vote for this motion, because it will enable scrutiny to occur. It will enable interested members of the public and community groups to put material before an all-party parliamentary committee, and it will thereby enable the Parliament to give better consideration to the Bill.

I have no doubt that the Attorney-General and Minister for Justice and the Government wish to proceed with their legislative program. However, I note that this Bill was advanced up the Notice Paper ahead of a number of other Bills that had been introduced before it. It has been brought on rather earlier than would otherwise have been the case. There remains a good deal of work for this Parliament to do in considering other legislation, including indeed other legislation within the Minister's portfolio such as the District Courts Legislation Amendment Bill and the Justices (Warrants) Amendment Bill, which are the next two Bills on the Notice Paper. I indicate that the Opposition will be supporting those Bills when they come on for debate.

I encourage all members of the Parliament to support this motion. I encourage all members of the Parliament to enable interested members of the community to have a say on this Bill. It is true, of course, that there was a period of some four weeks in which the Minister called for submissions. However, there have not been public hearings in relation to this matter. This matter has not received the detailed scrutiny by an all-party parliamentary committee which it deserves. There are issues of justice at stake and, accordingly, I urge all honourable members to support the motion.

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (3.01 p.m.): The Government will oppose the motion before the House. I want to point out the various reasons for that. It has not been the practice of this Government—and since I have been Leader of the House I have not had the privilege or the need to do so—to move guillotine or gag motions. It is most unlikely that I would succeed were I to move such a motion on this debate, so I can assure the House that I have no intention of guillotining or gagging debate on this motion.

Another point I want to make is that the speaking list for this debate will take us well past the hour that we are to rise. In other words, this debate will continue well past today. The earliest I could bring this debate on again is 6 August. The motion proposes that the debate be adjourned till September.

**Mr Bredhauer** interjected.

**Mr FITZGERALD:** Does the member want to get up and have a go? What I am saying is that if the Opposition—

**Mr Bredhauer** interjected.

**Mr FITZGERALD:** I will answer that interjection. It is not intended to debate this Bill on 3 September because that runs into the Budget period. Yesterday I released a legislative program which shows that we are going to sit on 3, 4 and 5 September, so we will be meeting in September. The honourable member for Cook claimed that the Scrutiny of Legislation Committee would not be able to hold public hearings. I believe that the shadow Attorney-General, the member for Yeronga, claimed that the Scrutiny of Legislation Committee was calling for public hearings. Did I hear the member correctly that the committee needs to have public hearings? I ask: what did the Scrutiny of Legislation Committee say with respect to this Bill?

**Mr Foley:** It is what the chair told the House prior to lunch.

**Mr FITZGERALD:** What was in its report to the House? In its report, the committee said—

**Mr Foley:** I said, "He told the House in the debate before lunch."

**Mr FITZGERALD:** I am pointing out that the question of whether this legislation has sufficient regard to the rights and liberties of parents is a matter which the committee referred to the Parliament for consideration. We will not reach the Committee stage today. We can debate the Bill further when we come back on 6 August. The Opposition is attempting—as Oppositions are quite entitled

to do—to run the Parliament. It is trying to delay this debate. It is trying to set the legislative program.

The shadow Attorney-General asked why this Bill slid up the list. It slid up the list because it is a very important Bill. There has been a lot of community debate on the matter.

**Mr Beattie:** What about the parliamentary committee?

**Mr FITZGERALD:** I do not know whether the committee wants to hold any further hearings next week. It certainly made no mention in its report—

**Mr Foley:** You should have listened to the debate before lunch.

**Mr FITZGERALD:** The committee made no mention in its report to this Parliament that was tabled this week—

**Mr Beattie:** Who wrote it? One of your members wrote it.

**Mr FITZGERALD:** I am pointing out that there is going to be adequate time. There has been a lot of discussion on this matter in the public arena. We can hold the further debate on this Bill on 6 August or later that week. I do not want to be tied down by an Opposition motion which says that we shall hold it over until a certain date. This legislation has been before the House for some time. It has not been brought on urgently. The legislation has been sitting around for a couple of weeks. There has been a lot of discussion about what should be contained in it. There have been public hearings from one end of Queensland to the other to deal with the concerns raised by parents. I have no problem with that at all. I believe that this House should deal with this matter in the most appropriate way, and that will be when the Government brings it on again—

**Mr Beattie:** We can have a public hearing prior to 6 August. What's wrong with that?

**Mr FITZGERALD:** The committee can have a public hearing prior to 6 August; I am not saying that it cannot have one. I am not going to tell the committee when it can have public hearings. I am not going to tell the committee what to do.

**Mr Beattie:** The committee members are saying they can have one before then. That just pulled the rug from under your argument.

**Mr FITZGERALD:** 6 August?

**Mr Beattie:** Prior to then.

**Mr FITZGERALD:** I have no problem if the committee wants to have a meeting before 6 August and not 3 September. It can report back here if it wants to. Parliament will be rising this evening till 6 August. I have no problem with that at all. The committee surely can deal with that matter in that time. Why can't the committee meet before 6 August? I have no problem with that. It can then report back to the House. We are still in the second-reading debate. As Leader of the House, I will not be tied down to not bringing this matter on before 3 September. I can give the House an assurance that the matter will not go into the Committee stage until 6 August.

**Mr BEATTIE:** It seems that the chairman of the committee, who is now conferring with the Attorney, is quite willing to set an appropriate date. Perhaps it may assist us in this matter if we ask the chairman to give some indication as to what he can do in terms of a hearing, and that may assist the position.

**Mr SPEAKER:** Order! The member for Cunningham has indicated that he wants the call after the Leader of the House has spoken.

**Mr FITZGERALD:** It is not really appropriate without discussing it with the committee to say whether it is going to have public hearings. That is a committee matter. It is a matter the committee members can discuss. I do not want to support a motion saying that they shall investigate this or that they shall have public hearings on that. I believe in the committee system. I do not believe that I should tell the committees what to do. That is their business. All I can do is give the House an assurance that we will not go into the Committee stage until 6 August.

**Mr ELLIOTT (Cunningham) (3.07 p.m.):** I wish to make a couple of comments. Quite frankly, this has been blown out of all proportion. There is no problem. If we are going to now adjourn the Bill until 6 August, we have sufficient time to have our hearing and go through the processes that the committee wants to go through. I do not really see a problem.

**Mr Mackenroth:** Till the next sitting in August, are you saying?

**Mr ELLIOTT:** Yes.

**Mr Mackenroth:** You can hold your hearings before then?

**Mr ELLIOTT:** Before then, yes. If the Opposition does not accept that, then I charge it with playing politics with our committee. We do not appreciate that, because when we walk into the committee rooms, we hang our political hats outside the door. We have gone

through a course of action here, and to date this committee has had no problem with being apolitical and doing its job.

We have had a lot of support from a lot of different Ministers. In fact, the person who has supported us the most has been the Premier of this State. He has bent over backwards to accommodate the committee's problems and areas of concern. After the Premier, the Attorney-General has probably been the person to give most assistance and accommodation to the committee. I do not want to see this committee used as some sort of a whipping boy to play politics in this House. It is very important that everyone understands that we have time now to hold a hearing and get on with it and go about the role that we were appointed by this House to carry out.

**Hon J. FOURAS** (Ashgrove) (3.09 p.m.): With regard to whether this debate should be adjourned—in my speech, I mentioned that from my discussions with community groups generally I have become aware that there is a lot of concern about this legislation. In the paper yesterday, Frank Clair from the CJC claimed that his advice to Government on matters such as this is being ignored. In connection with this legislation, the CJC has flagged the issues of life sentences for children, the issues involving parents and increasing community service orders as matters of concern. However, its views have been ignored.

In this House today members have been told a myth about wide community consultation. Community groups to which I have spoken all over Queensland—whether they be the Youth Advocate Centre, the Youth Affairs Network, people concerned with legal aid services, those concerned with young people or those who care for young people—have told me that they were not consulted about this legislation. In the hope of a political gain, this Government went out there to collect political points. It had a political agenda, and it used children as scapegoats. That is not good social policy at all. This has created serious concern.

Yesterday I read the report of the Scrutiny of Legislation Committee. Nobody wants to politicise that committee. However, by the same token, when I read that report and read between the lines I realised that the committee members are telling this Parliament that they have serious reservations about the rights of children. When Australia became a signatory to the Convention on the Rights of the Child, we then understood that there are certain principles to which we are obliged to

adhere. If we had legislated federally for this, this Act would have been thrown out of this Parliament quicker than one could say "Robinson Crusoe". In principle, the convention has been ratified. We have a responsibility to the United Nations and the national Parliament.

When one reads between the lines of that Alert Digest, it is obvious that the committee members have very serious concerns about the rights of parents and children. How could members of this Parliament debate the clauses of a Bill about which there is such concern? We have put the cart before the horse. If we are to be fair dinkum, let us have a look at the issues, get a report, and then debate it in that context.

I have a very keen interest in this matter. For two and a half years I travelled around Australia looking at the problem of homelessness. I understand these issues and am very passionate about them. During debate in this House I have expressed my views as the member for my electorate, not knowing what the report will say. It is pointless for members to continue with this debate for the rest of the afternoon simply because it suits the timetable of the Leader of the House and we might get a report in the future. Let us adjourn the matter, get the report, and have a fair dinkum debate.

**Hon. T. M. MACKENROTH** (Chatsworth) (3.12 p.m.): In moving this motion to adjourn the debate, the Opposition did so on the understanding that the Scrutiny of Legislation Committee would not meet before 6 August. We take on board the statement made by the chairman of the committee that he will ensure that the public hearings of the committee are held before 6 August.

**Mr FitzGerald:** That's if they decide to have public hearings.

**Mr MACKENROTH:** The chairman of the committee has already stated that it will have public hearings. He has also stated in this Chamber that he will ensure that those hearings are held before 6 August, which will then enable the committee to give its report to the Parliament on the morning of 6 August. There is also an undertaking from the Minister that we will not debate the clauses today; that we can continue with the debate on the second reading of the Bill, and that is as far as the debate on this legislation will go today. With those undertakings, it is my understanding that the mover and seconder of the motion will seek to withdraw the motion and we can continue with the debate.

**Mr CAMPBELL** (Bundaberg) (3.13 p.m.): I formally withdraw the motion on the understanding that the public hearings will be held.

**Mr LIVINGSTONE** (Ipswich West) (3.13 p.m.): I also agree to withdraw seconding the motion.

**Mr SPEAKER:** Order! Is leave granted?  
Leave granted.

**Mrs BIRD** (Whitsunday) (3.14 p.m.): Given recent events, I find it extremely difficult to present a speech on something about which I have no report. I will talk about law and order, but I must admit that speaking on something about which there is no public input makes it extremely difficult.

When in Opposition, this Government made a great song and dance about law and order. In fact, there is no doubt that the scare tactics employed by members opposite, when in Opposition, worked to the extent that many people, particularly older people, became fearful and isolated in their own homes. If the then Opposition was to be believed, the situation in Queensland was alarming, with crime rates escalating and spiralling out of control. Recent reports have shown, however, that the contrary is true; that while rates of crime have increased, there is no reason to believe that Queensland's problems are unique or out of proportion to its population size and demographic make-up.

It is interesting to note that a recent Criminal Justice Commission survey of community attitudes to crime in Queensland suggests that there is a clear gap between perception and reality. Researchers point out that this gap has been documented before and suggest that the results may reflect community reaction to selective media concentration on particularly abhorrent crimes rather than people's reactions to personal experiences of crime.

The language and imagery of the coalition's law and order policies have been borrowed from America, where some States are now spending more money on prisons than on education. Do Queenslanders want their social priorities so distorted that we spend more on our young people in gaol than in teaching them to read and write? I think not. These law and order auctions, of which the coalition is so fond, have a number of undesirable consequences. Firstly, they increase the fear of crime, particularly amongst the elderly and the most vulnerable in the community to the extent that people's fear of crime is far more debilitating than their risk of

experiencing crime at first-hand. Secondly, to the extent that such auctions are translated into Government action, they shift a greater proportion of resources into courts and prisons at the expense of more productive anti-crime and preventive measures. Finally, these distasteful and misleading ploys to frighten people lead to irrational policy responses—as members have seen here today—which neither reduce crime nor the fear of crime. Therefore, the first step in developing crime policies must be a realistic assessment of the problem and the possible solutions. What is required is a balance between crime prevention, crime reduction, policing and prisons.

Let me be quite clear. In common with the rest of Queensland, members of the Opposition and the Labor Party are concerned about crime and crime rates. Every Queenslander has the right to feel safe and secure. We need to punish those responsible for crime. We need to provide support to those who fall victim to it. But most importantly, we need to prevent crime. We must take a comprehensive approach to this complex area if we are to see real gains rather than simply rhetorical grandstanding. Crime prevention is difficult. It requires a long-term approach. We must create decent jobs with proper wages and conditions, build stronger communities and provide support services so that fewer people live in circumstances that may encourage crime. We need to provide programs which divert young offenders from ongoing involvement in crime. We must also learn from experiences elsewhere and adapt for Queensland what has worked in other jurisdictions and reject outmoded and unworkable solutions that have already been tried and failed.

The United States, France, the Netherlands and Great Britain have all confronted growing crime rates and put in place programs to combat them. While we cannot assume that techniques successful in one country will work in another, to ignore their work would be to neglect opportunities to learn valuable lessons. The United States experience shows that long prison sentences alone are not the answer and that crime cannot be reduced simply by applying more police resources. There have been many US studies which confirm the usefulness of community development techniques in combating crime, but the prevailing crime prevention ideology of the United States is still centred on policing, the courts and prisons.

Statistics show that the United States approach has failed. US research has been

decisive in demonstrating that crime cannot be reduced simply by pouring more police resources into a community. More than 20 years ago, the Kansas City Preventative Patrol Experiment showed that major increases or decreases in patrolling had little or no effect on the incidences of crime. This study has been replicated time and again. United States experts agree unanimously that simply recruiting more police is not the answer. Indeed, influential and prestigious schools such as the Harvard—

**Mr Stephan:** How do you spell that?

**Mrs BIRD:** Spelling it would not help the member at all. Influential and prestigious schools, such as the Harvard Executive Session on Policing, argue that the spiralling cost of law enforcement together with almost total reliance on traditional methods of policing has generated a law enforcement crisis. To avoid that crisis organisations such as the National Institute of Justice and the Police Executive Research Forum have instituted programs to develop and assess new, more effective styles of policing. The new problem-oriented approaches require police to stop simply responding only to incidents and try to resolve problems that precipitate them.

One of the first US police forces to use that approach was the Newport News Police Force in Virginia, which during a two-year trial reduced by 35 per cent the rate of burglaries in one of the city's most crime-ridden housing estates. They did that not by arresting more offenders but by helping tenants to fix some of the problems caused by poor housing maintenance that made their homes vulnerable to break-ins. Many other US studies confirm the potential for harnessing the community to prevent crime, particularly in partnership with police. That was the basis of the successful Police Beat experiment in Toowoomba commenced by the previous Labor Government. It is to be hoped that this is not one of the Labor initiatives lost totally in the Sheldon freeze.

In the United States the business sector is increasingly seen as an important crime prevention resource through concepts such as corporate partnership and crime prevention coalitions. The National Crime Prevention Council has used the marketing and management skills of the private sector to develop crime prevention programs. Many businesses see the good sense from a commercial perspective in reducing crime. The advertising company Saachi and Saachi has donated its services free to the council, and in one year alone more than \$44m in free public

service advertising about crime prevention was provided by the various media.

Despite those successful examples of crime prevention activities, many would argue that efforts in the United States still do not go far enough to address underlying causes. Impoverished and decaying neighbourhoods where family structures are often shattered and where there is little sense of community are crime breeding grounds. Without programs to assist weakened families to restore a sense of discipline and self-respect, particularly among young people in the neighbourhoods, many have no hope of a crime-free future. Although crime prevention in the United States is seen primarily as a matter for the police with limited community support, there are unlikely to be dramatic reductions in crime in that country.

That is not the case in France where, since the early 1980s, the country has pursued a new approach to crime prevention: the so-called *Bonnemaison* strategy. There is a strong feeling that its schemes are successful, with reported crime figures showing significant decreases since the mid 1980s. Under the scheme, a National Crime Prevention Council sets general directions in crime prevention activities and priorities, and allocates grants to local bodies with responsibility for developing and implementing practical grassroots initiatives.

The origins of that approach lie in the summer of 1981 when violence erupted in the disadvantaged suburbs of Lyon and Marseille, where French commentators described the situation as near riot. President Mitterand convened two separate national committees of inquiry. One, chaired by Mr Gilbert *Bonnemaison*, argued that sentencing and law enforcement reforms would not be enough to put an end to the spiralling crime rates. There should also be a concerted attack on the underlying causes, such as poor housing, the alienation of youth, the deterioration of some neighbourhoods, drugs and structural unemployment. Those problems were so extensive that to confront them would require nothing less than a national strategy, but they were also so endemic that they could never be solved without local grassroots commitment.

It is clear that the apparent success of the *Bonnemaison* scheme derives from its capacity to generate lateral yet focused thinking about prevention issues. That approach is lateral because it stimulates such a variety of schemes in different localities to meet local circumstances, and it is focused because it is able to target the most relevant

groups: the young, the disadvantaged and marginalised people. The strengths of its approach is the way it pursues the central theme of integration of services and cooperation between levels of Government and the non-Government sector.

One of the most important coordinating mechanisms is the crime prevention contract, which also helps to direct and sustain local effort each year. Local areas are able to negotiate annually with the National Crime Prevention Council a contract for future action, which includes some seed funding. As part of the contractual development, the local area must provide an analysis of the community's crime problems, a review of its existing programs to cope with crime and a plan of action including specific proposals that require funding from the national council. Rhetoric of local communities' involvement is powerful, and there is a danger in assuming that crime can be solved simply by putting the onus on local authorities or upon local communities.

The French success is due in no small part to the bipartisan acceptance of the need to put community development principles into effect. A local community needs the capacity, resources and motivation to develop responses and solutions. A superficial transplant of the Bonnemaison approach to Queensland will not necessarily work, since the vitality of the French success lies in its intimate connection with the specific needs of its own local communities.

In common with the French, the Dutch have devoted considerable thought to crime prevention. The 1985 document *Society and Crime: A Policy Plan for the Netherlands* is one of the more closely reasoned arguments yet published on the need for community-based approaches to crime prevention. The report points out that crime has grown since World War II, despite the considerable increases in spending on law enforcement and the significantly greater numbers of people apprehended for offences. The conclusion is that the justice system alone can never be effective in preventing or reducing crime since the causes of increased crime are related to a weakening of traditional social values. The Dutch acknowledge that formal prosecution and sentencing may not even be the most effective way of reinforcing community standards in some areas, such as drink-driving or drug taking. Although essential for serious offences, heavy sentences can have only limited effect on some behaviours. Crime has its origins in the community, and it is to that society that we must turn for solutions.

In Britain as well, crime prevention is increasingly regarded as delivering substantial and pragmatic returns. The British experience is that forms of crime can be reduced significantly by introducing practical measures such as property marking, security campaigns and designing stores to reduce shop theft. Nevertheless, situational crime prevention techniques are merely one aspect of the crime prevention armoury. The British have also utilised the community-based approaches of the Dutch and the French.

International developments amount to a shift away from exclusive reliance on police and the justice system and towards a control of crime by the community for the benefit of the community. Results are encouraging. In France offences such as robbery, burglary, muggings, car theft and vandalism have declined markedly, particularly in those districts with active crime prevention committees. In Great Britain and the Netherlands, the results of many specific programs are positive. Those are countries that early in the 1980s were conceding major problems—far greater than any being experienced in Queensland. While crime continues to soar in countries such as the United States, which rely most heavily on imprisonment and traditional law enforcement responses, it is steadying or declining in countries where they have opted for the community-based alternatives.

There are lessons to be learned here for Queensland. Without a balanced approach to crime and crime prevention, we are condemned to spend an ever-increasing proportion of the State's Budget on police, courts and prisons while a little clear thought and less rhetoric could save this State millions of dollars in the future.

**Mr HARPER** (Mount Ommaney) (3.30 p.m.): It is a pleasure to rise to take part in this debate. Firstly, I commend the Minister for having the strength and foresight to introduce this legislation. It is worth revisiting a remark made by the Minister in his second-reading speech. He said—

"This Bill will begin the process of correction. It is the first step in dealing with juvenile crime."

I think that is very important to remember. No doubt, there are many steps ahead of us. As a responsible Parliament, we should keep that in mind.

I do not think that any of us would deny that it is important to set children on the right track for the future. It goes without saying that we have to get it right for them, and I am referring to both sides of the coin in that we

have to give offenders a chance to make good their life or to make sure that they realise that penalties exist if they offend.

I must say that I have been disappointed by the attitude of some Opposition speakers. They seem to be taking the wrong tack. Indeed, the Leader of the Opposition devoted roughly half his speech to matters that do not relate to juveniles. He referred to more senior offenders, which has nothing to do with this legislation.

I refer to the election campaign and the amount of publicity that this particular issue of juvenile crime received during that time. Certainly the Government members—and I can vouch for myself—widely published this issue, widely sought opinion on it, and made it known quite clearly the attitude of the coalition and what its actions would be if it came to Government. I can well recall the many comments that I received that things needed to be changed and that the issue needed to be squarely faced up to, both for the sake of young people and also for the sake of the community as a whole. Unfortunately, quite often the victims of crime and the general community are well and truly forgotten. That is an imbalance that cannot continue to exist.

The coalition, both in Opposition and in Government, has widely consulted with the community on this issue. The Minister, together with other people, travelled throughout Queensland consulting on this issue, and he certainly received plenty of input from the community. The common thread throughout that consultation process—and surely other members must have heard the same thing—was that we must tighten up, that we must look squarely at the problems, address them and improve the situation. I must say also that, certainly since the coalition came to Government earlier this year, people in my electorate and in other places that I have visited and among the many community groups that I deal with have been asking me continually when the Government is going to do something about this issue. So the community support for something to be done is there.

Nobody can deny that the present system is not working. Certainly the complaints that members have received and the issues that have been raised by the community must be telling all of us that. I do not think many of us would have dissimilar types of issues brought to us. Members could talk to the police and ask them about the problems that they have been experiencing when dealing with juveniles. Those police not only want to ensure

that the community is safe but also they have the interest of young people at heart. They want to make sure that, where it is possible, those young people are put back on the right track. As I said earlier, members should talk to their constituents and they will receive the same answer. They should also talk to community leaders who are interested and involved in the issues. The common thread is that there must be reforms, there must be improvements and there must be tightening up.

I will place my own personal position in context in regard to the Bill. I have had dealings in this area for over 30 years through my private interest, not only being actively involved with schools but also formally with the YMCA and youth programs. I was also involved in establishing a youth shelter and establishing a neighbourhood centre. Many of the programs relating to those matters involved young people. I know first-hand the issues that young people face today. I also know that we have to face up to those issues and give them every assistance. Having given them that assistance and given them that chance, we then also have to face up to the fact that there are those who will not be helped or those who will not see the way and correct their own actions. We have to do something about that.

A couple of speakers have referred to things that occurred when they were younger. If we all look back to when we were younger, we could say that, at that time, we could duck over the fence and steal the farmer's apples and engage in a bit of harmless fun. Certainly, once or twice I was chased by the farmer near where I lived for taking mangoes and then running like mad. I can well remember—

**Mr Barton:** Under this legislation you'd get locked up.

**Mr HARPER:** I will come to that in a moment. I had an uncle who was a police sergeant. I well remember the way that he used to be able to deal with young people who strayed. He could give them a good kick in the backside, or give them a talk and send them home to dad, who also chastised them. Most of those young people were then set well on their way to a decent life. That is surely what all of us are trying to achieve.

However, I think that the minor problems of those days have gone. The bit of fun, as some people like to call it, or the bit of vandalism that it is referred to, and therefore made light of, is no longer minor. The vandalism, the straying by a lot of the young people today, is not just taking an apple or just

stealing a dollar or two; it often amounts to stealing thousands of dollars, it often amounts to putting personal safety at risk and frightening people. That is not good enough. I think that we have to face up to that change, and that is what this legislation is attempting to do. Importantly, in introducing this legislation, the Minister has ensured that young people are given a chance and that they are not just locked up in the first instance—as one of the members opposite who interjected a minute ago suggested. If a young person has committed an offence and that young person is prepared to face up to that and maybe apologise or do something about it, then that person will be given a chance.

I refer to the issues of community youth conferencing and cautions. These are worth while and can be used effectively to give young people a chance. That is very important. It is also important to realise that the legislation deals with involving the parents, in their role as parents, with the juveniles and making them responsible for their actions. Well we might say that some parents have lost control and cannot do anything about their children. That is fair enough. However, a lot of parents have given up and do not even try. I think that it is time—and people in the community and other people are telling me so—that those sorts of parents face up to their responsibilities. If they have children, then they should take a responsible attitude—not just give them a home, not just give them education, but ensure that they have correct values and that they respect other people, other people's property and the general community. It is high time that that happened.

This amending legislation also officially recognises not only the offender but also the community, the victim, and the family. I think that it is important that, when we are dealing with the issue of juvenile crime, those three components are given official recognition so that they can participate in the events that occur. As I said earlier, we will try to divert young people from the court system, try to save them from having to face that often frightening situation which may lead them on—as unfortunately does happen at times—to become hardened criminals and too often to learn the tricks from some of their peers. Through various provisions the legislation tries to do that.

Some of the young offenders whom I have dealt with are decent people at heart, but, because of varying circumstances, they are set for a life of crime. Unfortunately, the police say that some of these young people treat the whole thing as a game. Perhaps they

have given up hope, but they treat the issue of law and order and police and court authority purely as a game that they can tinker with and push to the limit.

In one case, a person's house has been vandalised three times within a couple of months. The offending group actually laughed at the owner and said, "We will be back." Of course, they were back a second and third time, to the point where the man's wife nearly had a nervous breakdown and would not go out because she feared coming home to a house that was broken into. Home owners regularly have groups of young people gather at their back doorstep or on the footpath, and, rightly, one person is not game to deal with a group. The stories go on, and I think we can all relate to them.

I commend the Minister for introducing this legislation. It is important that, as the Minister has promised in his second-reading speech, we review this legislation and make sure that it is working. That commitment will ensure that we put into effect something that will work and something that I am sure we all want—a solution to these problems for the good of all who are involved, not just one or two sections of the community. I commend the Bill.

**Mr SCHWARTEN** (Rockhampton) (3.43 p.m.): I join in this debate with a degree of sadness, because thus far this debate has been about how bad our kids are. I do not share that gloom. I believe that our young people are as good as young people were in my day and in the days of any honourable members who have so far spoken in this debate. We have focused on a very tiny element that has caused us a great deal of mischief, hardship, hurt, and personal damage in some cases. It is very easy for us to overreact to such situations and broad brush all youth. Therefore, in the interests of balance, before I go on to discuss the Bill in a little more detail, I want to talk about some of those issues.

I guess it is fortuitous that, over the last couple of days, we have seen a great example of how we in Australia talk about our young people and why we typecast them to an extent which entices them to do the wrong thing, because if they do the right thing they do not get any credit for it anyway. In particular I refer to the media attention focussed on our swimmers.

The headline in this morning's *Courier-Mail* reads, "A nation's despair". The article criticises our swimming greats—the people who are representing Australia such as Sam

Riley and Glen Housman. Glen is from Rockhampton and, although he is not mentioned in the article, he is guilty by association. The *Australian* is no better. Today in that paper Nicole Jeffery makes such comments as—

"And even on that scale this team, deeper and stronger on paper than that of four years ago, is failing.

...

For example, world champion Samantha Riley would be a dual gold medallist if she had been able to reproduce her best form in the 100m and 200m breaststroke, Scott Goodman would have won a silver medal rather than bronze in the 200m butterfly."

And so the list goes on.

I am sure that I speak for all members of this House when I say how proud I am of those people and the efforts that they have put in. I think there is a grubby little sporting agenda—not a political agenda—to get at Talbot. I am not here to defend him; he is big enough to do that himself. I think it is pretty poor form to attack these young people who are in the prime of their careers and are representing Australia. I do not know how good Nicole Jeffrey is, but I guarantee that she cannot hold a candle to any of our swimmers.

It is high time that Australians were more positive about our young people. Another article in the *Australian* talks about how good the Yanks are compared with our athletes. I do not believe that! I bet no American newspaper would say that our young people are better than theirs. I believe that this whole debate has centred around what I call "grandstand" politics—playing to the grandstand.

A number of people in the community want to hark back to the so-called good old days of the kick in the backside by the police officer and the smack around the ear by the schoolteacher. Both of those activities were always illegal, but they were condoned by society to some extent. I think they are overstated, because I have never seen a police officer kick a person in the backside, and I have not led what one would call a sheltered life. There is also a great deal of mythology about what happens in the classroom, with stories of teachers throwing dusters—

**Mr FitzGerald:** I got the cuts at school once.

**Mr SCHWARTEN:** I do not deny that teachers gave me a crack across the backside, or wherever, but my point is that that was illegal. Why did it stop? Simply because parents went to their lawyers and said, "I want that teacher charged because the teacher has assaulted my child." It stopped because society said that that was no longer an acceptable form of behaviour. This is not about political correctness; this was driven by parents who said, "We do not regard that as an acceptable form of behaviour." While some say that society has been changed because the Labor Government—or whichever Government people may like to name—was too lenient in abolishing the cane and so on, those things happened because society drove them, regardless of which Government was in power.

The Education Minister, Mr Quinn, who is in the Chamber at the moment, earlier this year rightly said that the cane will not come back to Queensland because it is not the solution to the problem. Honourable members can believe me: it never was the solution. Day after day I saw kids caned, and if honourable members examine the corporal registers—and I am sure that Mr Quinn will verify this—they will find that the same kids were caned day after day after day after day. Why? Because they did the same sorts of things day after day after day. At a seminar that Keith Hamburger ran for JPs, he said that a Year 2 teacher can tell which of their students will be one of his clients in 20 years time. That is true. What happens is that that kid weaves through the education system. The Education Department says, "We cannot do anything about them, because our core business is teaching kids and if they are disruptive"—

**Mr FitzGerald:** You'd be flat out picking the paedophiles then, and the white-collar criminals. I suggest you'd pick the thugs in Year 2, maybe, but you wouldn't pick paedophiles and white-collar criminals, surely.

**Mr SCHWARTEN:** I taught a couple of kids who were shysters and ended up in the peter. They were pretty smart little kids but they ended up in the peter.

I honestly believe that, as a society, we say our Education Department's role is to teach kids; that is fine. We say that if kids run off the rails and do not become involved in the family unit, the Department of Families will look after them after we have pushed them out of the schools. Then we say that when they get to the streets, the police will pick them up, and when they get to corrective services they will put them in the peter. These children can go

through all of their formative years in such a manner and we, as a society, have not been able to stop them doing it, otherwise we would not have goals.

The people who believe that violence is the answer to the problem—the canings, the floggings and whatever else—should go to America and look at death row. Daily, people queue up to get in. A couple of years ago I was in Shanghai, where they shot 48 prostitutes in the street one week and another 48 the next. In the Saudi Arabian countries they are cutting off people's hands every week. If that sort of punishment worked, it would have to be done only once. But, no, even those measures do not deter crime. If that worked, the English would have been out of Ireland a long time ago. What happened in Ireland? A largely peaceful group of people was turned into probably the most violent society in the world. They pitch-capped them and did all manner of things, and they turned them violent. In my view, violence begets violence.

The piece of legislation before us today is about grandstanding and playing to the popular view that the policeman's boot and the schoolteacher's cane will fix it. If that does not fix it, putting them in the pether will fix it. If that does not work, keep putting them in the pether. We have to do something better than that. I am the father of two pretty well-behaved sons. The thought that one of my kids, on his way down the road to get a bottle of milk for his mother, could be intercepted, palm printed and fingerprinted by the police because they believe that he broke into a house around the corner is an outrage. We are losing sight of the fact that the majority of kids do the right thing. We are making a law today that will not look after the rights of the majority of kids, including my kids. In my view, that will not prevent the recurrence or the continual escalation of juvenile crime.

I am willing to bet any members who spoke in this debate today any amount of money they like that, by the anniversary of this Bill's passing next year, there will not be fewer juveniles in detention centres, there will be no abatement of juvenile crime or a reduction in the number of break and enter and graffiti offences that we label juveniles as committing. If Government members were fair dinkum about this, they would have to agree that this will not alter the crime rate in this State one iota. How we go about doing that is the challenge.

The easy way out, as taken by Mr Beanland, who has warmed up to this task

over the past 18 months, is to say, "The Government will solve the crime problem", instead of looking at why the crime rate is as high as it is. Why is it that kids run off the rails at an early age? How do we go about trying to get kids to value society when they regularly see adults on television indulging in anti-social behaviour? Why is it that every time we turn on our televisions our kids are being told that they are not up to it, that they are somehow substandard, if they do not have a Mercedes Benz, a pretty blond girlfriend and all of the things that money can buy. For example, why is it that in this country we revere footballers? My kids are no different from any other kids in that they have posters of footballers on their walls. When was the last time we ever heard a kid saying what a wonderful job a brain surgeon does? When was the last time we had a folk hero like that in Australia?

**Mr Springborg** interjected.

**Mrs Bird:** He got shot.

**Mr SCHWARTEN:** That is right; he got shot. Those people go unnoticed in the day-to-day lives of kids. The role models we have are the sporting heroes. If one is no good at sport, one is seen to be a failure. As the father of two young boys, those are the sorts of issues that I feel terribly strongly about. As a society, if we rely on punitive measures to solve our problems, we are going to go down the drain.

By and large, teachers confront these problems on a daily basis. Teachers worth their salt would tell us that, if they received the support in schools that they needed for alternative programs and so on, they would be halfway there.

**Mr Quinn:** We're doing that.

**Mr SCHWARTEN:** I am not here to debate the Minister. That is what teachers say. This is something that our Government was pursuing. I am pleased to say that this Government is going down that track as well, and I congratulate it on that.

**Ms Spence:** It's all about keeping the kids in the mainstream, isn't it?

**Mr SCHWARTEN:** Kids are being mainstreamed into typecast roles, for example, that each kid has a mum and dad who are married and that there is plenty of food on the table. That is simply not true. I reject any notion that people might have that the problems are because of the single mums of this world or because mum and dad both work. That is rot. The truth is that the problem is that we live in a society which is basically falling to pieces around our ears and which is

bandaided together by hope provided by legislation such as this.

I have some statistics from the Department of Families. The population in the 10 to 16-year age group has increased by 5.1 per cent. The crime rate has gone up by 3 per cent. So I do not believe that we are seeing a crime wave. We have a crime problem, and we would be burying our heads in the sand if we said that we did not. But to suggest that the parents of kids from dysfunctional families will somehow pay for the damage that they do to someone's house is inciting false hope. It just will not work. About 80 per cent of kids who end up in detention centres come from very poor family circumstances.

**A Government member:** Not all of them.

**Mr SCHWARTEN:** I did not say "all of them"; I said 80 per cent. If the honourable member wants to quote me, I point out that the figure is 82.3 per cent. We do not know what sorts of situations those people are in or have been in at home. Government members should visit some people's houses and see what is on the kitchen table at night and how some kids really live. It is little wonder that kids go out onto the street and steal. Sometimes they steal because they are hungry. Sometimes there is no value system in their house to reinforce the correct behaviour. How is the Government going to fix things? We are going to say to those very people—be it mum, dad, or a guardian in the case of a State ward—"You pay to fix up this damage." I do not believe that is going to occur. It was in the Act previously and, as I understand it, the only change to it is that we will now apply a civil standard of proof—

**Mr Foley** interjected.

**Mr SCHWARTEN:** We will apply a civil standard to a criminal situation instead of a criminal standard to a criminal situation. I really think that is masking over the whole issue. It did not work in the previous legislation for that very reason. It was nothing to do with the proof; it was about the capacity of the parents to pay. We cannot get blood out of a stone. It is as simple as that. I honestly believe that things such as victim/offender conferencing work. If we can bring home to kids the consequences of their actions and what effect that has—and I saw an example of this in New Zealand some years ago when I was on the PCJC—I believe that would go some way towards improving things. Is the Attorney-General aware that such a program is under threat in central Queensland? A letter in today's *Morning Bulletin* bemoans the fact that

the people who are currently carrying out victim/offender conferencing look like having their budget cut. They will not be able to travel to Gladstone, Emerald, Blackwater and so on.

The Government cannot have it both ways. It cannot say, "This is a great piece of legislation because it affords victim/offender conferencing." The Government cannot say that that is the linchpin or the keystone to this issue, and then suddenly turn around and take away financial support. I respectfully suggest to the Attorney-General that he take a very good look at that program in central Queensland. We have a lot of well-trained people, especially in Rockhampton, and they are very anxious and nervous about it. I know that the honourable member has received letters about it. My colleague the honourable member for Keppel has received letters about it, as I have, and I suspect the member for Gladstone has, too. People are very worried about it. It has proved that it has worked, and I think it is working very well.

**Mr Lester:** Don't forget your mate here.

**Mr Pearce:** And me, too.

**Mr SCHWARTEN:** Mr Pearce has received them, too. I offer my humble apologies.

**Mr Springborg:** He's your mate.

**Mr SCHWARTEN:** He is my mate. We are a great team. I speak for him and he speaks for me, so that is probably why I left him out.

I do not believe that this legislation will achieve what the Government would like it to achieve. I do not believe that it will make any difference at all to the escalating juvenile crime rate. If I believed that, I can assure the Government that I would support this legislation, because nobody believes more than I do that we must do something about this problem. But the direction that we are taking in focusing on punishment, ignoring the festering problems that are causing juvenile crime to occur, continuing to take away job opportunities and training for young people and the focus that we have on not saying enough nice things about our young people is taking us down the path of no return. I hope that when the Bill comes back before the House it is far better refined. Unfortunately, in its present form there is nothing in it, aside from a couple of little points, that I can support. Accordingly, I will be registering my vote against it.

**Ms WARWICK** (Barron River) (4.31 p.m.): I rise to support the amendments to the Juvenile Justice Act. I take the

opportunity to say that I agree with the member for Rockhampton when he says that most of our young people are terrific and that most of them are good people. Unfortunately, there is that element out there—through no fault of their own in many cases—which does not come into that category.

At some point in time, most of us have been approached by constituents with grave concerns about the incidence of juvenile crime. I congratulate the Minister on acknowledging community concerns and doing something pro-active about these growing problems. I realise that we need to go further and that these amendments will not solve all our problems, but at least they are a start. The reason for this legislative change is that the community is demanding it. This coalition Government has been out talking to the people, and we have heard what they have said. We made a commitment prior to the 1995 election, and we are now keeping faith with the electorate. The Minister, in introducing the Juvenile Justice Legislation Amendment Bill 1996, was spot on when he said—

"As promised in the 1995 election campaign, the National/Liberal coalition Government has heard and is acting on the concerns of many, many Queensland people. Since late 1993, they have felt little but dismay about juvenile crime and the system's response to it. The deficiencies of the Act have not had limited consequences. It has had a real, adverse effect on the community. Business, schools and ordinary citizens have been detrimentally affected. This Bill will begin the process of correction. It is the first step in dealing with juvenile crime.

The reasons for the changes are clear. The National/Liberal coalition Government believes every opportunity must be afforded to juvenile offenders to mend their ways to stop their descent into adult crime. However, juveniles must be confronted with the responsibility of their actions. It is only then that rehabilitation is possible, and the community safeguarded. The Government does not arrogantly assert that it has all the solutions and that they can be made immediately. Juvenile justice will stay under continual scrutiny."

It does not matter what part of Queensland one comes from, the problems of juvenile crime are the same. The community looks to Government to solve these problems, but unfortunately the problem is a community

one. Where are the parents whose children are roaming the streets at all hours of the night? My colleague the member for Mulgrave spoke about the work of the Street Level Youth Care people in the Cairns area. She quite rightly raised concerns which I share. I spent an entire night out on the streets with the people who run Street Level Youth Care. These people provide meals and counsel to homeless children on the streets. I can tell the House that my eyes were certainly opened by that experience.

That there are children as young as three years of age wandering around the streets of Cairns during the night is mind-boggling. One young boy was 15 years of age and had been kicked out of home by his father. I can tell members that my heart bled when I spoke to that child. I was taken to an area at the northern end of the Esplanade in Cairns where the paedophiles hang out. Again my eyes were opened. These despicable characters prey on the homeless kids. Because these children need to survive, they are lured into a life of crime or sex and, in some cases, both. It makes my blood boil when I see these young children out on the streets. Again I ask: where are the parents? I want to quote from the newsletter of Street Level Youth Care. Mr Harold Falge is the instigator of this wonderful service. In its newsletter he writes—

"Where are the caring parents?  
3 years old and out at midnight with  
8 year old brother!!

Once again, the heart rending picture of a child too young to be let out at night let alone taking care of his 3 year old brother.

When does this nonsense stop and parents are made accountable for their action or inaction.

Children of such a tender age have the right to be protected and cared for.

The pendulum of freedom for children, at all cost, has swung too far and needs to return to the centre point."

At this point, I pay tribute to the people of Street Level Youth Care. They do a wonderful job on a very, very limited budget.

It is about time that parents were made accountable for the actions of their children. I congratulate the Minister on having the guts to make parents play a more accountable role in being responsible for these children. As a parent, I know—and most people, I am sure, will agree with me—how easy it is to give in to our kids and let them have their own way. Quite often we blame all kinds of Government

laws, but in the long run it is us as parents who have the power to discipline our children. It is our responsibility to ensure that our children are loved, disciplined and cared for. If there are parents who abrogate this responsibility, then it is the duty of the Government to ensure that these parents are forced to accept the consequences.

I recognise the fact that we must ensure protection for the vulnerability of children, but children who commit offences must be held accountable for their behaviour. They must be encouraged to accept responsibility for this behaviour. If they want rights, they must expect that with the granting of rights comes responsibility. In my opinion, the do-gooder social engineers have made too many excuses for too long. As I heard the Minister say on radio the other morning, it does not matter if a theft is committed by a juvenile or an adult: the result is still the same. It is the same if one's house is burnt down. If one is a victim, one still suffers the same degree of devastation whether a juvenile or an adult committed the offence.

I cannot stress too strongly the importance of these changes to the Juvenile Justice Act. In my own area of Cairns, we have been experiencing a juvenile crime problem first-hand, with residents very concerned about their property and their safety. Figures for Cairns City gathered over the first 10 months of this financial year—that is, 1995-96—are startling. There have been 255 court appearances by juveniles who usually live in Cairns—an increase of 22.6 per cent over the same period for last year. A total of 848 charges were heard against those juveniles. Of the total charges heard in the Cairns court—which was 913—72.6 per cent were proven, resulting in 270 convictions. Since 1 July, there have been 694 juvenile justice orders made—an increase of 22.8 per cent on the same period for last year. Seventy-four per cent were supervised or custodial orders.

The amendments to the Act will give the courts discretionary powers to: refer victims and offenders to community youth conferencing to negotiate real and practical restitution; order parents to attend court or face a charge; compel parents to pay compensation of up to \$5,000, where the court decides it is appropriate, for the crimes committed by the child; impose both custodial and probationary sentences together; fingerprint offenders under certain circumstances and strict conditions; take into account police cautions under certain circumstances and the outcome of community youth conferencing in determining the severity

of sentences; and impose a sentence of life imprisonment, which is non-mandatory, in the case of juvenile offenders who commit the heinous crime of murder.

It is about time that we took the bull by the horns and let the people of Queensland know that we are serious about addressing the problems of juvenile crime. People are fed up with the soft-peddling approach used by the previous Labor Government. The people and the police want some action—not just a slap on the wrist and a walk through the revolving door for juvenile offenders. I particularly like the concept of community conferencing. This will enable the perpetrators of minor crime to apologise to their victims, make restitution and face the shame of their crime. Hopefully, these changes will force young offenders to more clearly face up to the outcomes of their actions. I realise that it will not work in every case. Unfortunately, a number of our young offenders are already hardened potential criminals. That is very sad. I believe that society has neglected those people, and we must look to the causes of this. But that is another matter. However, if we can rehabilitate even a small number of young offenders and make them realise the devastation and the anger which is the outcome of their criminal actions, then we will have done our duty to the people of Queensland.

While acknowledging that this legislation will not solve all of our juvenile crime problems, I believe that it is an excellent start. I congratulate the Minister and wholeheartedly commend these amendments to the House.

**Ms SPENCE** (Mount Gravatt) (4.12 p.m.): I join with my colleagues in opposing this Bill because I cannot support the basic premise behind this legislation, that is, that our juvenile offenders are criminals who must be exposed and punished to the same, if not greater, degree than adult offenders in our society. I do not believe it is in the best interests of our community to have the whole focus of our juvenile justice system aimed at punishing offenders rather than overcoming some of the causes of their offending and the behaviour modification of offenders.

Youth crime has clear connections with unemployment, homelessness, school alienation, family breakdown, boredom and poor self-image. None of the Liberal or National Party members I have heard speak in this debate today has faced up to those facts. Inadequate community, family and youth support services also impact upon juvenile crime. These are the services that this Government would pull back from. Key

findings in juvenile crime studies indicate that most juvenile crime is local, unplanned and not repeated. While members here and the media will all produce stories of repeat offenders to belie these statistics, I urge members to research this issue more thoroughly and not to form their opinions about young people on some beat-up media stories or the anecdotal and exaggerated stories of acquaintances.

This Bill does nothing to address these social problems, nor have we heard much from this Government about what it is going to do about the causes of crime, such as unemployment, poverty or lack of youth recreation activities. The Labor Government had schemes such as the Workplus scheme, the Youth Conservation Corps, community action schemes and Government-funded youth workers. A total of \$50m was devoted to building community youth recreation centres throughout the State of Queensland. Of course, there was also the \$150m Jobs Plan and several community arts projects, which were all aimed—

**Mr Barton:** Run by a top Minister.

**Ms SPENCE:** I acknowledge that they were run by a very good Minister—the now shadow Attorney-General. All those schemes were aimed at educating young people and providing recreational and social activities for young people. That is precisely what young people want. It is boredom that often leads them to crime. Instead, this National/Liberal Party coalition Government has pulled the plug on all of these activities and projects in order to fund its vast array of election promises. No Queenslanders are going to forget the debt that Mrs Sheldon has given them. It is unfortunate that something like the \$50m devoted to community youth recreation halls and activity centres is going to be a casualty because of this change of Government and Mrs Sheldon's tollway promise.

Between this State Government and the Howard Government we have seen schemes such as Skillshare and CES offices close down because of funding problems created by the Federal Government. We have seen a Government that has cut back on jobs in the public sector and elsewhere and created rising unemployment and job losses—all stage-managed in the name of economic rationalism. So at the same time as conservative Governments in this country are proposing policies designed to further alienate young people and no doubt exacerbate the causes and problems of crime, we have a

State Government which presents a piece of legislation which is truly only about punishment.

This is a punitive and fundamentally obnoxious piece of legislation which will do nothing to attack the causes of youth crime but instead will turn more of our young people into criminals. I intend to speak about some of the most objectionable aspects of this Bill. Firstly, this legislation proposes to turn juvenile detention centres over to the Corrective Services Commission. This Government is proposing to give our young people over into the hands of prison authorities. Prison officers who are used to dealing with the hardest, toughest members of our society are now going to be given the responsibility of looking after our children. This Government is going to turn our youth detention centres into prisons and give our young people the same sense of prison culture as our adults now receive.

I believe that the law dealing with juveniles should be different from the law for adults and that the people who look after our children while they are incarcerated should have different training and a different mind-set from the people who look after our adult criminals. I find this one of the most obnoxious aspects of this piece of legislation before the House. I would love to have been a fly on the wall in the Liberal/National Party caucus room when this issue was debated. Was there any dissent, or did all those members just sit there and accept this from their Attorney?

The next obnoxious aspect of this legislation relates to the issue of fingerprinting and palm printing. This legislation will allow police to take finger and palm prints without even having to arrest these juveniles. This gives police greater powers with respect to juveniles than they have with respect to adults. Adults are not required to give fingerprints unless they are arrested, but this Government is giving police the power to fingerprint and palm print children without even requiring that they be arrested. This Government is treating children as criminals without even arresting them. No doubt the police will welcome this extension of their powers, as they always do. The police in this State would expect this kind of increase in their powers from a Government that signed a memorandum of understanding with them. However, I am more concerned about the effects of this on young people—their self-image and their attitudes towards the police, the law and society if they are fingerprinted, palm printed and generally treated as arrested criminals. This Bill gives more powers to police over juveniles than they have over adults. I cannot support it.

Let me turn now to the issue of the liability of parents. Much has been said today by Government members about blaming parents for our young people. I am sure that all members would agree that parents should be more involved in the judicial process and be encouraged to exercise more parental control over their children. But let us be realistic about this. Often the parents of these juvenile offenders are the problems themselves. They have trouble with parenting, they cannot cope with their children or they cannot assume enough responsibility for being a parent. Punishing them for their shortcomings is not going to change this. I acknowledge that many parents are letting their own children down. However, I do not believe that giving courts the power to compel parents to attend and to make compensation orders against them is going to improve their parenting skills. In fact, what this Government is proposing is to give the courts the power to order the parents of juvenile offenders to pay compensation on a much lower standard of proof than ordinarily applies in criminal matters.

Honourable members do not have to take my word for it. I would like to quote what the CJC had to say on this issue. The CJC response stated—

"In addition, the CJC is concerned that there are no guidelines specified for determining whether parents 'have a demonstrated ability to pay' compensation. It is important to ensure that any proposals regarding the liability of parents of juvenile offenders to pay compensation have regard to the often depressed financial circumstances of the families of juvenile offenders and whether such orders are more likely to aggravate the conditions of these families. Further, consideration should be given to whether these proposals are more likely to impact upon women, having regard to the fact that in the situation of one-parent families, women are more often the parents who have the care of the children and therefore are more likely to be considered to be the 'responsible parents' in terms of the offending of their children."

If this legislation is passed, it will impose heavy fines and penalties on parents, regardless of whether those parents can afford to pay. As all honourable members know, there are many single parents. It is mostly women who have control of the children, so single mums will be forced to pay compensation for their young people's wrongdoings. I cannot support that proposal.

The response from the CJC went on to say—

"Further the CJC is of the view that the current regime provided under *Division 11* of the Act is adequate to deal with those situations where there is a clear failure on the part of a parent to exercise proper care of, or supervision over a child. Accordingly, it is of the view that not only are these proposals for amendment to the Act ill-advised, they are also unnecessary."

The CJC is telling this Government that sufficient power already exists in the current Juvenile Justice Act for parents to be required to offer compensation for their child's wrongdoing. It is saying that there is no need to bring in the harsh measures that this legislation proposes. Why is this Government ignoring the CJC, the Queensland Council for Civil Liberties, the Youth Advocates and the research? Why ignore every bit of good advice on this subject? I will tell honourable members why: Mr Lingard went around this State, held 20 public meetings and listened to ladies and gentlemen express their dismay at graffiti and youths loitering around shopping centres or breaking and entering homes. Mr Lingard followed traditional National Party logic and fed these people good old populist logic and agreed that the old lock-em-up and throw-away-the-key logic was the only way to deal with these kids and so today we have this worthless piece of legislation.

I welcome the Scrutiny of Legislation Committee's undertaking to hold real public meetings into this legislation, rather than the 20 so-called public meetings that Mr Lingard held with his National Party and Liberal Party members throughout this State to receive their expert advice on juvenile justice. Perhaps at those public hearings this Government and this Minister will take notice of some real professional advice on how to deal with juvenile justice in this State.

The people of Queensland have realised that there has been no reduction in crime just because the members opposite took over Government. Crime will not be reduced because of this legislation. Certainly, the Government will succeed in putting more of our young people behind bars for longer, and that will cost the Queensland taxpayer a lot more to keep them there; however, these measures will not prevent crime or deter those juveniles from reoffending.

I turn now to the area of police cautioning. In Queensland, approximately 70 per cent of juvenile contacts with the police are dealt with

by way of a caution. In appropriate cases, that can be an effective means of giving a young offender a shock and enabling that young offender to be diverted from a court appearance. The Juvenile Justice Bill brought down in 1992 formalised and endorsed this procedure and the Opposition continues to support it. What we cannot support is the proposal in this Bill that provides that cautions for certain offences will be taken into account for sentencing purposes in later criminal proceedings against the person. In effect, that allows juveniles to be processed by the juvenile justice system, in the sense of having a criminal record without ever having appeared before a court. So it will have a negative effect of criminalising the child, which cautioning was designed to avoid. The CJC response stated—

"The CJC considers this to be a dangerous and unacceptable proposal which breaches basic rights."

Those are strong words! This legislation effectively makes that caution part of the criminal history of a young person. It may encourage young people and their legal representatives to reject the offer of a caution and instead take their chances at having a trial in a Children's Court in order to prove his or her innocence and thereby eliminate the possibility of having a criminal record. I hope the Attorney-General reconsiders this provision when the Opposition moves amendments in relation to these matters at the Committee stage. Better still, I hope the Attorney-General sees some sense and amends this section of the legislation before it reaches the Committee stage.

Finally, I will comment on the changes proposed in this Bill that allow young people to be sentenced to life imprisonment. I am strongly opposed to this proposition. The law treats children differently from adults. Children are not permitted to vote, to drive motor vehicles, to drink alcohol or smoke cigarettes, to use firearms, to sue or be sued. This is because children are considered in the legal sense to be "under a disability". This disability is their lack of maturity and life experience, which limits the ability of children to make appropriate judgments and to consider the consequences of their actions. This discrimination against children by the law has a two-fold benefit—it protects children from the possibility of injury from the irresponsible use of motor vehicles, alcohol and other drugs until they are considered by the community to be mature enough to make decisions for themselves about the use of these things; and it also protects the community from risk and damage which may be caused by children

through their failure to exercise good judgment or to consider the consequences of their actions if they were permitted all of the liberties of adults.

A further legal recognition of the disabilities of children is that the law deems children not to be responsible or culpable for their actions to the same degree as adults. This means that children should not normally be liable to the same punishments as adults. That is hard to accept when from time to time we see juveniles committing horrific crimes. The current legislation sets a limit of 14 years as the maximum term of imprisonment that may be imposed on a young person. When we are forced to confront the fact that a young person has committed a particularly brutal, senseless murder, that probably does not seem to be enough. This legislation does not restrict the imposition of life sentences to the crime of murder but supports it for a range of lesser offences. The Government is planning to give the courts the capacity to hand out life sentences for crimes such as burglary or robbery. I foreshadow an amendment that the Opposition will move during the Committee stage to confine those sentences to murder. I earnestly ask the Attorney-General to reconsider this issue before it becomes law.

I cannot support this disappointing Bill because I do not believe that it will do anything to halt crime. It fails to treat our young people as different from adults. Indeed, all it proves is that this Government is prepared to be tougher on our children than it is on adults. Undoubtedly, these measures will turn more of our young people into criminals and increase the number of children and young people in juvenile detention centres. The Labor Government introduced the Juvenile Justice Act in 1992. Members might remember that Act. As a result of the tougher provisions in that legislation, more young people are in detention than before the 1992 legislation.

I have never accepted the coalition's political propaganda that Labor was soft on crime. I do not believe any thinking Queenslander believes that that is the case. In common with any other party, Labor believes in strong criminal justice law. Labor believes that people who commit crimes should appear before the courts and be punished, but we on this side are not going to indulge in this mindless law and order bidding that compels politicians such as Government members to talk tough, use law and order slogans and promise the legislative big stick to convince people that they can solve crime. This

approach will not solve crime, nor will it do anything to assist our troubled young people.

**Mr WOOLMER** (Springwood) (4.30 p.m.): It gives me great pleasure to rise to speak to this amending Bill. I congratulate the Attorney-General on introducing this Bill, which brings changes to the Act. It does not necessarily take a great sense of courage to introduce such an amending Bill because virtually the entire State has been screaming out for these legislative changes. The parents of juveniles, the elderly, the general community, the teachers, the police, the judicial system and especially the retailers all recognise that there have been some very, very severe problems in a system that has been failing.

Before I turn to the details of the Bill, I would like to address a point that was made by the member for Rockhampton, who I notice has returned to the Chamber. He made a point about talking down youth. I agree totally with his comments. I think that there is far too much of it in our society. I agree totally that there has been too much talking down of youth and I agree also with the comments that he made in relation to our sports people. I think that the majority of the youth of today are just as ambitious and enthusiastic, law abiding and of high character as was the member for Rockhampton when he was a youth.

I refer to the fine youth of the electorate of Springwood. In my electorate, I am most fortunate to have some of the finest high schools and secondary establishments in Queensland in John Paul College, Redeemer College, Springwood High School, Rochedale High School and, just down the highway, the Shailer Park High School. I see Mr Barton nodding; there are some great high schools in his electorate as well. As much as we would all like to think that our youth are terrific and that we do not have any problems with juvenile crime, we have to acknowledge that there is a high number of youth offenders and they have to come from somewhere.

The department has listed 5,000 serious offences committed by juveniles in the 1994-95 year. There were nine homicides, 727 assaults, 91 robberies and extortions—these are convictions—theft, break and enters, 2,371, and, driving offences, 399. The list goes on. Those crimes have to have been perpetrated by youths. So we have to look at this matter in another light. Five thousand offences committed throughout the State could not have been committed by one youth. Unfortunately, those bad few spoil the system

for the others and they have to be dealt with in a way that sends a very clear and sharp message to them, their families and to the community as a whole.

This amending Bill is designed to make that difference. It is part of a whole-of-Government approach. I have heard a lot of socialist engineering philosophy from members opposite about how we must have an open system and that we should look at the roots of the problem and consider job market programs. To a certain extent, a lot of what they have said is very accurate. However, whilst we wait for this Government and the Federal Government to turn around the ships—the country and the State—which were left in such a diabolical mess by the Federal Labor Party and the State Labor Party in Queensland, we have to address the issues that are at the heart of our constituencies. One of those that was clearly advocated at the last election was juvenile crime. So we cannot wait for those programs that the Governments are kicking in to address those larger social issues; we have to blend in other changes. As I said, this Juvenile Justice Legislation Amendment Bill is part of a whole-of-Government approach that is designed to address those issues, and address them effectively.

I notice that, during their speeches, a number of members opposite referred to schools. Certainly, we are looking at ways of addressing the problems in schools, because that is where there is a large congregation of youths. Earlier in his speech Mr Schwarten referred to Mr Hamburger, who had said that Year 2 teachers could tell him who were going to be the future clients of the Corrective Services Commission. This Government has prepared an alternative program system. It has set up 22 centres throughout the State, under the control of the Minister for Education, which will attempt to resolve some of those behaviour management problems. The Government has given back the power to principals to address the issues, as they are the ones who are best equipped to deal with such problems. Principals will have the ability to suspend students for up to 30 days and send them to these alternative programs.

The system involves parental involvement. So little Johnny cannot go home or cannot go down the shops; he has to attend another centre, many of which are run by community organisations. This initiative has broad-based support from the majority of the school organisations. The principals association has hailed this initiative as a wonderful idea; the P & C association believes

that it is a terrific idea; teachers throughout the State think that it is a terrific idea; and lo and behold, even the QTU thinks that it is a terrific idea. The only people who have been silent on the issue are the members of the ALP. The Opposition has not adopted a position on this matter. A range of people are saying, "Let us address some of these problems", and clearly the Government is. Those programs are in place.

In his speech the member for Woodridge talked about Springwood High School. I note his close association with the behaviour management programs that are run at Springwood High School. The member's wife is the chief librarian at Springwood High School and his association with that school goes back many, many years. Those programs do work; they do an excellent job and, hopefully, we will see them flourish and continue throughout this State and be a lot more effective. So that is just another part of the platform.

Unfortunately, not every student or every juvenile works through this system and comes out as a model citizen. In my electorate, there are a number of problems with juveniles to the extent that recently a group of juveniles ambushed a police unit. A juvenile rang the 000 number on his or her mobile phone and asked the police to respond to an emergency call. Two police officers arrived in one car and were ambushed. A gang of youths got stuck into them. The two police ended up in Logan Hospital, one with a broken nose and stitches down the side of his face. They were ambushed by a group of 40 youths. I am told that there were some familiar faces among those youths. On a few occasions I have spoken to the sergeant at a police station in my electorate about this incident. The police have the usual suspects. I do not know whether members saw the movie, *Usual Suspects*; it is a very, very good movie. However, the police have a long list of young suspects who live in and around the Springwood area. The usual suspects include a long list of 13-year-olds, 14-year-olds, 15-year-olds and 16-year-olds. The usual suspects, as I will call them—or the LTM as they want to be known in other areas; the "Little Time Mafia"—tag everything that does not move or is not bolted down in the Springwood electorate. The LTM has a habit of sitting in parks and drinking all night. The LTM, as it moves around the streets of my electorate, has a habit of kicking people's doors down and robbing their houses. The LTM has a habit of breaking into dinner parties. Members of the LTM once kicked a

gentleman in the face and broke his nose. The leader of the LTM is a 16-year-old kickboxer.

**Mr T. B. Sullivan:** Don't give them the privilege of naming them. Just call them "young thugs".

**Mr WOOLMER:** I thank the member for Cherside. On a number of occasions one young thug in particular has physically taken on a couple of local policemen. These young thugs hang around the Chatswood Hills school—

**Mr Pearce:** Why haven't the police locked them up?

**Mr WOOLMER:** I will get there, Mr Pearce. The police have locked them up on a number of occasions, and they generally beat the police home from the Beenleigh Magistrates Court after they are released.

On one occasion a businessman in his mid forties was hosting a dinner party for some friends and the young thugs were having a party in the park opposite. I repeat: these kids are 14, 15, and 16 years old, although I think the eldest may have just turned 17. The thugs wandered across the road and walked over the top of this man's car, which was parked in the driveway. He and one other gentleman—two fully grown men in their forties—came out. The leading thug kicked this man in the face, breaking his nose. Whilst he was on the ground, the other gentleman came to his aid and another young thug broke a beer bottle and slashed him across the side of his face. The thug then punctured him in the side of his face with the bottle. That man needed 45 stitches in his face, chin and tongue. The police and ambulance were called and there was a ruckus. Another gentleman went down and he ended up with a broken collar bone. The local police arrived. The thugs took off and the police gave chase. The police know where these thugs live, so they went to their homes. What did they find? At one house—which I know well because a good friend of mine lives down the road and he is quite concerned about the situation—mum and dad were in the lounge room, stoned off their faces. They could not give two—

**Mr T. B. Sullivan:** Two hoots!

**Mr WOOLMER:** I thank the member for his timely interjection. They could not give two hoots about where their young thug was. Mum and dad did not care. Mum and dad were more worried about when their next foil was coming. Their son fronted up to the magistrates court for the twelfth time in six

months, and he beat the police back to the electorate. Whilst the family of the injured man were visiting him in hospital, the leader of this gang and his mates broke every piece of furniture in that gentleman's house. They demolished the house.

We know who these kids are; they have been before the courts on many occasions. They are causing serious problems. I will relate another incident. The same thug was involved in an incident at a blue light disco. One of the police officers who was acting as a chaperone at the disco copped the wrong end of the thug's size 10 boot. This young thug happens to be six foot one and weighs 105 kilos, yet is only 16-years-old. Another policeman, also acting as a chaperone at the Daisy Hill blue light disco, had his nose broken.

In our whole-of-Government approach the problem of graffiti will be addressed separately. Shopkeepers in particular are sick of graffiti. One shopkeeper in Watland Street has taken out a bounty on the heads of members of the LTM, OWT, and OHA gangs, as they are known according to their graffiti tags. Everything in the area is being covered with graffiti by these young thugs.

The amendments to this Bill will address some of these problems. These people will be picked up through the implementation of these amendments. The Bill is not aimed at the kid who does something wrong once; I am sure that none of us has unblemished backgrounds. The Bill is aimed at the type of kids I have been talking about. The police are screaming for this Bill to be passed. They are sick of fronting courts only to find that it is a waste of their time. The Childrens Court and the judiciary have been waiting for this Bill because they know that these kids simply flout the law. The courts have to address these issues and make the law work. We give them the laws; they have to make them work. The general community is waiting for these laws to work.

Approximately four or fives months ago Shailer Park, which is adjacent to Springwood, was listed by the national insurers as the highest-risk suburb in the State for break and enters. I am quite sure that the young thugs who break into people's houses and steal with impunity will in future have to think twice about what they are doing. The police know that they are unable to fingerprint these kids. The amendments to this Bill will allow that to occur so that at some stage in the future they may be able to pick them up.

A previous speaker mentioned car theft, which we have a huge problem with. These

thugs steal cars from the Springwood mall and the Loganholme Hyperdome. When they have finished with them they dump them. That problem is faced in every electorate.

While some parents are not fully aware of what their kids are doing, some obviously do not care. Therefore, the idea of conferencing and the requirement for parents to attend court is one that I wholeheartedly endorse. I think that actually having to face their victims and their parents will take a lot of the heat out of some of these kids. They will then come to realise that there are a growing number of concerns about the way they act in public. The conferencing clause of the Bill is a great step forward. It has been highly commended overseas and in other States that are using it. Surveys show that there is a very high level of satisfaction with the system. This system has a tendency to change the path of the juvenile offender and, in some cases, that change is very much for the better. We should all be hoping that it will act as a diversionary approach.

I think that it should be mandatory that parents attend court. I cannot imagine parents would take so little interest in their children that they do not think that it is necessary that they attend that child's court case. Over the years I have attended a number of court cases, although never in a parental role. I have been to court so many times I have forgotten what it is like not to be there. I have spent some years in the Navy, and I can tell the House that sailors around the world have a tendency to get themselves into spots of bother. As a divisional officer I have had to assure magistrates all over this country and overseas that we would take adequate control of our offending sailors. In some ways, being a divisional officer in the Navy is similar to acting as a parent to some pretty big and ugly kids, although they are not all juveniles. In one instance, I was required to stay on board with the offenders, basically because the magistrate was not of the opinion that they would confine themselves to where they were supposed to be. Perhaps he also thought I was an unnecessary influence in his city at the time, but I can assure the House that I have an unblemished record!

I grew up in a fairly rugged area. A few of the people whom I went to high school with are now detained at Her Majesty's pleasure. Three or four of my schoolmates are actually in prison for murder. I remember one case where one of my classmates—who is an enforcer in Pentridge in Victoria—blew his old man's face off with a shotgun and then shot at his brother over drugs.

**A Government member** interjected.

**Mr WOOLMER:** He certainly would not have had any trouble making the \$5,000 restitution fine. If that person had been picked up earlier he may have been diverted from that course of action. I think Mr Vedici may have had his fingers or palms cut off. I grew up with the Tassones, the Sergies and the Trimboles. They are all pretty ominous names in the Australian criminal justice system.

**A Government member** interjected.

**Mr WOOLMER:** They may have been a deterrent and we may have got a better result.

These are landmark amendments. They have been eagerly awaited by the people of Queensland. They will make a big difference to the families and the people of Springwood, Rochedale South and Daisy Hill. The elderly will appreciate it. I support the Bill.

**Mr ROBERTS (Nudgee) (4.50 p.m.):** In common with many members of this House, from time to time I have heard the concerns of local communities and residents, particularly the elderly, about crime. People have expressed concerns about the number of break and enter and vandalism offences in their districts. It is distressing to see the fear that engulfs the lives of some of these people as a result of these activities. People have a right to a peaceful existence in their own homes and to expect that any offenders charged are dealt with appropriately by our criminal justice system.

Our response to this problem needs to take into account the desires of the community and also the rights and liberties of all citizens, including those accused of offences. Our objective should be to achieve the right balance between crime-prevention activities, rehabilitation and the penalties that we impose upon those who are convicted. Importantly, the problem of crime, and particularly juvenile crime, is not new. Throughout the ages, our history is replete with stories about the rebelliousness of youth. It is important to note, as has been noted by a couple of speakers so far in this debate, that when talking about juvenile crime we are in fact dealing with a minority of young people. The overwhelming majority of young people in our communities are fine, upstanding citizens who lead constructive and fulfilling lives.

In the seventies and eighties, it is fair to say that children were criminalised by the criminal justice system. Recently, I had the opportunity to visit the Fremantle gaol, which has now closed. I was quite horrified to learn that, up until the early 1970s, children as

young as 12 years old were incarcerated in cells adjacent to cells housing hardened criminals. That type of approach exposed our children to the criminal culture and, in many respects, perpetuated the behaviour that needed to be addressed, particularly at an early age.

The focus of any juvenile justice system should be wherever possible to divert children away from the criminal justice system. That is a basic principle encompassed within the current Act. I am not suggesting that we should back away from dealing with offenders in an appropriate way. However, it is clear from the evidence that many of the approaches adopted in the past failed to address the behaviour of the minority of our young people who engage in criminal activities.

A major focus of our response to juvenile crime must be its causes. Again, there is plenty of evidence before the House, and indeed in the community, that issues such as unemployment, family breakdown or dislocation and drugs impact on a young person's propensity to engage in criminal activities. The CJC annual report states—

"The interests of the community are best served by focussing on the protection of children who are offenders and the causes of their offending rather than punishment."

Again, it is important to note in this debate that there is no evidence of a juvenile crime wave in our community. There certainly are pockets of problem areas in the community in our State which need to be addressed. However, the key question which arises in this whole debate is: what should be done about this problem? In my view, we need an integrated approach to the issue of juvenile crime. One particular measure is not going to deal with this issue effectively. We need an integrated approach. In my view, that requires, firstly, a proper application of the existing provisions of the Juvenile Justice Act. I know from experience in my own electorate and from stories relayed to me that, in some cases, the police do not put enough effort into using the existing provisions of the Act to deal with juvenile offenders.

Part of the integrated approach also needs to deal with employment and training initiatives that are specifically aimed at young people. We need proper support and counselling services for young people and their families when they get into difficulties. In that regard, I pay credit to one group in my electorate which does a lot of good work with young people, particularly those most at risk,

the Zillmere YACCA program, which has done a tremendous amount of work at the early intervention stage with young children who are most at risk of entering the world of crime.

Another issue in that regard relates to the previous Government's commitment to the Community Recreation Facilities Program. A substantial amount of money was targeted to providing facilities in communities at which young people in particular could engage in useful activities. Again, that strategy would have played a significant role in diverting people away from criminal activities. We also need, as a part of this integrated approach, a focus on behaviour management strategies in schools. Earlier in the debate, the member for Woodridge outlined some significant developments in that respect in his electorate. We also need drug and alcohol education programs.

It is not just simply a matter of increasing penalties or giving police more powers to deal with this problem. We need a totally integrated approach to tackling the minority of young people in our community who engage in criminal activities. In my view, the current Act has sufficient powers of arrest and other mechanisms, such as attendance notices and so on, to deal with juvenile offenders. As I have stated already, in some sections of the Police Service there appears to be a reluctance to use the existing provisions. An interesting point with respect to this Bill is that, in spite of the claims in some police circles that there are not enough powers in the current Act to deal with juvenile offenders, the basic processes for dealing with juvenile offenders under the current Act are not fundamentally changed by this Bill. Fundamentally, they remain in place.

I wish to deal now with some specific provisions of the Bill. At the outset, I point out that the Scrutiny of Legislation Committee has indicated its intention to hold a public hearing. I am keen to hear the views of the various parties who will appear before that committee on the various issues arising from this Bill.

I support the concept of community conferencing. It is an excellent concept and one which should have been adopted many years ago. Recently, I spoke to the adult victim of a quite serious crime who engaged in a face-to-face conference with an offender. My discussions with this person revealed that both the victim and the offender gained tremendously from the conferencing exercise. With respect to the victim, the person identified to me that it filled many gaps and answered many questions in her life that had

remained unanswered in the years since the crime. It took a tremendous load off her shoulders to be able to confront and speak with the offender and outline the concerns and distress that she and her family had suffered as a result of the crime.

With respect to the offender, the opportunity to be confronted first-hand with the painful experience of the victim enabled that person to better understand the consequences of his actions. I believe from reports that that exercise greatly assisted that person down the road towards rehabilitation, and maybe one day his rehabilitation back into the community. With respect to community conferencing, I support those provisions and think they will do a lot of good with respect to juvenile offenders.

The other aspect relates to the issuing of more than one order. Again I think that is a sensible amendment to this Act. The current Act is very restrictive in that the courts cannot issue combined sentence orders with respect to offenders. These new provisions will allow, for instance, a combination of a probation order and a community service order, and in particular circumstances may well be a more effective means of assisting a young offender to rehabilitate back into the community.

With respect to the compensation to be paid by parents—I support the concept, but I have strong reservations about the proposed changes to the existing Act. It has been pointed out that courts can already impose these orders. However, under the Bill before the House, the standard of proof is to be changed from the criminal test of beyond reasonable doubt to the civil test of on the balance of probabilities. The test has been weakened to the extent that it is now only necessary to show that a parent may have contributed to an offence of a child rather than the current test where the parent's conduct was likely to have substantially contributed to the offence. As has been pointed out on a number of occasions in this debate, we now have a criminal penalty without the criminal standard of proof. I note the CJC's concerns that this proposal is ill-advised and dangerous. It is my belief that the current provisions of the Act are a much fairer standard to be applied in these circumstances.

With respect to finger and palm prints—this is a provision over which I have agonised. The Minister says that the provisions are intended to encourage the police to use alternatives other than arrest. The Bill provides that a child must firstly be charged with an offence. A police officer may then apply to the

court for an order for fingerprints or palm prints to be taken. The court must be satisfied that someone has committed the charged offence. The court must be satisfied that there is evidence of finger or palm prints in existence and that the child is reasonably suspected of being the offender. The court must also be satisfied that the order is necessary for the proper conduct of the investigation, and another person must be present when the prints are taken, except in some particular circumstances. Additionally, prints must be destroyed if the investigation for which the order was made does not result in a sentence order being made. So the Bill does seek to provide several safeguards against the abuse of this power. It is my understanding from reading the Bill and reports on it that the courts would grant an order to take fingerprints and palm prints only if there is the same level of justification that exists for a police officer to actually arrest a juvenile.

Under the current Act, police can take fingerprints if they charge and arrest an offender. As I stated earlier, the stated objective of this particular provision is to seek to prevent arrest or at least provide an opportunity for police to not arrest an offender but to apply to the court for the fingerprints. If it is applied in a fair and sensible way, these new provisions may allow proper investigation of offences without the necessity of arresting a child. On balance, this provision should, in my view, be given a trial. I will be interested to see the outcome of the review of this Act in 12 months' time to see if these provisions, if they are passed, are being abused by the police. If there is sufficient evidence of widespread abuse, then in my view these provisions should be repealed. The Scrutiny of Legislation Committee report, the Alert Digest, did express a concern about the wide range of offences that are able to trigger these provisions. I share that concern and agree with the suggestion in the report that minor offences should not be used to justify the taking of fingerprints or palm prints under the circumstances outlined in the Bill.

With respect to the use of cautions and the changes proposed under the Bill—I support the use of cautions as an effective way of diverting children away from the criminal justice process in appropriate circumstances. I note that there is some criticism in the community that there is excessive use or overuse of cautions. I believe that we need to closely monitor their use to ensure that they are not just used as an easy way out for police officers rather than them executing their duty in properly securing

prosecutions if they are required. However, the evidence is that the overwhelming majority of young offenders who are issued with a caution do not reoffend.

The current Act says that cautions can be divulged in court proceedings only under very limited circumstances. This legislation provides that certain disclosable cautions can be taken into account for sentencing purposes in later criminal proceedings. Again after much consideration, I have to express opposition to these provisions. Cautions are issued by police officers only if a child admits to committing an offence and consents to being cautioned. The purpose of cautions is to divert children from the criminal justice system. However, the new proposal seeks to firmly entrench certain cautions within the criminal justice process. In my view, that conflict diminishes the benefit of this method of dealing with juvenile offenders. I again note the CJC's criticism that it considers this particular proposal "to be a dangerous and unacceptable proposal which breaches basic human rights".

In conclusion, I want to reiterate a couple of key points. Firstly, this Bill makes no effort at all to address the real causes of juvenile crime, if any of the causes of juvenile crime. I believe that, if used to its proper extent, the current Act can effectively deal with the juvenile offenders in our community. It is important that the measures that we adopt to deal with the issue of juvenile crime should be part of an integrated program which seeks to address the causes of crime.

**Mrs GAMIN** (Burleigh) (5.07 p.m.): This Bill takes a realistic and balanced view of juvenile crime: on the one hand increasing the alternatives to criminal prosecution, while on the other hand making it easier to identify young offenders at an early stage, with a view to intervening in the life of crime which they may have chosen. In this regard, the Bill represents a major development towards returning the responsibility for offences to the offender.

Under previous Labor Government initiatives and policies, juvenile offenders discovered that they could openly ridicule a system which allowed them to escape any effective punishment. Thus the Honourable Attorney-General referred to them as "untouchables", since the only discernible policy of the previous Government appears to have been to keep offenders on the streets. The time has arrived for juvenile offenders to reconsider their responsibilities to society. If they do not, the courts and the criminal justice system, acting on behalf of the community, will do it for them.

Prior to the election last year, the National/Liberal coalition promised to redress the balance in society's favour. This Bill represents a major step in that direction. It is particularly reassuring to hear that the police will no longer have one arm tied behind their backs when trying to identify juvenile offenders. It is also encouraging to learn that those who have been offered more than one opportunity to mend their ways and have thrown it back in society's face will eventually be brought to task by a judge who, for the first time, may be adequately advised of the offender's attitude before passing sentence. No longer will a juvenile with a string of previous cautions to his dubious credit be able to claim before the court that he or she is a first offender.

On the Gold Coast where my electorate is, older members of the community as well as young families are constantly confronted by juveniles breaking and entering their houses and terrorising the occupants. For many elderly and retired people, the uncaring and violent behaviour of young people—sometimes drug induced—has become the greatest terror of their existence. The Bill equips police to deal with serious criminal activity such as this, giving them adequate powers of arrest.

The community not only wants protection, but it also needs protection. Labor is throwing up a smokescreen because, in six and a half years of Government, it did nothing to resolve the problems. The ALP offered no alternatives and no solutions. The former Attorney-General, Mr Foley, stated in this debate—and has been stating in the last few weeks—that this legislation does not address the causes of crime. The member for Yeronga must not have read the sections about conferencing. The member for Yeronga must not know what conferencing will do. However, I did hear the member for Nudgee compliment the Bill in relation to its conferencing provisions.

For the benefit of the honourable member for Yeronga, I advise the House that conferencing is a genuine attempt to get at some of the causes of crime. This Government will successfully get conferencing under way, and this will help divert young offenders from turning to a life of crime. I wonder where the grand plan of the member for Yeronga was. What was his plan to get at the causes of crime? What was his plan? I do not recall seeing legislation from the ALP, when it was in Government, amending the Juvenile Justice Act to attack the causes of crime. The answer is not apparent to members

opposite. They had no plan. They are all talk and no action.

The coalition's juvenile justice amendments ensure that we have in place community conferencing. That community conferencing will ensure that, where the victim agrees and the juvenile offender admits guilt, a conference between both can occur so that responsibility can be shouldered by the juvenile. What is wrong with shouldering responsibility? What is wrong with a 14, 15 or 16-year-old taking a good look at what he or she has done to some innocent party and saying, "I am sorry"? Nothing is wrong with such an apology. And once they do that, their entry into the criminal justice system is at an end. There will be no more action against them for their offence against an innocent person. They will not have to worry about community service, probation or possible detention. And if they sincerely accept their guilt and offer their apology, those juveniles' short life of crime will be at an end.

So Opposition claims that this Government has done nothing to attack the causes of crime through this Bill and, in fact, does not care about the causes of crime are just wrong. The Opposition is making much ado about detention. The plain facts are that, at some stage in their criminal career, people have to be detained; their offences are so offensive to society, and the crimes so great that detention is a protection for the community as well as a punishment for the crime.

Until now, 14 years' gaol was the maximum to which juveniles could be sentenced for horrendous murders, and there are juveniles who have received that type of sentence. I am not talking here of a juvenile who pinches lollies from the local shop; I am talking about major criminal offences such as murder, grievous bodily harm and like offences. Some people are dangerous, and the law must be able to account for their behaviour by imposing sentences such as life imprisonment. It is very sad to see a juvenile sentenced to a long term of imprisonment, but it is a fact of life that some juveniles, like some adults, have killed in cold blood. As the member for Yeronga stated, a Queensland judge recently commented on the lack of any further sentence than a 14-year period of detention. The judge's remarks speak for themselves.

The new fingerprinting powers are not draconian. To take the prints of a juvenile will ensure that police do not have to arrest the juvenile and have him or her placed in a

watch-house—because that was the only alternative open to police. The prints cannot be taken on mere suspicion. Police have to convince a magistrate that they have some evidence that places suspicion on the juvenile. The test is clear, and it is one which provides safeguards and provides for the destruction of the prints if there is no conviction. What is wrong with providing fingerprints? They are a link in the chain of evidence in the detection of crime. Fingerprinting can have another less publicised effect: the identification of prints can eliminate suspects from an investigation.

Labor's contribution to this debate has not been about things in the Bill but about things which may or may not happen. The honourable member for Yeronga's comments on police powers are nothing more than idle speculation and reflect the fact that, for six and a half years in Government, Labor never once attacked the problem of crime in the community. Labor has done nothing more than present a range of straw men in this debate which it has then fairly ineptly sought to knock down.

**Mr T. B. SULLIVAN** (Chermside) (5.15 p.m.): In common with other members of this Parliament, I believe that wrongdoers should be apprehended by the police, judged according to our established judicial processes and punished according to law. I also believe that we have to address the underlying causes of offending behaviour and that punishment should have two major aims, namely, to prevent and deter further criminal acts and to rehabilitate offenders. That is why I oppose the Bill before the House, because it will not achieve its stated goals.

This legislation will not bring about fewer break and enters, fewer assaults or a decrease in offences against property. This legislation will not provide one extra ounce of protection to my constituents, and it will not strengthen the current ability of police officers and the courts to apprehend and sentence offenders. The Juvenile Justice Act 1992 already provides sufficient powers to police to arrest young offenders, and it provides a range of sentencing options, including lengthy periods of detention, which magistrates and judges can impose on proven offenders. I will make further reference to sections 10, 12, 20 and 21 of the Juvenile Justice Act later in this speech.

Many of today's youth feel under siege. Just this week, I heard a leading church figure in Brisbane say that it broke his heart to hear young people express so little hope for their future. I believe that there is also a campaign

of youth bashing among certain journalists who find it easier to jump on the bandwagon of criticism than to do some foot-slogging research to look deeper into society's underlying problems. The legislation before the House is a put-down for our young people. Using a term which I personally dislike, young people would say that this Bill sucks.

Members have heard reference here to the good old days. As my older brother reminds me, one of the reasons for calling it the good old days is a bad old memory. I remember reading during my teaching days quotes from throughout the ages about the youth of the day. Whether it was ancient Greece, medieval Europe or nineteenth century Australia, the adults of the day always criticised the wilfulness and activities of the youth. Many members in this House are of an age when they remember Guy Fawkes night and some of the celebrations of our peers in the forties, fifties and sixties. I wonder how our parents would react today to the blowing up of letterboxes and the tying of a trail of Tom Thumbs onto a cat's tail. Although I was not personally involved in such activities, they did occur when I was young. They were very common.

I remember a gentleman who was involved in a community centre in my electorate talking about the history of the centre and showing slides of the 1950s and sixties. He referred to the stage on which they held some of their performances and made reference to the fact that it was the third stage. The other two had been burnt down. There are people of mature age today taking an active part in today's society who were offenders 30 years ago and who carried out actions such as those I have just described. We can do without dinosaurs such as Laurie Kavanagh, who finds it quite all right to write about his young days and to describe his offending behaviour as that of a larrikin and yet describe similar activities of today's youth as offensive and call them louts. I do not see any difference between the offensive behaviour that we see today and what I remember from the 1950s of the bodgies and widgees who roamed Brisbane and the regular reports of damage and gang fights in the outlying pubs, which in those days were at Strathpine, Bald Hills and Petrie. It appears that the more things change, the more they stay the same. The Attorney-General introduced this Bill and claimed that it will change offending behaviour and somehow make society safer. That is untrue.

The provision for juvenile detention to be transferred to the Queensland Corrective

Services Commission is not a good move. If there were problems in the way that the juvenile detention centres were run—and I believe there were problems—then we simply have to improve management procedures. I know of problems that existed in one of our Brisbane juvenile detention centres at which the management was not doing its job. That problem was solved by improving the training of those involved and by senior management removing the person who was making the wrong decisions. Problems are also caused by overcrowding, so we need to build more facilities. The previous Government did that and the current Government is doing that. However, let us not bring in a law that will unnecessarily put into detention young offenders who should not be in detention.

As to those offenders described by the member for Springwood, who described offences of personal attack and damage of the most severe nature—the current legislation provides for police officers to arrest those people and for the magistrates and judges to sentence those people to long periods of detention. What the member for Springwood highlighted was the failure of police officers or the courts to act upon what is currently in front of them. The current legislation already provides that power. If that is not being carried out, it is not the legislation that is wrong; rather it is the police and/or the courts that are failing to carry out their duties.

In my 20 years of teaching teenagers, I found that the majority of the kids were good. All of them got up to some mischief at some time, and all needed guidance and correction. Sometimes teenagers say, "How did you know that I was going to do that?" or "How did you know that I was thinking that?" The reason is simple: we did it or we thought of it 20 years ago. Things do not change very much. There are very few really bad eggs in society. If this legislation is designed to catch the 1 per cent or 2 per cent of youths who are really offending, it is not doing anything that the current Act already does not do. However, it does impose on the majority of our teenagers unnecessary burdens. All one has to do is talk to a deputy principal or a year coordinator at any of our high schools and one will hear the same story: of the 800 or 900 students, fewer than one dozen account for 80 per cent of the serious misbehaviour problems at the school, and that dozen take up the majority of the deputy principal's time. We should not impose draconian measures on all our youth because of the behaviour of a very small percentage.

The police and the courts already have sufficient legislative powers to apprehend,

judge and sentence young offenders. What is needed is the will to pursue that. A pensioner in my electorate saw a young person entering and leaving a neighbour's house. She phoned the police and was asked whether the person was Aboriginal. When she said that the person was Aboriginal, the police officer told her that they were unable to do anything about it. That police officer was in dereliction of duty. When I heard of that incident, I phoned the inspector at Boondall who was absolutely astounded at the response, because he had directed his senior sergeants to enforce the law without fear or favour. If that were a unique occurrence, I would leave it to one side, but it is not. I have heard on many occasions that people from Neighbourhood Watch groups and other community groups have been given the same information: "If they are young kids, we can't touch them." Later, I will refer to portions of the existing legislation to illustrate that not only can the police officers arrest young people, but they should arrest them in certain circumstances. They must do that.

**Mrs Wilson:** But they don't.

**Mr T. B. SULLIVAN:** The member opposite says that they do not. That is the problem of the Police Service. If they have the will to do it, it can happen.

With your permission, Mr Deputy Speaker, I would like to table and incorporate in *Hansard* certain sections of the existing Act.

Leave granted.

Juvenile Justice Act 1992

## PART 2—CAUTIONS AND START OF PROCEEDINGS

### *Division 1—Preliminary considerations*

Police officer to consider alternatives to proceeding against child

10.(1) Subject to section 20 (Arrest and ex officio indictment power preserved), a police officer, before starting a proceeding against a child for an offence, must first consider whether in all the circumstances it would be more appropriate—

- (a) to take no action; or
- (b) to administer a caution to the child.

(2) The circumstances to which the police officer must have regard include—

- (a) the circumstances of the alleged offence; and
- (b) the child's previous history known to the police officer.

(3) If necessary the police officer must delay starting a proceeding in order to consider the matters mentioned in subsection (2).

### *Division 3—Arrest*

Arrest and ex officio indictment power preserved

20.(1) Sections 10 (Police officer to consider alternatives to proceeding against child) and 21 (Restriction on arrest of child) do not affect—

- (a) the power to charge under the proviso to section 42(1) of the *Justices Act 1886*; or
- (b) a power to arrest a child for a life offence; or
- (c) a proceeding on an indictment.

(2) Despite sections 10 (Police officer to consider alternatives to proceeding against child) and 21 (Restriction on arrest of child), a police officer may arrest a child if the police officer believes on reasonable grounds that arrest is necessary—

- (a) to prevent a continuation or a repetition of the offence or the commission of another offence; or
- (b) to prevent concealment, loss or destruction of evidence relating to the offence.

(3) Despite section 21 (Restriction on arrest of child), a police officer may arrest a child if the arresting police officer believes on reasonable grounds that the child is unlikely to appear before the Childrens Court in response to a complaint and summons or an attendance notice.

Restriction on arrest of child

21. Subject to section 20 (Arrest and ex officio indictment power preserved), a proceeding against a child for an offence must be started by way of—

- (a) complaint and summons under the *Justices Act 1886*; or
- (b) attendance notice.

**Mr T. B. SULLIVAN:** The key clause is clause 20, which states that sections 10 and 21, which set out what action should occur first, do not affect the power of the police to arrest a child for an offence. The reasons why a youth should be arrested are given—

- "(a) to prevent a continuation or a repetition of the offence or the commission of another offence; or
- (b) to prevent concealment, loss or destruction of evidence . . ."

People have told me that they were told at Neighbour Watch meetings that, if police stop and talk to a juvenile seen breaking into a residence, they cannot arrest him; yet 10 minutes later he breaks into a house down the road. The current Act gives the specific direction and power for police officers to arrest those people. If they have not been arrested, then the police officers have simply not carried out their duty.

In 20 years of dealing with large groups of teenagers in my teaching days, when behaviour problems arose the key issue was the will of the staff to act. It is not easy to have 900 adolescent boys in large groups together; yet at schools in which I taught the determination of the staff to act in cohesion and to stick to school rules was the key feature in eliminating poor behaviour. If the Police Service makes a determined effort to apply the law that already exists, and the magistrates apply the penalties that already exist, much of the crime wave would not be occurring.

I refer to the *C Q Researcher* from the United States Congress. A police chief, Reuben Greenberg from Charlestown, South Carolina, said, "Kids will do whatever you tolerate." Greenberg has earned a national reputation for not tolerating crime in his area. He has simply said to his officers, "This is against the law; we are going to make a determined effort to stamp it out," and they did. What is needed is a determined effort by the Police Service and other people dealing with youth to say, "That is unsatisfactory; we will not accept it."

Detailed research from the United States Congress has determined that the get-tough measures imposed by many States have simply not worked, and in some cases have been counterproductive. However, those States that put their money into prevention and diversionary programs for youth found the greatest decrease in crime. I see no point in putting \$10m into a detention centre for 20 people when \$10m put into youth diversionary programs would prevent many of those people offending. Fewer people would be in detention centres and our youths would be much better employed in useful activities. That is why I support sport so strongly. I encourage the Minister for Sport to give greater financial benefit to sporting clubs so that our youth will have some worthwhile activities in which to engage.

I support victim offender conferencing, as does the shadow Minister. We all know that there can be a beneficial effect on the offenders when they have to face the victims of their crimes.

In conclusion, I return to my initial point. I believe that wrongdoers should be apprehended by the Police Service, judged by our magistrates and judges and given the appropriate penalty. If they have done serious harm to a person or committed serious property damage, they should be punished accordingly. However, this Bill will not bring

about those changes. This Bill will not bring about a reduction in crime. It will not make the suburbs in my electorate safer. It will not give greater protection to my constituents or other constituents in Queensland. I oppose the Bill.

Debate, on motion of Mr FitzGerald, adjourned.

### **PUBLIC SERVICE BILL**

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (5.29 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act about the administration of the public service and the management and employment of public service employees, and for other purposes."

Motion agreed to.

#### **First Reading**

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

#### **Second Reading**

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (5.30 p.m.): I move—

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

The Queensland Public Service has undergone significant reorganisation and change over the past decade. Although some of the changes that have been implemented reflect broader societal and economic trends, others mirror the previous Government's philosophy of centralised control.

The previous Government was also committed to a cumbersome and costly procedural-oriented public service where results-oriented activities by line departments were often frustrated by too little authority and too many process requirements. At the same time, the Governments of almost every other Australian State have introduced dramatic reforms to their public sector which have had the following objectives—

more effective provision of goods and services;

more efficient and flexible utilisation of resources;

improvements in the accountability and responsiveness of the public service to the policy objectives of Government;

increased openness and accessibility of decision-making processes for the community and the work force; and

the creation of a highly skilled work force, with both management and workers committed to the achievement of specified objectives.

The reform of the Queensland Public Service is an important and urgent matter for this Government. It is important not only to ensure that the current low morale of public service employees is improved by outlining the Government's vision for the future of the public service but by also introducing a new legislative framework and culture which will achieve sustainable improvements for the community, the public service and the Government. This Government will certainly not be relying solely on its central agencies for coordination and direction. It is important, nonetheless, that there remains an Office of the Public Service to provide advice to the Government, guidance and support to departments to drive implementation of best practice management and employment practices and, where appropriate, to participate in negotiations with public sector unions and to ensure that merit and equity principles are applied equally throughout the public service.

The proposed Bill repeals the Public Service Management and Employment Act and the Public Sector Management Commission Act. The Bill applies primarily to public servants and covers Government departments and public service offices such as the Electoral Commission, Audit Office, Public Trust Office and others specified in the Bill at Schedule 1. Public service offices are those offices under the leadership of a statutory office holder and whose employees are predominantly public servants.

Furthermore, the Bill provides for its extension in part, or in whole, to apply to public sector units or employees within those units. The basic philosophy underpinning the proposed legislation is an intention to broaden the career path of the vast majority of public servants within the umbrella of permanency of tenure while at the same time giving greater discretion and authority to chief executives to manage departments with a strong client and results-oriented focus. In short, the object of the legislation is to move the public service away from prescriptive processes and direct it towards results and to provide a stable and progressive career path for the vast majority of people entering the service and those that have served the public for many years already.

To achieve these improvements, the following broad reforms are being introduced. Firstly, the establishment of Principles of Public Service Management and Employment and of Work Performance and of Personal Conduct. The Bill spells out in explicit terms a series of principles and values which stress the importance of an apolitical public service with merit-based staffing, high standards of honesty and integrity, a strong focus on efficiency and results, and responsiveness and accountability to the Government of the day while maintaining a capacity to provide quality and impartial advice. It will be noted that the Bill is consistent with, and supportive of, the Equal Opportunity in Public Employment Act, the Public Sector Ethics Act and the Whistleblowers Protection Act.

Secondly, the abolition of the Public Sector Management Commission and its replacement with a smaller, more focused Office of the Public Service. The new office, under the leadership of a Public Service Commissioner, will work closely with chief executives of all departments and, in particular, will work collaboratively with the Department of Training and Industrial Relations and Treasury Department to achieve the Government's priorities. The Public Service Commissioner will not have the same intrusive powers as the PSMC but will nevertheless play a pivotal role and will have sufficient powers and authorities to ensure that the objectives of the legislation are given effect. There will be no rolling programs of departmental reviews which so destabilised many areas of the service during the previous Government.

The Public Service Commissioner will also have the responsibility for ensuring that there are service-wide directives and guidelines, with protections in place for the retention of existing rights and entitlements for public servants. The Minister for Training and Industrial Relations will also be able to issue directives and guidelines for reserved matters as defined in the Bill.

Thirdly, the devolution to chief executives of comprehensive human resource management and employment powers so that units of public administration can become more responsive to client requirements, employee needs and better able to implement the policies of the Government. Chief executives of departments will be responsible for—

defining the goals and objectives of the department in accordance with relevant Government policies and priorities;

managing the affairs of the department in a way that promotes the effective, economical, efficient and appropriate use of public resources;

deciding organisational and staffing structures having regard to the needs of the department;

adopting management practices that are responsive to changing Government policies and priorities and allow decisions and action to be taken promptly;

promoting continuing evaluation and improvement of effectiveness, efficiency, economy and appropriateness of departmental management;

implementing policies and practices about access and equity to ensure maximum access by members of the community to Government programs and to appropriate avenues for review; and

ensuring maintenance of proper standards in the creation, keeping and management of public records.

Further, chief executives will be given the authority to determine the number and classification levels of employees, other than SES, within their department subject to existing budgetary frameworks and consistent with Public Service Commissioner directives.

The Bill provides for maximum mobility of public sector employees across the sector, for example, transfer from the public sector to the Public Service and vice versa, and from one department to another. None of these options are achievable under the present legislation. The Bill provides for chief executives to use discretion to initially appoint an officer on probation for a period of not less than six months. The Bill removes the requirement for officers appointed on promotion to undergo a probationary period.

The Bill for the first time provides for the delegation of powers of a chief executive under this Act, or another Act, to be subdelegated in accordance with the Acts Interpretations Act. This provision allows maximum delegation of powers to managers and supervisors throughout the organisation, particularly regional Queensland, and enables issues to be decided at the local level. Chief executives will be required to declare their interests, either direct or indirect, through a statement provided to the relevant Minister.

Fourthly, the extension of career paths for the majority of public servants with a strengthened tenured career structure and enhanced capacity for temporary employees to acquire permanency. It is proposed to

progressively introduce contracts for all SES positions. Currently, with the exception of Queensland and the Commonwealth, all other jurisdictions with SES officers have required them to sign contracts of employment. The United Kingdom Government recently issued a White Paper proposing contract employment for a new SES structure in the UK. Whenever a vacancy is advertised in the SES it will be filled on a contract basis. Existing SES officers will have the option of voluntarily transferring to contracts if they so wish, but they will not be compelled to do so.

The contracts for SES officers will be for a maximum term of five years and will not be subject to an industrial award or industrial agreement or any determination or rule of an industrial tribunal. It is considered that the goal of providing a stable and progressive career structure with permanent tenure within the public service, while still having the benefit of a flexible and contract-based SES, will be achieved by phasing out the SES 1 level. This will enable the creation of higher levels within the tenured public service through the introduction of a new classification level of Senior Officer 1 and 2, which limits the contract-based SES to those who are senior executives and extends the career structure for tenured public servants.

With the phasing out of SES 1 and taking into account the fact that chief executives are already employed on a contract basis, this means that only approximately 50 per cent of the current SES may, in the future, be affected by the proposal to progressively introduce contracts. Those officers currently within SES 1 will remain as part of the SES and their current entitlements will be protected by a specific provision within the Bill.

Principles of merit selection and existing grievance and appeal rights will continue to apply to those classes of employee for which coverage currently exists. Some important changes to the current appeals system have been incorporated into the Bill. Appellants in promotional appeals will need to satisfy the commissioner that they have an arguable case for the appeal to proceed, that is, that a prima facie case exists. The same principle may apply in other appeals if the commissioner believes the appeal is frivolous, vexatious, mischievous or lacks substance. Appeals will be by way of review rather than another decision making process. Review of the original decision will be restricted to consideration of the evidence available to the decision maker at the time when the decision was made.

The Bill reintroduces the concept of protective appeals in cases of promotion. Furthermore, the Bill reduces the opportunity for "jurisdictional shopping" by appellants, that is, if an appeal is heard by the commissioner the appeal may not also be heard by the Queensland Industrial Relations Commission. The commissioner may decline to hear the appeal where the appellant has made an application to another court or tribunal in relation to the same matter.

In accordance with reforms in New South Wales and Victoria, the Bill will also have a provision enabling the Governor in Council to remove a term appointee from office at any time. This is in addition to such persons being removed from office by another law. Rights of return to the Public Service will exist for term appointees who, prior to appointment, served as a public servant for five years or more. Finally, the Bill provides for the appointment of senior executive officers either by the Governor in Council or the relevant chief executive.

One issue which has been dealt with in this legislation is the operation of section 14(1) of the Constitution Act 1867. This section was purportedly entrenched in 1977 by means of section 53. The Government has accepted the advice given by successive Crown solicitors, the Solicitor-General and Professor John Finnis of Oxford University, that this provision is not validly entrenched. Whilst there is a place for entrenching core provisions in our constitution, anybody who has read section 14(1) would see that it is written in archaic language, its effect is so vague as to be almost meaningless, and it has nothing whatsoever to do with the Constitution, powers or procedures of this Parliament. It is not in the public interest that our Constitution becomes so rigid and uncertain that proper public administration could be impaired.

Therefore, it is the intention of the Government to proceed with practical constitutional reform either by seeking a declaration from the Supreme Court on the legality of the entrenchment of section 14(1) or, if this proves impractical, simply proceeding with the repeal in this Bill. The latter option is, from legal advice provided, open to the Government and most probably the appropriate way to go. In making a determination the Government will, of course, seek the expert advice of the Crown's legal advisers. Until a determination is made on which course to adopt, all senior executive appointments will continue to be made by the Governor in Council and the provisions allowing chief executives to appoint senior

executives and the repeal of section 14(1) shall remain unproclaimed.

As I have previously pointed out to this House, my Government intends to update our State's fundamental law so that its terms are clear, its capacity to operate as an educative tool is maximised and its scope is certain. This Bill will achieve the Government's goal of minimising bureaucratic processes that diminish the ability of line agencies to meet client needs in a flexible and timely manner. I am convinced that the Bill will be well appreciated and accepted by the vast majority of public service employees, who, for too long, have been unable to operate at optimum level due to the previous Government's inability to address the centrally imposed, process focused, standards and reporting requirements.

Finally, I take this opportunity to point out that at page 7 of the Explanatory Notes circulated with this Bill there is reference to the term "prescribed entitlements" in the explanation of clause 34. This is a typographical error as the term should be "reserved matters". The Explanatory Notes should be corrected accordingly. If there are any similar corrections required to the Bill brought about by this typographical error, these will be corrected during the Committee stage. I commend the Bill to the House.

Debate, on motion of Ms Bligh, adjourned.

## DISTRICT COURTS LEGISLATION AMENDMENT BILL

### Second Reading

Debate resumed from 1 May (see p. 818).

**Hon. M. J. FOLEY** (Yeronga) (5.45 p.m.): This is an important Bill to ensure the independence of the judiciary, and the Opposition will support it. The Bill is consistent with decisions made by the previous Government to ensure District Court judges should enjoy security of tenure of a kind enjoyed by Supreme Court judges.

It is fundamental to a free society that there should be an independent judiciary. Much has been said of the separation of powers being the basis of the spirit of the laws in a free society, and the separation of powers rests upon the bedrock of the independence of the judiciary. Traditionally, that has been confined to superior courts and courts of unlimited jurisdiction, in that only those judges had the protection that they could not be removed from office except by a reading of the Parliament. This legislation extends

protection of that kind to District Court judges and, as such, it is a welcome reform. In this day and age it is not acceptable that judges of the District Court could be subject to removal by the Governor in Council for misbehaviour or incapacity.

In recent years, the function of the District Court has increased substantially. There was a time, not so long ago, when the District Court was not empowered to hear matters of equity. That has long since gone. There was a time when the criminal jurisdiction of the District Court was substantially limited, but recent years have seen an extension of the jurisdiction of the District Court. It must be said that District Court judges perform a very fine service for the people of Queensland and the standard of justice administered through the District Court is of a very high order indeed.

Under the guidance of Chief Judge Shanahan, District Court judges continue to enjoy a very high reputation amongst the legal profession. This is most important because a healthy District Court is vital not only for the preservation of the liberty of citizens through the administration of justice but also for the conduct of civil and commercial matters. The District Court hears a wide range of civil and commercial matters, and the conduct of justice in that court has been speedy and of a high quality.

In recent years, there has been much debate as to where may be found the bounds of the independence of the judiciary. A recent debate in the House of Lords in Britain concerned itself with the question of the extent to which judges should engage in matters of public controversy. This came about following increasing tensions between politicians from both sides of the House in the Westminster Parliament and the judiciary. This issue bears comment, particularly at a time when we live in an open and liberal society in which people from all walks of life are encouraged to express their views.

The traditional view is that judges are simply there to administer the law; to apply a given set of laws established by the Parliament or by precedent to the facts of a particular case. The traditional view is that the exercise of judging involves the application of, for the most part, settled principles of law to a set of facts to be established on the evidence. However, in recent decades jurists have appreciated that that model is not an entirely accurate description of the conduct of the judicial function. In recent decades, jurists have pointed out that, far from simply using a process of syllogistic reasoning, many judges

have to apply value judgments to the facts before them. Much of modern jurisprudence has been concerned with the question of to what extent that should be a transparent process rather than one which is shrouded by the doctrine of black-letter law legal reasoning.

This point is particularly relevant in the light of public controversies that have surrounded High Court judgments in recent times, particularly those that go to the Doctrine of Implied Rights in the Constitution. It is worthy to mention those issues in this context, because by this Bill the Parliament is fundamentally changing the relationship between itself and a class of judges, namely, District Court judges. Some have argued that the development of a Doctrine of Implied Rights in the High Court in recent years amounts to not only law making by the highest judicial officers of the land but also in effect constitution making in that those findings, if they are based upon a Doctrine of Implied Rights in the Constitution are not susceptible to be amended or overruled by the Parliament. In short, it is a question of who rules—the Parliament or the courts?

We in the Westminster tradition adhere to the view that Parliament has sovereignty; that it is up to the elected representatives of the people to make the laws, and it is a matter for the courts to apply the law. That is the classic doctrine and that is what every schoolchild is taught. However, the realities of justice, as administered through the courts, are not always able to be so simply expressed. The controversy that has surrounded the development of that doctrine in the High Court is one that is a very proper matter for consideration by members of Parliament. I say a "proper matter for consideration by members of Parliament" because all members of Parliament should have a common interest in preserving the democratic tradition, that is, in preserving the proposition that the law-making function should reside with the elected representatives of the people.

It is true in a Federal system that the courts come to adjudicate upon matters of legislation in a way that would be unthinkable outside a Federal system. We have grown used in a federation to the notion that the High Court of Australia may strike down legislation of the Commonwealth Parliament or the State Parliament where that legislation trespasses on the Constitution. What has been novel about the Doctrine of Implied Rights has been a willingness on the part of the High Court judges to imply into the Constitution a set of rights that had not been expressed there by those who drew up the

Constitution. In that respect, it is significant to note that recent decisions of the High Court appear to have moved away from the more forthright application of the Doctrine of Implied Rights that was set out in the Theophanous case and in the broadcasting case.

Those are matters that are properly of concern to members of Parliament, because it is the function of judges to judge and it is the function of legislators to make laws. The question is whether or not the courts should set certain limits to the constitutional power of the Parliament and, if so, whether those limits should be set out in express terms or whether it is open to the judges to develop a set of implications in those terms in the way that has been done in the High Court. Certainly, no-one would quibble with the robust development of the common law in the courts. The common law has evolved through the centuries precisely because it is able to respond to the needs of changing times. It has evolved to meet a whole new class of circumstances. That is why, for example, the tort of negligence emerged earlier this century and has now become so widespread in motor vehicle cases and in cases of employer/employee actions.

Debate, on motion of Mr Foley, adjourned.

## LYTTON BY-ELECTION

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (6 p.m.): I move—

"That the House calls on the Premier to explain his refusal to announce a by-election date for the electorate of Lytton, almost eight weeks after the resignation of the former Member, Tom Burns; and

That the House condemns the Premier for his recent public statement that the by-election date will only be announced when it suits the Government, despite the fact that the voters of Lytton continue to be unrepresented in this place due to his inaction."

I present 15,107 reasons why National Party Premier Rob Borbidge is frightened of naming the date for the Lytton by-election. I table and present to the House the signatures of 15,107 Queenslanders who object to the huge increase in compulsory third-party insurance premiums which Mr Borbidge's Liberal Treasurer Joan Sheldon is taking from people's handbags and pockets, and those signatures and petitions are still flowing in. Fifteen thousand one hundred and seven

people would form a long queue if they were all to line up at the door of Treasurer Sheldon or Premier Borbidge to complain that they had been promised by the coalition that there would be no increased taxes and charges. But it is only a small—

**A Government member:** Another one of your political stunts.

**Mr BEATTIE:** The Minister may interject, but what has happened tonight? This Government is so incompetent and so not up to the task that the south west to north west pipeline project that it was going to announce at 5.30—

**Mr Hamill:** The gas pipeline?

**Mr BEATTIE:** The gas pipeline is now in difficulty. It would have flow-on benefits through the western mining project worth almost \$700m. The Minister is sitting here gossiping instead of fighting for this pipeline project for Queensland, which is worth a quarter of a billion dollars.

**Mr FitzGerald:** Ha, ha!

**Mr BEATTIE:** The Leader of the House laughs. He does not care that we are losing this major project.

The signatures of these 15,000 people are only a small sample of the resentment and sense of betrayal that exists in communities throughout Queensland. Battlers are having to scrimp and save for what is for them a huge hike of \$66 for their tiny old battered cars, while the well-off do not give a second thought as they flash the plastic to insure their luxury limousines. I am sure there are thousands more who have yet to sign the petitions about the CTP rise.

The message to the people of Lytton is: if they want more of the same from Liberal Treasurer Joan Sheldon, then vote for the Liberal candidate—that is, if the Premier is ever brave enough to name the day. The Liberal Treasurer is guaranteeing more of the same. She has already ordered cuts of \$300m from Government departments. The Treasurer and her colleagues are talking of the need for millions of dollars more from taxes and charges. The Treasurer's own department priced the Liberal and National Parties' election promises at \$7,005m, or \$7 billion. That is why taxes and charges are going up. But the money is not going to be spent in Lytton. It is needed on the Gold Coast, the Sunshine Coast and the Darling Downs.

The former member for Lytton, Tom Burns, retired nearly eight weeks ago on 31 May. The Premier has tried to suggest that Tom was behaving improperly in retiring in

mid-term and that this is all his fault. I point out that Tom is following in well-worn National/Liberal Party footsteps. Former National Party Premier Mike Ahern retired on 6 May 1990. The by-election was held and a new member installed in 83 days. But in that case, of course, we had in power a Government that believed in the democratic process. Former Liberal Party Leader Angus Innes retired on 13 May 1990. The by-election was held and a new member installed in only 76 days. That is when the new members actually took up their place in this House. But again we had in power a Government that believed in the democratic process. When Clive Berghofer went in 1991, the seat was vacant for 56 days. Nundah was without a member for only 40 days in 1991. When Jim Randell resigned from Mirani in 1994, the Labor Government made sure the vacancy was filled in 31 days. That is our record—31 days from when the retirement took place until the new member appeared in this House.

But Mr Borbidge seems intent on creating a record of his own. Lytton will have been without a representative for 100 days if the by-election is not held by the first available day in September, Saturday the 7th. For nearly two months the Opposition has been calling for a by-election date. All we have been told by the Premier is that he will choose a date suitable to the Government. Never mind about the electors of Lytton.

**Mr T. B. Sullivan:** What about the people?

**Mr BEATTIE:** What about the people indeed! The Premier will choose a date suitable to the Government. What arrogance! What excuse does the Premier come up with? He would rather visit the United Kingdom, Germany and Ireland than hold an August by-election.

Yesterday, the Government introduced one of the most important pieces of legislation ever to enter this place in the Weapons Amendment Bill. The people of Lytton were denied their say. It is now possible that the Premier may be planning to keep the 20,000 Lytton voters without a representative in a deliberate attempt to force the Liberal Treasurer's unpopular Budget through the House while he has the advantage of an extra member. The most ironic thing about all of this is that by treating these people with contempt, the Premier is doing the coalition candidate no favours—but then I guess in the Premier's eyes she is only a Liberal anyway!

If there is one decision the Liberal Treasurer has made that rankles locally, it is

the way she decided without consulting her Cabinet colleagues to axe the toll on her local Sunshine Motorway. That is \$200m the rest of us will have to pay. Every time bayside residents cross the Gateway Bridge and pay their \$2.20, they should think of Mrs Sheldon and remember that she is thinking of extending the number of years they will continue to pay the toll to pay the \$200m bill on the Sunshine Motorway. They should also remember another of this Government's acts of betrayal: the sell-off of Suncorp. If everything had gone to plan for the Treasurer, her State bank would have put 20 people out of work and resulted in the closure of two branch offices in Lytton. But the Bank of Queensland announced that the plan was unworkable, and the Treasurer will be able to cut only 10 local jobs in Lytton.

If this Government does bow to public pressure, I am sure the people of Lytton will remember every broken promise, every betrayal and every bungled decision it has made in its short time in office. They will remember the decisions that turned back the clock towards the bad old days when the National Party presided over massive corruption in this State. The residents of Lytton know that this Government is simply not up to the task. They know that they have been betrayed. They understand the numbers in the House, and they will remember the contempt displayed to them by the Premier as he jets off overseas first class and they are left without a voice in Parliament. I ask: will the Premier be thinking of the voters of Lytton while he relaxes after work with a warm beer in London or a Lowenbrau in Germany? The voters of Lytton might well be thinking of the Premier, and what they should be remembering is that if they want more of this sort of treatment, Vote 1 Liberal—if ever they are given a chance.

I understand that the member for Gladstone is going to move an amendment to one part of this motion. As I understand that amendment at this time, we are happy to accept it. That will indicate to the Premier very clearly the need to set a by-election date as soon as possible.

Democracy is the basis and the strength of our society. Democracy depends entirely on the people having a voice, and to have a voice they must have a representative. The only way the people will have a representative is if a by-election is held. It is simply unacceptable that almost eight weeks have passed and no by-election date has been set. We have to remember that under the Electoral

Act, there is a minimum period of 26 days required from when the date is announced to when the by-election itself is held. So not only is it almost eight weeks since the former member retired but also we cannot have a by-election for another 26 days from the date that the Premier seeks to issue the writ. Therefore, we have 20,000 Queenslanders who at the moment do not have a voice in this Chamber.

If the Premier had acted decisively and provided some leadership, there is no reason why the people of Lytton could not be represented in the Chamber this week. They should have a representative here tonight. They should not be in the position of being unrepresented. At a time when the Budget is about to come down, at a time when the firearms legislation is before this House, at a time when the Government is considering petrol taxes, sin taxes and the privatisation of the electricity industry—there is a litany of measures that this Government is seeking to inflict on the people of Queensland—20,000 Queenslanders have no voice.

I seek no higher standard than that followed by us when we were in Government. I have outlined tonight the time that we took to call a by-election in various electorates. When the coalition sought a by-election in Mundingburra, the then Premier announced the date at the first opportunity. That is the standard we set in Mundingburra and the standard we set in all the other by-elections that I have outlined in my speech tonight. We simply seek the same standard from the Premier which he sought when he was Opposition Leader and which we demonstrated when we were in office.

**Hon. J. P. ELDER** (Capalaba—Deputy Leader of the Opposition) (6.09 p.m.): I am pleased to second this motion. No sooner had the former member for Lytton, Tom Burns, announced his retirement than the National Party and Liberal Party machines began cranking up their dirty tricks campaigns. They have been crowing with the success of the lies and deceptions they peddled in Mundingburra: the Police Union's deceitful campaign and the secret memorandum of understanding which contributed so much to their victory; the allied campaign from a few firefighters; the so-called concerned citizens campaign, orchestrated by Coop's man in Townsville, the infamous Matt Heery, along with the Alice River branch of the National Party; and Mr Cooper's other candidate, the so-called Green Independent Antony Bradshaw.

This motley crew of crooks, liars and misfits was only part of the story in Mundingburra. It was accompanied by a relentless campaign in letterboxes and even in shopping centres over the last couple of days accusing the Labor Party candidate of a massive array of crimes, including child molestation, other deviant sexual practices and a hit-and-run offence.

The coalition certainly applied the old adage in Mundingburra that if one threw enough mud it would stick. In the last three days of that campaign there were people purporting to be coalition campaign workers approaching shoppers and regaling them with tales of the Labor candidate's alleged paedophilia. It was disgusting and sickening. I should add that not for one moment am I suggesting that the member for Mundingburra knew about that or condoned it, because they did not tell Frank much. In fact, they did not tell him anything at all. He knew very little about the campaign. The coalition heavies, though, thought it worked well, and they are on the trail again. Already we have seen the Liberal candidate trying to claim that Paul Lucas is new to the area, despite the fact that he bought his first house in Wynnum seven years ago, before the Liberal candidate lived there, and has raised his three children in the district.

**Mr Bredhauer:** Another one on the way.

**Mr ELDER:** Indeed.

The coalition heavies have tried to claim that Paul Lucas was not an active member in the community. He has an ongoing involvement in the Bayside Community Legal Service, having been a founding member and regular volunteer solicitor, and he is a volunteer worker at the Seafarers Centre at Fisherman Islands. He is the honorary solicitor for the Bayside and Community Child Care Centre and both Wynnum and Bayside Family Day Care—although John Howard might relieve him of that responsibility by wiping out family day care completely. He is also the honorary solicitor for the community council, which sponsors the Fifty and Over Leisure Centre, the Bayside Information Centre, Meals on Wheels and the Bayside Interagency Network, which involves almost every community welfare group on the bayside. He has been involved with those for some time. On top of that, Paul is raising a young family with his wife, Sharon, including all the activities which that involves, such as working for schools and community fetes, and working full time. That is hardly a record of inactivity. Paul

is not someone who decided to get active six months prior to the by-election. He has a long history of community involvement in that suburb.

Not content with peddling those lies, we have seen the disgraceful exercise in which the Premier tried to use the Opposition Leader as an excuse for not calling the election. The real story was that he was always going to be travelling overseas himself. He just cannot be trusted. Mind you, it is not as though the Liberals on the bayside have been averse to dirty tricks in the past. At the last council election in March 1994, when the now Liberal candidate for Lytton ran for the ward of Wynnum, a fiercely independent candidate named Wayne Howie ran. Until election day he refused to say where his preferences were going. Then, surprise, surprise—100 per cent of his preferences went to the Liberal candidate. One can imagine my surprise when the very same Wayne Howie recently reappeared as spokesperson for the Liberal Party in the local seat of Bowman—the same Wayne Howie; the same dirty tricks.

The voters of Lytton will have to be very wary of any so-called Independent in this by-election—should the Premier ever call it. Already we have seen a former twice National Party candidate, Steve Purtill—he also ran for the CAP—calling himself a Christian Democrat and claiming to be running on an anti-pet platform. He has openly admitted that he will be provided with material from other interest groups that adhere moderately to his own policies. I do not think he will be talking to the RSPCA, because Allen has taken all the money. However, he may very well be talking to Mr Matt Heery, or perhaps making a few long phone calls to the Minister for Police and Corrective Services which Russell simply will not remember.

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (6.14 p.m.): Once again we see the hypocrisy of the Labor Party in this place tonight. In case Labor members do not know it, I point out that they are no longer in Government. Under their own legislation, because they are no longer in Government, they no longer have the authority for setting the dates for by-elections. That is the fundamental point with which the Leader of the Opposition cannot come to grips. The Electoral Act of 1992—

**Mr T. B. Sullivan** interjected.

**Mr SPEAKER:** Order! The member for Chermside!

**Mr BORBIDGE:** The Electoral Act which the honourable member's Government

introduced is clear. It is clear that the responsibility for determining the date for the by-election rests with the Premier. If the Legislative Assembly is not sitting at the time of the resignation—as was the case with Mr Burns—the Governor must issue the writ. Unlike in the case of a general election, there is no specified time frame within which the Governor must issue the writ following receipt of the resignation of a member.

In this place tonight we have the Opposition claiming that the people of Lytton remain unrepresented during important debates in this Parliament. Whose fault is that? How can that be blamed on the Government? It was not a member of the Government who went fishing. It was not a member of the Government who walked out of this place and did not honour his contract with the people. It was not a member of the Government who led to the people of Lytton being unrepresented. It is not the Government that can be blamed for the fact that the people of Lytton will have to suffer the inconvenience of returning to the ballot box just over one year after they were just there. If it was so important for the people of Lytton to be represented, why did the former member retire? Why did he pull the pin? Can we be assured that no other members of the Labor Party will be retiring in the near future, forcing another costly and inconvenient by-election?

**Mr Beattie:** You have a letter from me to that effect, and you know it. You can't be trusted.

**Mr BORBIDGE:** I will not talk about certain things that happened over the weekend. I know that the Leader of the Opposition protests over and over again that he has assurances from his caucus that there will be no further resignations. But how can he be sure? I do not think he knows for sure exactly what is going on within his own ranks.

Let me outline some pertinent points. Today is 25 July. Tom Burns resigned effective from 30 May 1996. That means the seat of Lytton has been vacant for 56 days. I am advised that, since 1945, there have been at least 50 instances of seats falling vacant, and periods of vacancy have ranged from 24 days to 211 days. I again remind honourable members that the seat of Lytton has been vacant for 56 days. Since 1945, the average length of time that seats have become vacant and remained vacant is 80.22 days. That is the average. The seat of Lytton has been vacant for 56 days.

Recently, the Leader of the Opposition wrote to me requesting approval for overseas

travel in August. Subsequently, staff from my office gave the Leader of the Opposition an undertaking that the by-election would not be held while he was overseas. It is not the Government's fault that the Leader of the Opposition has now found it necessary to cancel his trip. That is his decision. It is up to the Government to determine when the by-election will be held.

**Mr BEATTIE:** I rise to a point of order. The Premier is misleading the House. It was made very clear by my staff to his that I would not go. The Premier gave me an assurance that the by-election would be held before I was going overseas. He should not mislead this House.

**Mr BORBIDGE:** That is a lie.

**Mr BEATTIE:** I seek for that remark to be withdrawn. It is untrue.

**Mr SPEAKER:** Order! The honourable member will withdraw.

**Mr BEATTIE:** He ought to behave like the Leader of the Government instead of the village idiot.

**Mr SPEAKER:** Order!

**Mr BORBIDGE:** I withdraw. That is a blatant untruth, which we are getting used to from this increasingly desperate man opposite.

**Mr BEATTIE:** I rise to a point of order. I find that offensive. That is untrue, and I ask for it to be withdrawn. The Premier knows it is untrue. He cannot be trusted in his private dealings. That is what is wrong with him.

**Mr SPEAKER:** Order!

**Mr BORBIDGE:** I withdraw, but I find the comments made by the Leader of the Opposition offensive and ask that they be withdrawn.

**Mr BEATTIE:** I withdraw.

**Mr SPEAKER:** Order! Can we proceed with the debate?

**Mr BORBIDGE:** I feel sorry for the people of Lytton. They will again have to go to the polls in a by-election that was unwarranted and unnecessary.

Time expired.

**Mr BREDHAUER (Cook) (6.19 p.m.):** What a hypocrite is the Premier of this State. A few weeks ago he stood in this House and lauded Tom Burns as one of the best representatives that this Parliament has ever had. For 24 years in this Parliament he represented the people of Lytton. The Premier was amongst an array of members on the Government side of the House who stood up and said what a fine member he was. Now,

when it does not suit the Premier to call a by-election, he gets up here full of cant and hypocrisy and accuses Tom Burns, who for 24 years stood in this House defending and representing the people of Lytton, of running out when he knows that it is he, the Premier, who has the responsibility for leaving the people of Lytton unrepresented in this House because he is not prepared to call the by-election.

As to the Premier referring to an average of 80 days to call by-elections in Queensland since 1945—I ask: who was in Government for most of that time? The Tories on that side of the House were in Government. When Labor was in Government, when Mike Ahern, Angus Innes, Clive Berghofer and Jim Randell retired from Parliament, the by-elections were called in due time. We did not leave those electorates unrepresented, although some of them would have been better unrepresented than represented by some of the members elected in the place of those who retired.

Since the creation of the seat of Lytton in 1972, Bayside residents have enjoyed 24 years of strong Labor representation. Tom Burns, former leader of the Labor Party and former Deputy Premier, was a fierce battler for the people of Lytton. When he retired after nearly a quarter of a century in this place, Lytton residents would have expected—and quite rightly—an early by-election to restore their voice in the House. It has taken a National Party Government to silence the voters of Lytton and the Premier stands condemned for his inaction.

I refer to a debate in this House yesterday in which the member for Mansfield stated that over the past couple of years Lytton residents have had no representation to speak of. The member for Mansfield is not fit to tie the bootlace of the former member of Lytton, a man who had the respect of his electorate for 25 years and was returned to office time after time. If that whippersnapper on the other side of the Chamber thinks that, after 12 months in this Parliament, he can rise and seek to criticise and malign the former member for Lytton, he is sadly mistaken. The people of Lytton know that.

Tom Burns will be a hard act to follow, but Paul Lucas will do it and he will do it well. The Deputy Leader of the Opposition has already recounted the number of community organisations with which he is involved and in which he has actively served over the many years that he has lived in that area.

I refer again to the speech of the member for Mansfield in which he said that it is time to

let the people of Lytton vote for a candidate who is a local person who is well-known and will look after them. We on this side of the House could not agree more. It is past the time that they had the opportunity to vote. The member for Mansfield said that it is time that they had the opportunity to vote, and we agree. That is why we moved this motion tonight.

I refer to some comments of the Education Minister during question time this morning about the home economics block at Wynnum State High School. He said that there had been no freeze on education capital works. Earlier this year, when he answered a question on notice from the member for Ipswich West, he said that the following projects had been delayed: the upgrade of classrooms at Ipswich North State School and the construction of covered areas at Brassall State School, Haigslea State School, Glamorgan Vale State School and Karalee State School. The poor beggars at Ipswich West are still suffering for voting Labor, as they did for 32 years under conservative Governments in the past. Proserpine State School, Bowen State School and Gumlu State School in the Whitsunday electorate have had capital works projects frozen by this Government, as have Mackay Central State School and Victoria Park State School in the electorate of the member for Mackay. Construction of a covered area at Pallara State School and the upgrade of classrooms at Calamvale State School in the electorate of the member for Archerfield have been deferred. Yet the Minister has the hide to say that there is no capital works freeze. I have pages of examples in front of me. One of the worst cases is the home economics block at Wynnum State High School. If Labor were still in Government, that school would have received its home economics block upgrade.

Today, the member for Ipswich indicated clearly that he did not have advice from the department that those projects should not be announced. The Minister for Education rose to criticise members on this side of House. If we were still in Government, that home economics block would be being upgraded, and the members opposite would not be using it as a political football in a campaign for a by-election that they refuse to call.

The members on the opposite side of the House are full of cant and hypocrisy about this issue. They should call the by-election. They should allow the voters of Lytton to have a voice in this Parliament. They should allow them to elect the best candidate in this

election, that is, Paul Lucas. He is a local. He is involved with community organisations.

Time expired.

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (6.24 p.m.): We are witnessing a great deal of excitement from the Labor Party about this matter—a little hypocrisy, a little sensationalism and perhaps a little guilt on their behalf. I can understand that. What we are talking about today is the fact that the former member for Lytton left the electorate to which he was elected less than 12 months after he was elected. Perhaps the members opposite feel a little guilty about that. This situation is caused purely and simply by the former member's decision to resign less than 12 months into his term of office. Let us be up-front: that is what this is all about. That member decided to pull the plug after being elected by his electorate less than 12 months ago. Whatever the reason was that he pulled the plug, the fact remains that he did that.

The Leader of the Opposition and other members of the Opposition are carrying on about the fact that the Lytton by-election has not been called, but in the case of Landsborough, the electorate was without a member for 83 days. There is nothing special about what has occurred in Lytton. One may ask why the members opposite do not want their candidate to be exposed to the electorate in a campaign of some length. I have heard that the candidate has some links with the electorate, but those links are very few. It is probably due to the fact that when the Labor candidate is exposed to the electorate and is unable to relate to it that we suddenly see a great deal of excitement from the members opposite. Perhaps they want their candidate to keep his light hidden under a bushel; they want to have the poll very quickly so the constituents do not have the opportunity to meet that candidate.

However, the public wants to see that candidate and see that candidate's shortcomings. They want to see the failings of that person before they decide to vote against him. I can understand that. The people want to have those failings exposed. Of course, at the same time, they want to consider the issues that have been left by Labor for the coalition to deal with.

We have heard a lot of bunkum and codswallop about freezes. Of course, there is no freeze in relation to building construction. Currently, my portfolio has \$39m worth of court construction on—both at Southport and at Rockhampton. The member for Rockhampton

would be well aware of the major court project that I have approved since coming to office. That is two major projects just within my portfolio. Many other projects will be forthcoming. Those are projects that should have been undertaken by the members opposite over the past six and a half years. No courts projects were in place; I had to pick up that initiative and carry it on.

The Opposition does not want to see its own lack of performance, its own failings, exposed to the electorate. It wants a short, sharp campaign so it will not be exposed. However, those on this side of the House might want a lengthy campaign so that people can see Labor for what it is: a party that has ripped off the public of Queensland, and I refer to workers' compensation and third-party insurance. Of course, we know that the former Treasurer was advised well before last Christmas and the Mundingburra by-election that the compulsory third-party program was in trouble. Of course, in relation to workers' compensation the member for Mount Coot-tha was given the hospital pass by the member for Yeronga. She was left to preside over the collapse and wreckage of the Workers Compensation Scheme. That is something that other Labor Governments have done in other States.

Those are the issues that Labor does not want to see fully exposed and debated within the community. In addition, of course, is the Budget deficit of \$185m. Again, that is typical of third-term Labor Governments. That has happened in every State of this nation. In their third term, State Labor Governments have left the people of this nation with a huge deficit and huge bills. That is the case in Queensland—a deficit of \$185m.

Time expired.

**Mr BARTON** (Waterford) (6.29 p.m.): I rise to support the motion moved by the Leader of the Opposition. Before I move to the substance of my speech, I refer to the absolute lack of logic just displayed by the Attorney-General. He said that Labor does not want to expose its candidate; yet that is what this motion is all about. Bring on the contest! The people on the other side of the Chamber are the only ones who do not want their candidate exposed. For their information, I point out that Paul Lucas has been campaigning for months and he will continue to campaign. The longer the Government leaves the setting of the date, the worse it will get done at the election.

And what hypocrisy to talk about Tom Burns retiring! How many shorts months after

an election was it when Mike Ahern and Angus Innes walked out of this place? Only a matter of a few short months after an election.

I want to talk about the law and order issue—something about which the Attorney-General has been waxing lyrical today—because it will be a big issue in the Lytton by-election, and the Labor Party wants it to be a big issue in the Lytton by-election. Paul Lucas can win on that issue when the by-election is held. This new Government is very strong on rhetoric about law and order, but boy, it is a wimp when it comes to action. Since Labor lost office, law and order in the Lytton area has slipped very badly. All of the good work that was done by Labor in Government has not been followed up. Minor problems have become worse because they have not been addressed. I refer to issues such as police numbers, the graffiti problem, hoons speeding along the waterfront or drag-racing on the port road, and the fear of crime that many aged citizens have in the area because programs that were introduced by Labor in Government have been stripped away. Those problems have become worse.

What did Labor do for the Lytton area when it was in Government? A new state-of-the-art police station was constructed in Wynnum at a cost of \$2.5m when Labor was in Government. During the period of the Labor Government, police expenditure was increased by 56 per cent. Under Labor, police numbers in the Wynnum police district, which covers the electorate of Lytton, were increased by 40 per cent. What do we have now? The police establishment number is down. The Police Minister, who in Opposition promised more police, is now saying in answer to a question on notice—

"As the numbers of service members of the Queensland Police Service are increased, they will be placed in areas in the State with the greatest needs."

The Police Minister then went on to state—

"There is no date set for extra police being placed in the Wynnum district."

In other words, the numbers are down and there will be no action taken until there are more police. At the same time, the Minister is cutting the intake to the Police Academy. His words actually indicated that Wynnum is not exactly a high priority for having its police numbers even brought up to establishment, let alone brought up to the extra numbers that the Police Minister promised when he was running around the State promising extra police in all directions.

Why does Wynnum need additional police? There is a major problem with graffiti, with young people involved in hitting businesses and public facilities such as the bowls club and the RSL. A graffiti patrol was funded through Skillshare. However, what happened to that? That vandal, Amanda Vanstone, and her group came in and cut off all the funding to Skillshare. Even the graffiti patrol, which was getting rid of the graffiti very quickly so that the young people would know not to bother coming back, has gone. It has been killed off by the Liberals in power Federally.

Wynnum has a problem with hoons. It is well known that hoons congregate at Darling Point foreshore. I congratulate the council because at least it has addressed the issue by installing new lighting in the area. Another area that is infamous is the port road. Frequently, organised groups are drag-racing along the port road in the middle of the night on weekends. The police have not done anything about it. They do not have the numbers because this Government will not even bring them up to their establishment. The problem with train security has not been addressed. The elderly people of the area are concerned about crime. They are even more fearful because they know that police numbers are down. Labor's Home Security Program, which assisted aged people to improve their security—and there are a lot of aged people in the Lytton electorate—has been scrapped by this Government. Labor's Safety Audit Program helped communities, including the aged, to identify problems such as lighting and positions of fences. This Government has also scrapped that program.

In other words, the former Labor Government implemented programs which were addressing the law and order issue and which were helping the people of Lytton. This Government talks big, but does nothing.

Time expired.

**Mr CARROLL** (Mansfield) (6.34 p.m.): There is nothing improper or unfair about the Lytton by-election not being held by this date. Tonight, the temporary Leader of the Labor Party is claiming offence. He seems to be offended by the fact that, in his view, there has been some delay. Yet we see no concern by the Opposition at the departure overseas of the member for Logan on a study tour.

On 28 April this year, a very interesting article appeared in the *Sunday Mail*. The headline read, "Six Labor hot seats in doubt", and referred to the announced intention of the member for Lytton to resign from Parliament.

In addition to naming the member for Lytton, Tom Burns, that article in the *Sunday Mail* also detailed the names of other Labor members planning to bail out before the next election, which included the member for Logan, Wayne Goss; the member for Mount Isa, Tony McGrady; the member for Ferny Grove, Glen Milliner; the member for Cairns, Keith De Lacy; and the member for Bundamba, Bob Gibbs.

It would seem that those former Ministers have little faith in Peter Beattie's abilities to return Labor to the Treasury benches. The article stated further—

"Party officials are concerned that the number of parliamentary members talking of resigning is causing instability within the party, and any by-election, no matter how safe the seat, could be a disaster."

So we have six former Ministers, six by-elections—six costly and unnecessary weights on the Queensland taxpayers. The fact that we have a by-election at all so soon after a State election just shows the total disregard that the Labor Opposition really has for the ordinary people of the State of Queensland. Last July the Labor Party knew that Tom Burns was not going to serve his full term. The Labor Party knew that the former honourable member, after long service in this place, was going to retire before the next election. He wanted to retire before the last July election.

In July last year Labor was not too concerned about the timing of a by-election; it was more happy to put up a candidate whom it knew was going to go the distance. That is Labor's idea of representing the people of Lytton. Over the last couple of years, the people of Lytton have had virtually no representation to speak of. Labor talks about its concern for the people of Lytton, but all the time it is just paying lip-service to them, trying to use them to score political points. However, the people of Lytton will not be taken for fools. That is why at the last election there was a 17 per cent swing against Labor. In fact, the people of Lytton are already able to gain access to decision makers within the coalition Government because the people of Lytton have a hardworking Liberal candidate in Jenny Mansell, who is currently handling all the inquiries in that area for the coalition parties. Jenny has an office in the main street of Wynnum and she is doing an excellent job. It is only fair that the people of Lytton are given time to assess the merits of the candidates so that they can go to the ballot box knowing all the facts about the person whom they elect to

represent them. So I can understand why this is a very scary prospect for those opposite.

I would like to point out to the House also that these Labor-induced by-elections come at a heavy monetary cost to the people of Queensland. On 3 June 1995 an interesting article appeared in Sydney's *Telegraph-Mirror* titled, "ALP's early quitters to pay for elections". That article referred to comments by the national secretary of the Labor Party, Gary Gray, who, with reference to people who retire and cause early by-elections, stated that it would be nice if there were a rule that would allow the bill to be sent to them.

This State was left with a \$240m Budget hole by Labor. Perhaps all Labor members who cause a by-election to be held should not only repay the Labor Party but also the Queensland taxpayers. With the exception of Tom Burns, all the other Labor members tipped to be leaving the sinking ship did not flag their intentions before the last election. If the members in question were to resign, they would cost the State of Queensland a total of about \$900,000. They could heed the call of their southern Labor colleagues and pay the bill. That would be interesting.

It is the Labor Party that does not care about the effective representation of the people of Lytton. I am sure that those people will remember that when they size up the excellent Liberal Party candidate, Jenny Mansell. Doorknocking in the electorate tells us that it is time for a change, and a little delay will not hurt. This evening the Premier presented statistics which indicated that the delay that has occurred already is not greater than the average delay. The people of Lytton need to understand the disadvantage of Labor representation—representation by a member of the party which dumped the White Island refuelling depot in Lytton. That depot is now an environmental hazard. The people of Lytton will see that this Government has an excellent record in relation to environmental matters.

Time expired.

**Mrs CUNNINGHAM** (Gladstone)  
(6.39 p.m.): I move the following amendment to the motion—

"that the words—

'condemns the Premier for his recent public statement that the by-election date will only be announced when it suits the Government, despite the fact that the voters of Lytton continue to be

unrepresented in this place due to his inaction'

be deleted, and that the words—

'requires the Premier to set a by-election date as early as possible to reinstate representation for the voters of Lytton'

be inserted."

From the comments made so far in this debate, I recognise that this is a very political issue. Had the Opposition designated a date in its original motion, I would have voted against it because it is the Government's role to set the date. I recognise that that is enshrined in law and I reinforce that this motion is not intended to remove the authority of Government. Criticism could be levelled at parties on both sides of this House about the time taken, on some occasions, to set by-election dates. This motion recognises the rights of the people of Lytton. I do not know what interaction has gone on between the Premier and the Leader of the Opposition or what undertakings have been given about his trip overseas, but we are dealing with the motion today, and today Lytton has no representation. This motion seeks to remedy that matter.

One of the fundamental responsibilities—although we often use the word "rights"—of the community, and perhaps its only opportunity in the democratic process at the moment, is to elect its representative to Government. For a long time people in Government and those educating our children have been trying to reinforce in children that it is important to take the electoral process seriously because it is the one point in time where, for the stipulated period of the life of the Government—be it local, State or Federal—they have a say in the future life of that Parliament. I hold the importance of that very dearly.

I reiterate that the debate today appears to be very political. While the politics continues, the concerns of the people of Lytton—or any other area that is unrepresented—are not being met. Irrespective of which party representative people choose, they will make the choice based on the information that they are given and they will empower that person to represent them for the remainder of this Parliament. I would like to give them the democratic right to exercise their responsibility. I commend the motion to the House.

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (6.43 p.m.): I am

happy to second the amendment moved today by the member for Gladstone. She made a lot of sense when she said that this is a political debate. I believe that that is exactly what this is all about: politics.

This amendment is not intended to amend the Electoral Act, as would be necessary if we were to make it a fundamental requirement to set a time after a vacancy occurs for a by-election to take place. As has been pointed out by previous speakers, this period may vary a lot. Following the issue of writs, an election must be called within 26 days. From memory, I think that 56 days is the maximum amount of time allowed, although I could be wrong about that. That period of 26 days came about because the Labor Government did not want to call an election within 28 days as had been recommended by EARC and PEARC. The Premier of the day wanted to make sure that he could call an election within 26 days and keep people guessing about the date of the election for as long as possible. On Tuesday night, at the close of business, he called the election. Of course, that day counted as day one under the Election Act and, as the 26th day was a Saturday, there was actually a 24-day campaign.

In its report, the Electoral and Administrative Review Committee has stated quite clearly, in clause 15.149(c), that the commission recommends that the timing of by-elections should continue to be determined by the Government of the day. EARC also determined that casual vacancies should be filled by by-elections and, of course, we all support that concept. We do not want people appointed from the party of the member vacating the seat. According to the democratic process, there must be a by-election.

I disagree with the member for Gladstone that the people of Lytton are not being looked after. I assure her that if any constituent in Lytton requires anything, they can contact any member of this Parliament—on either side of the House. I am sure that all members would go out of their way to help that person. I assure the honourable member that the Liberal and National Parties would do anything to answer any request. Our phone numbers are in the book. Presently, two candidates are working flat out in the electorate of Lytton. The electorate has the benefit of two people. I can guarantee that if a constituent needed a car to go to the booth on election day, plenty of people would be willing to drive them there. I am sure that Jenny Mansell and her team, and no doubt the Labor candidate and his

team, would give them VIP treatment. There is no problem with that.

I disagree with the member for Waterford that the Government has not looked after the people of Lytton. It is true that they are not represented and that if they want an opinion expressed in this place they have to approach the member of another electorate. When we look at what has happened in the past, I know that it is not always desirable to have a seat vacant for long periods. On one occasion, a seat was vacant for 211 days and there are quite a few examples where the vacancy has lasted for well over 100 days. I hope that the election will occur as soon as practicable.

However, I guarantee that if the Liberal Party wins this election, there will be more by-elections. Would the Labor Party guarantee that, if the Liberals won the by-election, none of its members would cause a by-election? I would like to receive that assurance, because I know we have an assurance that nobody on the front bench will resign in the life of this Parliament.

**Mr Beattie:** I have given a letter to the Premier that covers all members.

**Mr FITZGERALD:** That no-body will resign?

**Mr Beattie:** That is right, outside of someone getting ill.

**Mr FITZGERALD:** These are the things that we are dealing with, and I do not want to point at who may or may not be resigning. However, I guarantee that if Jenny Mansell wins the election——

Time expired.

**Mr WELFORD** (Everton) (6.48 p.m.): The Opposition is pleased to support the amendment of the member for Gladstone. We are also pleased that the Government has had the good sense to capitulate to the position that we have reached on this matter.

The member for Lockyer has just exposed the Government's position for the farce that it is. His half-clever, half-smart, smart-alec proposition that the unrepresented people of Lytton are being adequately represented because there is an election campaign in the wind some time at their discretion is an absolute absurdity. As the member for Gladstone has said, we need to take this electoral process seriously. Comments like those of the member for Lockyer demonstrate that not only is the member for Lockyer, the Premier and the Government not taking this electoral process seriously but they are also playing games with the electoral process to suit their own political purposes.

I say to the member for Gladstone: why would it not get a bit political? Why would not any Opposition in this Parliament worth its salt stand up for the people of that electorate when politics is being played by a Government that is cynically manipulating the authority that it exercises under the legislation to avoid taking seriously the right of the people of Lytton to be represented. Although he seconded the motion, the comments of the member for Lockyer demonstrate that the Government does not take the electoral process seriously and that it has been embarrassed into this position by the position of the Opposition and the member for Gladstone.

An area of particular interest to me is the environment. There is no area in which the former member for Lytton, Mr Burns, had a more genuine or committed approach than the environment. Moreton Bay was his flag staff. For 24 years he stood up for Moreton Bay. He did so because Moreton Bay and its environmental values represent what is fundamentally important to the people of the bayside suburbs, and Lytton in particular.

The mob opposite want to dodge the responsibility that Government representatives have to the people of that area to protect their environment. It was our Government that declared the marine park in Moreton Bay. It was our Government that established the Moreton Bay Marine Park Zoning Plan. The Government has refused to proceed with that plan and has gone into back-pedal mode. The Government is denying the people of Moreton Bay protection for their most valuable environmental asset, the magnificent areas of Moreton Bay. We were the ones who protected the area off Green Island by incorporating it into the marine park. We were the ones who oversaw the establishment of a Moreton Bay marine park authority, which this Government has set about abolishing. It is not going to go ahead with the Moreton Bay marine park authority, in spite of the false promises that it made to the conservation groups and the local community in the Lytton area. We are the ones who first got on with the proposal to move QCL to Gladstone. What is this Government doing? Government members are sitting on their hands, waiting and pretending that they are going to do something, but they are not prepared to go to the people of Lytton on this issue, because the people know Government members are not doing anything about it.

We were the ones who moved to protect the wetlands of Moreton Bay under the RAMSAR convention. But what is this

Government doing? Nothing! It is frozen in time. It does not care for the people of Lytton or the Moreton region. It does not care for the wetlands of Moreton Bay or about the exploitation of the bay's coral reefs, fisheries and migratory bird habitats. The Government does not care about those things. The cynical politics of the Government is to play mind games on the people of Lytton in the hope that somehow the Government can gain some sort of cheap political advantage. However, the really important issues that affect the people of Lytton are environmental issues concerning the bay, such as protection for the environment against development, and the development of the port area region. These are fundamentally important environment issues that impact on that community. They need a representative in this Parliament to protect their interests.

The member for Gladstone comes from an area that is similarly affected by large-scale industrial development, and it is her view that the people in those areas deserve to have their electoral rights taken seriously. That is one thing that this Government is not doing. It is not protecting the quality of the urban environment. It is not protecting Moreton Bay.

**Mr SPEAKER:** Order! I call the honourable member for Barron River.

**An Opposition member** interjected.

**Mr WELFORD:** Mrs Sheldon is not——

**Ms WARWICK:** Mr Speaker——

**Mr SPEAKER:** Order!

**Mr WELFORD:** And the Liberal candidate down there cannot be trusted.

**Ms WARWICK:** Mr Speaker——

**Mr SPEAKER:** Order! I would hope that Hansard deletes that last 20 seconds after the honourable member had been called to order.

**Mr Welford** interjected.

**Mr SPEAKER:** Order! I called the honourable member to order. The honourable member will not contradict the Chair.

**Mr Welford:** It would be inappropriate for them to remove it.

**Mr SPEAKER:** Would it? It is inappropriate for the honourable member to speak to me in that manner. I call the honourable member for Barron River.

**Ms WARWICK** (Barron River) (6.53 p.m.): According to the State Parliamentary Library, there have been at least 50 occasions since World War II when voters in one State electorate or another found themselves without representation in

the Legislative Assembly. The people of Lytton are unfortunate in that their duly elected Labor member decided he would rather go fishing than do the job he was elected to do, but they are not alone.

According to my calculations, based on figures which I obtained, a total of 4,035 days have gone by since World War II on which the Legislative Assembly was short by at least one member. It has been 51 years since the end of the war. But, according to the library and my calculator, this Parliament was under strength for 11.05 of them. More than one day in five has gone by with at least one parliamentary representative missing, and that is excluding the many occasions on which a member was temporarily missing because of illness or some other minor diversion.

The missing members I am talking about are those, such as the member for Lytton, who chose to retire early or those who died, or who were permanently removed from Parliament for some other reason. In each case, their absence was eventually brought to an end, either by a by-election or a general election. Finally, the empty seats were filled and full representation was restored. But in each case Parliament continued in the member's absence. According to my calculator, the average time without representation in each case recorded since World War II stands at 80.22 days.

This is significant because the member for Brisbane Central is bleating about representation when his colleague has been gone for just 56 days. What does he have to say about the people of Albert, who in 1971 and 1972 waited for a total of 211 days for their member to be replaced? What about the member for Clayfield who died in May 1977? Not only was he lost to the Parliament; his seat disappeared soon after. It was lost in a redistribution. It was not until a total of 184 days had passed before the good people of Clayfield were provided with a new mouthpiece in Parliament. In fact, according to the library, the 10 longest absences since the war all involved periods of time in excess of 100 days. The shortest absence on record appears to have occurred in 1971, when the people of Merthyr gained a new representative in just 24 days.

The Labor Party caused this seat to become vacant, but it expects this Government to go for gold and to set some kind of record in calling for a replacement. The facts are that, if the Labor Party was more concerned about the people of Lytton instead of scoring cheap political points, it would have

required a clear undertaking from its MLAs before they received preselection. Instead, the Labor Party tried to mislead the people of Lytton. Labor members promoted the myth that Tom Burns would serve his three years. They set up the need for this by-election and all the costs associated with it.

At the time the former Premier, the member for Logan, was preparing for the 1995 election, Tom Burns was his deputy. There is no way in the world that the former Premier did not know of Mr Burns' intentions when he called that poll. Clearly, the people of Lytton were taken for granted by the ALP. No wonder that there was a 17 percent swing against the former member! People in the electorate of Lytton will not be taken for granted again.

However, in typical fashion, the ALP has not got the message. Lytton is a well established area, long forgotten by the former Labor Government. While the Labor Party was and is on the nose in that area, Mr Burns managed to retain his seat because of his strong personal following and his knowledge of the locals. His replacement is more from the Mike Kaiser mould of ALP politics. He may live in Lytton, but his choice of residence has more to do with his own aims for promotion within the party than it has to do with the aims of the people of the electorate of Lytton.

Jim Soorley left us without a councillor in the same area for 18 months, because he was worried about putting up an unknown Labor candidate and losing the ward. The Labor Party did not care then. In fact, the Labor lawyer that he finally did put up is just the type of representative that the people of Lytton could well do without.

**Mrs EDMOND** (Mount Coot-tha) (6.58 p.m.): I cannot believe the total ignorance and arrogance that we have just seen displayed in this House by members opposite. What short memories! When I came into this House in 1989, there were two members sitting over here, one who had been a Premier and one who was the Leader of the Liberal Party—Mike Ahern and Angus Innes—who opted out after a couple of months after the election, not a year later after 20-odd years' service, because they could not bear the thought of sitting over here. That was the only reason. They were not over 65 years of age. They were not getting on in years. They were not looking forward to retirement. They were young, healthy men who just did not like being in Opposition. That was the sole reason. It was not even a close Parliament. The majority was such that it did not matter if two or more members left—

**A Government member** interjected.

**Mrs EDMOND:** And haven't they improved since? They now support us. We never hear them supporting Government members.

I wish to speak about what is happening in the health area in Lytton. Under the National Party, the people of Lytton never had any real access to proper hospital facilities until Labor came to power in Queensland and gave the people of Lytton a 24-hour health service at the Wynnum Hospital. It took a Labor Government to fix the problems created by the Nationals' neglect of the Queensland health system all over this State, including in north Queensland, and to make sure that the taxpayers of this State were provided with a decent and accessible health service.

As a result of Labor's attention to upgrading and improving the Wynnum Hospital, the total number of patients attending every year at the hospital has increased by 366 per cent since 1989-90 to nearly 1,000 patients. Clearly, this is an indicator that an improved facility gave the local people the confidence—

Time expired.

Amendment agreed to.

Motion, as amended, agreed to.

## GRIEVANCES

### Commonwealth/State Education Relations

**Mr BREDHAUER** (Cook) (7.01 p.m.): I want to raise in the House this evening a matter of considerable concern to the education community in Queensland which exemplifies how this Government is really not up to the job. Since the election of the State and Commonwealth coalition Governments this year, the National-led Government in Queensland has been pushing for reform of Commonwealth/State financial arrangements and for certain responsibilities to be handed back to the States. Queensland National Party Premier Rob Borbidge has been leading the charge in this debate and specifically has been arguing at COAG and other places that the Commonwealth should hand over all education responsibility to the States.

I am here to tell the Premier and the Government how out of step they are with Queensland's education community in this regard. Over recent weeks I have spoken to representatives of many of Queensland's major education organisations in the State sector, the Catholic sector and in independent

schools. Parent and teacher organisations are of one mind on this issue, especially when it comes to tied grants from the Commonwealth to the States for specific areas of disadvantage. The reality is that, for over 30 years, National Party and coalition Governments in Queensland did very little to support schools with specific areas of disadvantage, and they have relied on the Commonwealth programs to provide much-needed support and services. The Priority Country Area Program, the Disadvantaged Schools Program and the National Equity Program are good examples of Commonwealth initiatives which assist in the areas of remoteness, socio-economic disadvantage and important resources for students with disability.

This Government is badly out of step with opinion in the education community in Queensland about this issue, which wants the Commonwealth role retained. I urge the Minister but, more importantly, the Premier to talk to organisations such as the QCPCA, the Queensland Teachers Union and QATIS, the Catholic Education Commission, the Association of Independent Schools and organisations representing students with disability and listen to their reasons for wanting a continuing Commonwealth role for the benefit of Queensland's quality of education services. There is no doubt that the vast majority of the education community supports the continuation of those tied grants.

Time expired.

### **Gold Coast Dental Services**

**Mrs GAMIN** (Burleigh) (7.03 p.m.): State Health Minister Mike Horan recently announced a \$1.5m funding package to establish two new oral health units as part of the \$25m Gold Coast Hospital redevelopment. The two new sites will be situated at 12 Short Street, Southport, and 144a Bayview Street, Runaway Bay, as part of an all-out attack on Gold Coast dental waiting lists. Currently on the Gold Coast we have waiting lists of over two years for non-urgent dental and denture patients. The coalition Government's strategy is to expand and decentralise oral health surgeries throughout the Gold Coast in a move to reduce these unacceptably high waiting times.

The Southport surgery, 12 Short Street, will immediately be resourced with four dental chairs with the capacity to increase to six chairs to cope with any increased demand. The Runaway Bay surgery will also have four chairs with the capacity to increase to five

chairs should the need arise. An amount of \$890,000 has been allocated for the establishment of the Southport surgery, while \$645,000 has been allocated for Runaway Bay. Leases on both these premises have been signed and capital works tenders will be called shortly, so we would expect these surgeries to be fully operational almost immediately.

Plans also exist to include a four-chair oral health surgery as part of the new Palm Beach/Currumbin community health centre. Additionally, Queensland Health operates a four-chair dental surgery at Nerang and a two-chair dental surgery at the Broadbeach Primary School.

### **Mothers**

**Mr T. B. SULLIVAN** (Chermside) (7.05 p.m.): When a statement is so self-evident that it requires no further explanation to convince us of its truth, we refer to it as a "motherhood statement". The choice of that term reflects a universal axiom, namely, that the word "mother" denotes tenderness, self-giving and unconditional love. If the House will bear with me, I will refer to a recent sad event in our family to pay tribute to all mothers and to all who follow the example of service set by mothers.

Just after 3.30 on the afternoon of Sunday, 14 July, my mother, Vonnie Sullivan, died. After 92 years, surrounded by her family, mum peacefully joined her creator. The sadness of her passing was eased only by the knowledge that she is no longer struggling with failing health but is now with her God, her husband and her infant son, Barry, who died shortly after his birth. We all know how selfless and giving mothers are. Many members and constituents will empathise with the following experience of my family.

While early photos of mum show her as a strong, upright woman with a purposeful stride, photos in later years portray a frail person suffering the effects of years of work and worry—worry about her children. A major contribution to her changing state was, of course, the birth and rearing of her children, which took a significant toll on mum. This is not said with any sense of guilt; it simply tells the reality of how all mothers literally give of themselves to their children.

I am certain all members of this House and indeed all Queenslanders can join me and my siblings—Margaret, Patricia, Michael, Gabrielle, Denis, Brian and Rita—in paying tribute to our own particular mother. Through

all the changing circumstances of our lives, children understand one thing absolutely: that their mother loved them unconditionally. May each of us say, "Thank you, mum, for loving me and for teaching me what it means to love and to be loved. Be assured that we have always loved and will always love you."

### **Brisbane South Community Group**

**Mr HEGARTY** (Redlands) (7.07 p.m.): I wish to bring to the attention of the House the fine work being undertaken by a private employment agency currently operating in my electorate, the Brisbane South Community Group. This organisation was developed from a multi-denominational church group to lend assistance to unemployed persons who may fall through the net offered by Federal Government employment agencies and the employment schemes they offer. Examples of the types of people who are predominantly helped are married women who are entering the work force for the first time or after a long break and mature-age adults who find themselves unemployed for the first time through redundancy or other circumstances. Another group receiving assistance are young, at-risk post compulsory age high school students who are not particularly interested in remaining at school but need assistance to find employment because they do not possess the necessary skills to secure a job in today's competitive environment.

The service offers assistance in preparing resumes, interview skills and other advice and support to enhance the applicant's prospects in gaining employment. Additionally, the Brisbane South Community Group personnel actively seek out job opportunities by networking community organisations such as chambers of commerce as well as calling on local businesses, particularly small business, as it is recognised as the largest employer group in the country.

I was fortunate to be able to assist the Brisbane South Community Group in finding office accommodation thanks to the generosity of my landlord, Mr Cavan Hall, who has offered the office space next to mine rent free for a period to enable the Brisbane South Community Group to assess if its services are needed on a more permanent basis.

I am pleased to announce that, since the service opened last Monday, nearly 40 people have already contacted the group seeking assistance, nearly 30 businesses have been contacted by the group and a further 10 businesses have contacted the group with a view to assisting it to find employees. I

recommend this organisation to the Minister for funding assistance, or at least consideration thereof, to help reduce the incidence of unemployment, which the Brisbane South Community Group has demonstrated to be achievable.

### **Compulsory Third-Party Insurance Premiums**

**Mr J. H. SULLIVAN** (Caboolture) (7.09 p.m.): The people of my electorate take great exception to Treasurer Sheldon's \$66 increase in compulsory third-party premiums. One thousand and fifty one of them in fact signed the petition protesting the increase which was tabled by the Opposition Leader earlier tonight. Because Mrs Sheldon refuses to release the Treasury report used to justify the increase, people are justified in asking one simple question: why? Why are insurance companies being given massive increases when less than two years ago several new companies entered the market? Competition, after all, should mean a better deal for the consumer.

It is inconceivable that insurance giants like MMI, AAMI and Commercial Union would have wanted a slice of the action if it is unprofitable. It is inconceivable also that Suncorp and FAI would have remained in an unprofitable market. The reality is that the money plundered from the pockets of motorists is being used to subsidise insurance companies' competitive actions, such as, for example, AAMI's \$40 discount on vehicle and household premiums to existing clients switching their CTP cover to the company, Suncorp's 10 per cent discount—potentially worth many dollars—to clients holding multiple insurance cover with the company and a reputed \$50 spotter's fee paid by Suncorp to motor vehicle salespersons signing up car buyers to Suncorp's CTP.

These are all legitimate business arrangements, but they should not be subsidised by the motorists of Queensland. One certain side effect of the extra expense is that many registrations will not be renewed. The use of unregistered vehicles will increase, and accidents involving those vehicles will bring added pressures to the Nominal Defendant Fund. Another side effect will be to cash up Suncorp, which writes about 50 per cent of CTP policies, at a time when the Government is moving to privatise the company. Queensland motorists should not be asked to prop up the Government's ideological excesses. Shame, Sheldon, shame!

### **Holland Park State High School**

**Mr RADKE** (Greenslopes) (7.11 p.m.): I wish to draw the attention of this Forty-eighth Parliament to the successful Holland Park State High School, which services my electorate. Holland Park State High School, time and time again, rebuts criticism of the public education system. Holland Park State High School students excel in academic achievements. Holland Park State High School is also renowned for its gymnastics support program. I wish Lisa Skinner, a present student of Holland Park State High, all the best at the Olympics in Atlanta. Also, a past student of Holland Park State High, Kylie Redman, will be representing Australia in Atlanta as a member of the Australian Youth Orchestra.

These highlighted individual successes would not have been possible without the support over the past 25 years of the parents, staff and teachers of Holland Park State High School. It was indeed a privilege to be invited to share in the celebration of Holland Park State High School's 25 years over this past weekend. The history of Holland Park State High School goes like this: Mr Charles Gibson, who owned much of the land in Holland Park West, was the resident who saw the need for a high school in that area. He organised a petition to the Government, wrote to the Education Minister and arranged an appointment to point out that there was a suitable block of Crown land where the Holland Park State High School now stands. Before building began, this area had been quiet paddocks with horses and cattle grazing. There were a few houses scattered around the area—one where the netball courts now stand, which was bulldozed, and another on the site of the oval, which was removed.

In November 1970, an unofficial parents and citizens association was formed. It organised fundraising activities to provide further facilities. The initial meeting of this association attracted more than 150 people. The matters discussed at the first meeting were the design of the school uniform, fundraising methods and the provision of equipment for the school canteen.

Time expired.

### **Redcliffe City Council; Transtate**

**Hon. D. M. WELLS** (Murrumba) (7.13 p.m.): This morning, the Honourable the Minister for Local Government decided to reopen the issue of her dealings with the Redcliffe City Council over the Transtate

rezoning proposal. She is fond of saying that her instruction to council to decide by yesterday whether to turn fragile environmental wetlands into canal estates was not an instruction to decide the issue one way or the other. This is true. But it did have economic consequences. The time limit cut out the option of local council resumption of the areas of greatest environmental significance. This option was raised at council, but it could not be done because of State Government time limits which require six months prior to gazettal. It would have been economically feasible for council to acquire the land. The going rate prior to last night's rezoning was not high. Transtate wanted the State Government to sell it the road reserve corridor, which was to be the extension of Hercules Road, so that it could put a canal there instead.

The sale of 2.7 hectares of Crown land to Transtate for a mere \$40,000—being that road reserve—was gazetted on 31 May 1996. I do not suggest that the sale was improper. I do suggest that if that was the going rate for the land, the council could have afforded to buy a fair bit of the environmentally valuable land. Only one thing prevented the council from considering that option: the Minister's letter ordering it to decide the matter by yesterday.

The other worrying aspect is the Minister's statement to the House that she did not have lunch with Transtate. This morning, the Minister said—

"Some people did have lunch with Transtate—not me . . ."

Before suggesting in the House that she did, I did what I thought fairness required and told her the rumour was that she had had lunch with Transtate and invited her to tell me that the rumour was false. Had she denied it to me I would not have raised it in Parliament. She told me that she had had lunch with Peter Marshall, who happens to be the managing director of Transtate. Now, what can I believe but that the Minister is misleading the Parliament?

### **Tjapukai Aboriginal Cultural Park**

**Ms WARWICK** (Barron River) (7.15 p.m.): Tonight, I would like to continue from where I left off last night in informing the House about the Tjapukai complex. I would now like to talk about the Tjapukai language.

A decade ago the Tjapukai language was under severe threat. There were only two Tjapukai speakers in the entire community.

Efforts to relearn the Tjapukai language began in 1987. Since then the language has experienced a revival—perhaps the only case of a revival of a dying language in Australia. Through the efforts of a dedicated group of people, community interest in the Tjapukai language program has flourished alongside a cultural renewal brought about by the Tjapukai Dance Theatre. The two activities have gone hand in hand in the revitalisation of a strong sense of pride and awareness in Tjapukai identity, culture and language.

Earlier this century, dispossessed of their territory by the push of white settlement, survivors of the Tjapukai tribe had been taken to the Mona Mona mission, where children were taken away from their parents and brought up in a single-sex dormitory where the use of Aboriginal language was strictly forbidden. Consequently, the vital language and cultural transmission link from generation to generation was broken. The Tjapukai language and the identity it encoded were effectively cast aside as worthless.

Trained language teacher and anthropologist Michael Quinn, and Roy Banning, one of the remaining Tjapukai speakers, began in 1987 by working together with the remaining language speakers and artists to produce language learning resources and conduct language lessons. More old people remembered and the young ones became interested. Now people from all over the world will hear the Tjapukai language describe the spiritual and traditional beliefs of the Tjapukai people in the creation theatre at the Tjapukai Aboriginal Cultural Park. Speaking the language gives it life and enables the Tjapukai—

Time expired.

### **Merger of Metway, Suncorp and QIDC**

**Hon. D. J. HAMILL** (Ipswich) (7.17 p.m.): There is widespread community concern about the Queensland Government's push to merge Suncorp with Metway and the QIDC. In particular, there is widespread concern among rural producers about the loss of a specialist lender to the rural industry with the removal of the QIDC from its current status. This move is further threatening many Queensland primary producer cooperatives. The QIDC has been a major source of finance for Queensland rural industry. It has provided tens of millions of dollars to the State's cooperatives, particularly in the sugar and horticultural industries.

**Mr FitzGerald** interjected.

**Mr HAMILL:** That point should be well known by the member for Lockyer.

Because the QIDC is a Queensland Government agency, these cooperatives have been able to avail themselves of tax advantages because the investments they have made with the funds that they have been able to borrow have been able to be offset on their tax liabilities. But thanks to the Queensland Government's policy and its rush to sell off the QIDC into the Suncorp/Metway merger, these important tax advantages which have been availed of by Queensland cooperatives will no longer be available to them. It will cost rural producers millions of dollars. These cooperatives have been a major source of value adding to primary produce. They provide many jobs, particularly in rural and regional centres. By removing these tax advantages, the costs of production will increase and these industries will become less competitive.

Already we know that the Suncorp/Metway merger is going to cost 1,600 jobs across Queensland, with many of them in regional Queensland, but this attack upon the primary producer cooperatives is another example of this coalition Government and this National Party betraying regional Queensland and rural industry in their ill-advised pursuit of a State bank. There are so many detriments to this particular proposal that the Government is so keen on pursuing. Not only will there be job losses, the loss of a Government guarantee to policyholders of Suncorp and the loss of a Government guarantee for those who invest with the QIDC; now the primary producers will be paying the bill.

Time expired.

### **Speakers in Schools**

**Mr CARROLL** (Mansfield) (7.19 p.m.): During question time yesterday, 24 July 1995, the member for Cook seemed concerned that Rona Joyner might speak in a State school about the biblical story of God's creation of this world. In a society such as ours which regards tolerance highly I find it amazing that we still have attitudes expressed in this House like those expressed yesterday when the subject of creation was raised.

The alternative notion that everything in the universe has developed by its own properties—by itself—from some original chaos will always be an interesting issue in our society. I believe that it is very appropriate that school children should be made aware of the theories of evolution. However, it is very

unsatisfactory for this to be taught like some religious dogma, shielded from any competition or criticism. After all, the events referred to in the theory of evolution are completely unobserved and unrepeatable, no matter how many scientists hold to them, and they do form a crucial part of the religious dogma of philosophical materialism.

Darwin made it possible to be an intellectually fulfilled atheist. Unfortunately, many undisputed facts in this regard are routinely withheld from our school children. For instance, how many of them would be made aware that thousands of scientifically qualified people are convinced that creation by the intelligent agency God is a better and more readily believable explanation. I applaud the confirmation by our Minister for Education that individual schools may admit such eminently qualified creation scientists.

This Parliament cannot afford to let anyone think that it will condone or encourage exclusion of the Bible or those who teach its truth from any school or other place in Queensland. There is absolutely no doubt of the truth in all the Bible's records of past events, including the creation, which seems to have been scoffed at by two members of this House. I know that the vast majority of honourable members on both sides of this House accept and proclaim the truth of every report in the Holy Bible, including creation. I believe that it is urgent that teachers be not only be permitted but encouraged to teach along with—

Time expired.

#### **Agreement between Premier and VETO**

**Mr ROBERTSON** (Sunnybank) (7.21 p.m.): The deed of agreement signed between the now Premier of Queensland and Veto Eastern Tollway Organisation (VETO) three days prior to last year's State election is one of the most extraordinary documents in Queensland's political history, rivalled only by the memorandum of understanding with the Queensland Police Union. That document, which Mr Borbidge solemnly and sincerely entered into, claims to be a binding and legally enforceable contract with a single issue protest group. So desperate was Mr Borbidge to pander to the wishes of that particular group, that he was prepared to undertake that if he did not abide by the provisions of the agreement then he would immediately resign and cause a general election or a by-election to be held. That is a promise that could still cost Queenslanders millions of dollars given

the Premier's failure to honour this solemnly and sincerely entered into agreement.

The arrogance of this grubby and irresponsible deal was that it purports not only to be made for the benefit of members of VETO, but it also claims to be made on behalf of every Queenslander. No wonder that when Commissioner Carruthers inspected this document he declared—

"This is perhaps the most extraordinary document I've ever seen in my life."

How dare the leader of the National and Liberal coalition parties enter into an agreement that purports to represent the views of all electors in Queensland. I do not need to remind this House of the results in the booths along the freeway that saw consistent swings against coalition candidates at last year's election.

However, apart from everything that can be said about this deed of agreement—and there is so much—the most despicable outcome was Mr Borbidge's preparedness to trample on the rights of those communities along the South East Freeway, communities such as Underwood, Springwood, Rochedale, and Macgregor, Greenslopes, Holland Park and South Brisbane, which are about to have the coalition's super highway foisted upon them.

This agreement was entered into by Mr Borbidge on behalf of all coalition candidates in the 1995 election. By virtue of this provision of the agreement, the members for Springwood, Mansfield and Greenslopes are willing accomplices to this grubby deal, which borders on a form of bribery as defined by the Electoral Act.

Time expired.

#### **Censorship**

**Mr LAMING** (Mooloolah) (7.23 p.m.): A reaction has followed calls from myself and others for stricter censorship against violence in films, TV and videos. That is not surprising. I refer to a *Courier-Mail* article headed "Former censor fears 'wowser' takeover". In that article, Janet Strickland, a former Commonwealth chief censor, expressed concern about moves to replace experts on the Commonwealth Censorship Board with ordinary mums and dads. What a terrifying prospect! Ms Strickland is quoted as saying—

"Until they are prepared to address the really hard issues, that are just fooling themselves . . ."

She did not go on to say what those hard issues are. Perhaps they are unemployment, drugs, alcohol abuse, domestic violence, and family breakdown; but I say that violence on films and TV is one of those hard issues that needs to be addressed. The President of the Australian Council for Civil Liberties, Terry O'Gorman, was also quoted in the article. He stated—

"It is a direct opening for the moral majority to use the excessively violent censorship issues as a leg in the door to start to regulate sexually explicit movies."

How terrible that the moral majority should have a say!

Mr Byrnes, Sydney Film Festival director, was also quoted in the article. The article stated—

"Mr Byrnes said linking TV violence to the Port Arthur massacre was 'just hysteria'."

That has been proven not to be the case. I refer to the Australian Institute of Criminology issues paper titled "The Portrayal of Violence in the Media: Impacts & Implications for Policy". That paper states that watching violence on the screen is related to increased aggression and that the relationship appears to be bi-directional, that is, aggressive people are more likely to watch violence and people who watch violence are more likely to be aggressive. That paper also states that research has found that children of parents who watch violent videos are more likely than other children to watch violent videos. In the United States, up to 85 per cent of respondents to a public opinion poll say that too much violence is on television.

Time expired.

#### **Wet Tropics Management Authority; Mr J. Chapman**

**Mr WELFORD** (Everton) (7.25 p.m.): The more things change, the more they stay the same with this Government. As if it were not enough for the Environment Minister to start to hand over our national parks to Sir Frank Moore, Mr Jim Chapman's name is now being bandied about as a suitable chairman of the Wet Tropics Management Authority. Talk about putting Dracula in charge of the blood bank! Mr Chapman is one of the most active opponents of the World Heritage listing of the Wet Tropics. This was the same man who joined Geoff Muntz and Paul Clauson—two other well-known environmentalists—on a Government delegation to Brazil to lobby UNESCO not to grant World Heritage listing to

the Wet Tropics, the very same area the Minister now wants him to administer.

Let us just quickly consider the Act that covers appointments to the authority. Section 16 states that the appointee must have qualifications or extensive experience in a field related to the authority's functions. Let us consider what those functions include. Section 10 states that the functions include advising the Wet Tropics Ministerial Council on Australia's obligations under the World Heritage Convention in relation to the Wet Tropics. That is the very same convention that Mr Chapman lobbied UNESCO so strongly to exclude the Wet Tropics. In addition, section 10 states that the authority must promote the Wet Tropics area locally, nationally and internationally. Mr Chapman certainly has a track record in terms of his international involvement with the Wet Tropics, but not in a way that would qualify him for inclusion on the authority.

Section 10 states that the authority must perform its functions in a way that is consistent with the protection of the natural heritage values of the Wet Tropics area. Just eight years ago, Mr Chapman was keen to allow development in areas that are now protected by World Heritage listing. Clearly, whatever other qualities he has as a local government representative, Mr Chapman is neither qualified nor in possession of the appropriate experience to be a member of the Wet Tropics Management Authority as prescribed under the Act.

The Opposition would not have raised this issue were it not for the foolish nomination of the Minister, who put forward Mr Chapman as a nominee for chair of the board. The Minister should either publicly rule out Mr Chapman as a candidate for the position or bring legislation before the House and run the gauntlet of the member for Gladstone.

Time expired.

#### **Financial Counsellor, Warwick**

**Mr SPRINGBORG** (Warwick) (7.27 p.m.): I rise tonight to applaud the decision of the Minister for Primary Industries and to thank him for placing a full-time financial counsellor in Warwick to serve the people of the southern downs. I think it is fair to say that, for a fair period, Warwick has lacked the services of such a person. Over the past year, I have lobbied for the placement of such a person in Warwick. I am very pleased that the Minister for Primary Industries has acceded to that request.

I will make a few points regarding the work that that person will be doing in order to enlighten the House about the situation in my electorate. I think that many members believe that the drought is over in our part of the world. Although there have been drought revocations, there has certainly not been any decent rain in my part of the world since that extreme rainfall that the entire south-eastern part of Queensland experienced in early May. Unfortunately, after that the rain dried up. I know a number of people are very concerned about the future for winter crops. Many of those people are placing a great deal of hope on the winter crop to get themselves out of the woods again, as is Queensland in general, because when our farm sector goes well, the State goes well.

I would like to caution members of this House about the belief that, because it has rained a bit, money is flowing. Unfortunately, cattle prices have dropped to probably one of their lowest levels in 20 years. Consequently, a

number of farmers are really concerned about their future. In the past couple of months I have had people ring me who never rang me during the drought. People who until now have been fiercely independent are becoming more and more concerned about their future. I believe that members of this House should be aware that those problems exist and that the Government has an ongoing commitment to ensuring that we can address those problems.

Time expired.

### **SPECIAL ADJOURNMENT**

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (7.29 p.m.): I move—

"That the House, at its rising, do adjourn until 9.30 a.m. on Tuesday, 6 August 1996."

Motion agreed to.

The House adjourned at 7.30 p.m.

**QUESTIONS ON NOTICE****415. Tourism, Small Business and Industry Portfolio, Environment Section**

**Mrs ROSE** asked the Minister for Tourism, Small Business and Industry (9/7/96)—

With reference to his plans to establish an environment section within his portfolio to service the needs of the tourism industry—

- (1) How many staff will be in this section and at what classifications?
- (2) Will it be regionalised or head office based?
- (3) What allocation is he seeking for it in the coming State budget?
- (4) What qualifications will be sought for staff in this section?
- (5) What will be their working relationship with the Department of Environment?
- (6) Will his Director-General be entering into a Memorandum of Understanding with the Director-General of the Department of Environment to set out clearly this working relationship?
- (7) Will he be seeking a devolution of powers to his department to administer environmental legislation as occurs with the Department of Mines and Energy?

**Mr Davidson** (18/7/96):

(1) The number of staff and their classifications have yet to be finalised as the resourcing of the Office of Tourism will be determined as part of the budget process.

(2) Currently, my Department delivers its tourism services through head office. However, I envisage that my Department's regional offices will take a greater role in tourism in the future.

(3) The tourism program budget allocation has not been determined at this stage. It will be the subject of the normal budget process.

(4) The qualifications needed by staff will be determined as part of the process of determining classifications.

(5) The Office of Tourism continues to work closely with the Department of Environment on environmental matters affecting tourism. I expect this close working relationship to continue into the future.

(6) I do not consider that a Memorandum of Understanding is necessary at this stage.

(7) I am not seeking powers to administer environmental legislation at this stage.

**416. Department of Environment, Retrenchment of Temporary Staff**

**Mr WELFORD** asked the Minister for Environment (9/7/96)—

With reference to recent terminations of temporary staff in the contaminated land section of the Department of Environment—

- (1) How many staff have left and how many will be terminated between now and September 1996?

(2) How many of these were working on the contaminated land register?

(3) How many staff were working on the register prior to these retrenchments?

(4) Will he give a guarantee that the register can maintain the level of service it was delivering prior to these staff changes?

**Mr Littleproud** (25/7/96):

(1) A total of 11 temporary staff were employed to work on a one-off project to review and validate data on the Contaminated Sites Register (CSR) over a specified period. Three of the staff left of their own accord before the end of their contracts while another 4 had their contracts expire on 28 June 1996. Appointments for the remaining 4 staff have been extended to 13 September 1996 when the project is expected to be completed.

(2) All of these staff were undertaking assignments on the CSR in the specific project areas of data validation and quality assurance and not on the ongoing program of CSR searches or other service delivery areas.

(3) Three permanent staff have been employed to work on the CSR since 1994. These staff will continue to provide the same range of services to the public as required by the Contaminated Land Act.

(4) The CSR review work completed to date has greatly increased the level of accuracy of information held on the register. The three permanent staff employed to search, update and validate new data entered on the CSR will be able to provide an improved service through using the Quality Assurance System put in place as a result of the above project.

**418. Prison Cells**

**Mr BARTON** asked the Minister for Police and Corrective Services and Minister for Racing (9/7/96)—

(1) Has he investigated the impact on the numbers of additional prison cells which will be required by the Government's policies on law and order as I note that his announcement of 25 March 1996 on new prisons did not take this factor into account?

(2) How many additional prison cells will be required?

(3) What will be the timeframe for construction of those additional cells?

(4) What will be the locations of the necessary additional new prisons?

(5) What is the projected cost of those additional new prison cells?

**Mr Cooper** (23/7/96):

(1) Consideration has been given to the impact on additional prison cells of the Governments policies on Law and Order. That impact will be dependent on the implementation process, which will be phased in over a period of time.

(2) A number of options exist for the phasing in of the Government's policy initiatives. Detailed work is

being undertaken regarding these options and it is too early at this stage to quote definitive numbers of prison cells.

(3) The QCSC operates on a planning time line of two years for the construction of new correctional centres. Expansion of existing centres is achievable in a shorter time frame. Details regarding commencement and completion dates of new facilities will be determined once the appropriate options have been finalised. As noted in (1), infrastructure planning and provision will keep pace with policy implementation.

(4) Details regarding size and location of required infrastructure will be determined once decisions have been made regarding the best options for phasing in of the policy initiatives.

(5) Costs will be determined when (2) is complete.

#### **419. Aboriginal Welfare Fund; Office of Community and Personal Histories**

**Mr BRISKEY** asked the Premier (9/7/96)—

With reference to plans to develop a new Office of Community and Personal Histories, to allow Aboriginal people to access documents relating to the Aboriginal Welfare Fund—

- (1) Has this office been established?
- (2) How many public service positions have been allocated to the office?
- (3) How many of these positions have been filled?
- (4) Who heads the office and at what classification?
- (5) What level of funding has been allocated to the office?
- (6) What level of funding is being sought from the coming State budget for this office?
- (7) What level of funds are presently in the welfare fund?
- (8) Can Aboriginal people access documents relating to the fund; if not, when will this be possible?
- (9) What procedure will Aboriginal people need to follow to access these documents?
- (10) Will any of these documents be off limits to Aboriginal people?
- (11) Will he support the setting up of an inquiry to put to rest once and for all this sorry chapter in Queensland's Aboriginal history?
- (12) Will he give a guarantee that no funds will be drawn from the welfare fund to cover the administrative costs of this new office?

**Mr Borbidge** (22/7/96):

(1) The Department of Families, Youth and Community Care established an office of Community and Personal Histories in January 1993. This office enables Aboriginal and Torres Strait Islander people to obtain available information about themselves and their families.

However a new Records/Research Room maintained by the Aborigines Welfare Fund Unit has been established recently to assist Aboriginal and Torres Strait Islander people to obtain details specifically

relating to the Aborigines Welfare Fund and the Aboriginal Accounts.

(2) The Aborigines Welfare Fund Unit has been operating for the past 18 months with a staff of five persons. An additional 6 persons are being recruited for the Unit.

(3) In accordance with Public Service Standards the existing and new positions were advertised recently in the *Courier-Mail* and in the *Government Gazette*. Applications are being appraised and candidates are being shortlisted for interview.

(4) The Acting Manager of the Unit is paid at the AO7 salary level.

(5) Expenditure on the Aborigines Welfare Fund Unit for 1995/96 was \$295,023.

(6) The budget allocation for the Unit for 1996/97 will be determined after the State Budget has been announced.

(7) The balance of the Aborigines Welfare Fund is \$6.4M.

(8) Yes. For some time Aboriginal people have been accessing the records of the Fund and the Accounts held at the Queensland State Archives.

(9) A new area was recently established to assist Aboriginal and Islander people and their representatives to undertake research with greater privacy.

Aboriginal and Torres Strait Islander people and researchers seeking access to records can contact the Department either personally or by phone.

A copy of a departmental guide to records has been produced to assist such inquiries. In addition, staff of the Aborigines Welfare Fund Unit will assist individuals and researchers to obtain access to the records held in the various locations.

The Queensland State Archives also provides public access to records in the Public Search Room.

(10) Records of the Aborigines Welfare Fund and the Aboriginal Accounts are public records within the meaning of the Libraries and Archives Act 1988 and therefore are subject to the access provision of the Libraries and Archives Regulations 1990, the Freedom of Information Act 1992, and other legislation such as the Adoption of Children Act 1964 and the Criminal Law (Rehabilitation of Offenders) Act 1986.

(11) In 1990 the then Department of Family Services and Aboriginal and Islander Affairs commissioned the Consultancy Bureau to undertake an independent investigation into the Fund and the accounts. The report was released publicly.

The Department of Families, Youth and Community Care is presently undertaking a comprehensive analysis of the Fund. A decision will be made with respect to the Fund on completion of this analysis.

(12) Yes.

#### **421. Hazardous Liquid Waste Treatment Plants**

**Mr NUTTALL** asked the Minister for Environment (9/7/96)—

With reference to his plans to take over responsibility for hazardous waste liquid treatment in

Queensland from local authorities, particularly the Brisbane City Council—

- (1) When will this occur?
- (2) Does he intend to close the Willawong liquid waste facility; if so, when?
- (3) If not, what plans does he have to (a) modernise it, (b) at what cost and (c) to accept what wastes?
- (4) If an alternative site is being sought, what selection criteria and process will be used in this selection?
- (5) Is he looking at more than one liquid waste treatment facility in Queensland; if so, which regional centres are under consideration?
- (6) Does he support use of the Luggage Point site selected by the Brisbane City Council's study for a new waste treatment facility?
- (7) Does he intend to continue using Gurulmundi as a secure storage facility for fixed wastes coming from the Willawong facility?
- (8) If additional waste treatment facilities are to be built in Queensland, will wastes from these also go to Gurulmundi; if so, will the agreement with Murilla Shire be re-written?
- (9) Does he intend to place Gurulmundi under State ownership?
- (10) If he closes Gurulmundi, where does he intend to send the wastes currently going there?
- (11) Has he held discussions with any private waste management companies about privatising the treatment of hazardous liquid wastes; if so, which companies and what were the outcomes of those discussions?
- (12) What funding is he seeking in the coming State budget for this work?

**Mr Littleproud (25/7/96):**

1. The State Government has no policy to become an operator of hazardous waste facilities.
2. The Lord Mayor of Brisbane has indicated his intention to close the Willawong facility in approximately two year's time. This government is working towards establishing hazardous waste treatment facilities owned and operated by the private sector, though joint ventures with local governments remain an option. This would allow the Willawong plant to close.
3. Does not require an answer.
4. The Government is not seeking an alternative site. The private sector will find their own sites and follow normal land use and other legislative approval processes.
5. The number of waste treatment facilities will depend on the private sector determining their economic viability. It is expected facilities would be provided on a regional basis. No sites are under investigation by government.
6. I support a waste treatment facility at a location shown through an Impact Assessment Study to have a low environmental risk, including transport implications. No such study has yet been done, and I am not able to respond on the above basis.

7. I am determined to close the facility as soon as possible when the capability exists to treat and destroy intractable wastes, rather than to inter them in the Gurulmundi secure landfill.

8. This question is premature as additional waste treatment facilities, to that at Willawong, have not yet been built and therefore there is no knowledge on whether they will produce a waste for which secure interment is required.

9. No.

10. Closure of Gurulmundi will only occur when proven alternatives are available.

11. While I can confirm I have had discussions with reputable and experienced waste disposal companies about private sector treatment of hazardous wastes, the names of the companies and outcomes of these discussions are commercially confidential.

12. I am seeking in the 1996-97 Budget funding to implement the Queensland Waste Management Strategy. Details will be made available when the budget is delivered.

#### **423. Redcliffe Neighbourhood Centre**

**Mr HOLLIS** asked the Minister for Families, Youth and Community Care (9/7/96)—

With reference to an application for funding by the Redcliffe Neighbourhood Centre under the Family and Individual Support Program (FISP) and the answer provided to this centre by a pro-forma letter addressed to "Dear Service Provider"—

- (1) Is this the standard of reply that the Redcliffe community can expect from his office and department?
- (2) As support for this centre was promised by the previous Minister, Mrs Woodgate, will he reconsider this negative response to the neighbourhood centre's application?

**Mr LINGARD (15/7/96):**

(1) The letter received by the organisation is only one part of the information that is provided in response to funding applications. There had been ongoing contact by regional staff of my department with this organisation prior to the application being submitted, while the application was being considered and finally when the application was unsuccessful.

(2) All applications for funding are considered in the context of statewide needs, the funds available and identified priorities. The 1995-96 State Plan identified that priority would be given to improving the viability of partially funded non-government owned neighbourhood centres and enhancing those existing funded services which were experiencing significant increases in demand. The application by the Redcliffe Neighbourhood Centre Incorporated was not considered to fall within these priorities.

#### **424. Disabled Persons Ward, Maryborough Base Hospital**

**Mr DOLLIN** asked the Minister for Families, Youth and Community Care (9/7/96)—

(1) Will the disabled persons ward at Maryborough be closed; if so, will the residents be placed into the community with the necessary back-up support and assistance required to guarantee they enjoy as near as possible a normal lifestyle?

(2) When will a decision be made in this matter?

**Mr Lingard (15/7/96):** (1) & (2) Yes, it is my intention that the Disabled Persons' Ward at Maryborough Base Hospital will close by June 1997. Five people have already moved from the Ward to live in the community. The remaining 25 people will be assisted to move to the community over the next year. My Department is committed to assisting these people to move to the community in a manner that is well planned and adequately resourced, thereby ensuring their safety and wellbeing.

#### 427. Alumina Refinery, Gladstone

**Mr D'ARCY** asked the Premier (9/7/96)—

With reference to the *Courier-Mail* report of 8 July that RTZ CRA has broken off negotiations to build a new alumina refinery in Gladstone—

- (1) Who has been negotiating on behalf of the Government?
- (2) What has been the time frame of the negotiations?
- (3) Will he outline the main points of the difficulty with the negotiations?
- (4) What steps is he now taking to secure this most important facility for Queensland?

**Mr Borbidge (24/7/96):**

(1) The negotiating team has comprised the chief executives of the Department of the Premier and Cabinet, Department of Economic Development and Trade and Queensland Treasury and senior officers of these Departments and the Department of Mines and Energy and the Department of Tourism, Small Business and Industry.

(2) Comalco has investigated the siting of an alumina refinery in Queensland a number of times as far back as 1983.

The current investigation was first discussed with Government in September 1995 but Comalco's detailed proposals for energy and other arrangements were not submitted to Government until 30 May 1996.

(3) Comalco has been seeking high levels of financial assistance and risk acceptance from Government in order to secure a Gladstone site for a final feasibility study. The Government and Comalco have discussed these matters in detail but have not as yet reached any agreement.

The Government has indicated that, whilst it is keen to secure the project for Queensland, it is not prepared to either underwrite the profits of Comalco or to attract development at a price that would act to the detriment of the State as a whole.

The Government is mindful of negotiations undertaken by the previous government with Comalco over the proposed sale of the Gladstone Power Station, where the Government effectively

committed itself to the sale prior to finalisation of all commercial arrangements and thereby achieved a less than optimal outcome.

The Government is continuing work on this potentially very important project.

Finally, this Government does not believe it is appropriate to conduct sensitive commercial negotiations by premature release of details in Parliament.

(4) Refer to 3 above.

#### 438. Zinc Coating Line, Murarrie

**Mr PURCELL** asked the Premier (9/7/96)—

- (1) Will the Government consider suppressing BHP's application for a zinc coating line at Murarrie in view of concerns expressed by all the local residents?
- (2) Will the Government consider purchasing the site and put it to better use for the residents instead of expending \$7m on rail and road infrastructure for BHP's use at this site?
- (3) Have the Government's environmental officers studied the impact study; if so, will he supply me with a copy of the report?
- (4) As the State Government owns appropriate land nearer to the port, with access to the Gateway and South East Freeway away from residences, which is not being put to any use, will the Government consider making approaches to BHP to purchase this instead of the Murarrie site?
- (5) Does he know what it cost the previous administration to relocate noxious industry from Murarrie and does he consider that his or future Governments will pay to relocate any future noxious industry from this area?

**Mr Borbidge (24/7/96):**

(1) BHP's proposal will make an important contribution to the State's economic base and this Government supports projects of this type: high tech, carefully engineered and built to high environmental standards. The company's application to rezone land at Murarrie is currently being considered by Brisbane City Council—the proper authority for making such decisions. This Government would not consider breaking into a statutory process which is legitimately running its course.

(2) The Government will not purchase the land in question. The previous Administration offered to upgrade infrastructure in the vicinity of the proposed site to the extent of \$7 million (in round figures). This Government does not intend to renege on that undertaking.

(3) Yes. Officers of the Department of Environment studied the Environmental Impact Study. That report is in the custodianship of the Honourable Minister for Environment and I suggest that Mr Purcell approaches that Minister.

(4) No.

(5) Yes. I am aware that the previous Government spent \$9 million of taxpayers' money to remove A J

Bush from this area. If the Honourable Member for Bulimba is suggesting that the BHP proposal will be a noxious and offensive industry, I would draw his attention to the words of the then Labor Premier, Mr Goss, and I quote from the *Courier-Mail* of 2 December 1995—"but Premier Wayne Gos . . . said the full environmental impact study required would ensure the plant was built to the world's highest environmental standards."

#### 444. Director-General, Department of Families, Youth and Community Care

**Mr T. B. SULLIVAN** asked the Minister for Families, Youth and Community Care (9/7/96)—

With reference to the employment arrangements concerning the Director-General of his department—

- (1) What are the terms and conditions of employment enjoyed by his Director-General?
- (2) Does his department provide his Director-General with subsidised accommodation; if so, how much is this subsidy worth per annum and by whom is it paid?
- (3) How much time and energy does his Director-General still give to the Shaftesbury Centre, and does this work detract from his departmental responsibilities?

**Mr Lingard** (15/7/96):

- (1) The Reverend Allan Male as Director-General is employed under a standard contract arrangement as Chief Executive Officer.
- (2) The Department does not provide the Reverend Male with subsidised accommodation.
- (3) Reverend Male, as Chief Executive Officer of a large and diverse Department, works well beyond the standard public service hours including nights and weekends. He is also on call at all times in the event of an emergency. He continues to provide advice to the Shaftesbury Centre in an honorary capacity in his own time.

#### 446. Domestic Violence

**Ms SPENCE** asked the Minister for Families, Youth and Community Care (10/7/96)—

- (1) Does he fully support the child witness to domestic violence initiative established by the previous Government?
- (2) Will he stand by his promise made on 27 May to spend an extra \$1m to lift the State's domestic violence prevention budget to \$11.5m?
- (3) Will he give a commitment to make the full \$245,000 which has been allocated to the initiative available to the Domestic Violence Resource Centre immediately?
- (4) Will he give a commitment not to reduce funding for domestic violence groups that service victims in order to fund his promises to expand the programs to provide assistance for perpetrators?

**Mr Lingard** (24/7/96):

- (1) The Government recognises the need for services for children who are affected by domestic

violence. Funds were recently approved for eleven specialist children's counsellors under the Domestic Violence Initiatives Program. These counsellors are now being recruited and will be based at Domestic Violence Regional Services throughout Queensland.

(2) The Government is dedicated to delivering enhanced services to all groups affected by domestic violence in our community. The funds of \$1 million I announced on 27 May have now been committed.

(3) A total of \$250,000 has been committed to establish the State-wide Children and Domestic Violence Prevention Service and expand the capacity of the State-wide Domestic Violence Telephone Counselling Service to increase access to services for all people affected by domestic violence.

(4) The new initiatives being taken by the Government will not detract from services for victims of domestic violence. Rather they are aimed at improving the situation for women, and all family members. Victims of domestic violence will continue to receive appropriate supports from my Department.

#### 448. Department of Economic Development and Trade, Gladstone Office

**Mrs CUNNINGHAM** asked the Minister for Economic Development and Trade and Minister Assisting the Premier (10/7/96)—

- (1) When will the departmental office be opened in Gladstone?
- (2) What staffing level is proposed?

**Mr Slack** (24/7/96):

(1) The lease for the new Office took effect from 1 July 1996. Department of Economic Development and Trade staff will be placed in the Office as soon as possible. Until permanent appointments are made to the positions, the Office will be managed by temporary staff.

(2) The office will be staffed by two (2) full-time staff—Economic Development Officer (AO8) and Administrative Assistant (AO2).

#### 450. Community Corrections, Caboolture Region

**Mr J. H. SULLIVAN** asked the Minister for Police and Corrective Services and Minister for Racing (10/7/96)—

With reference to the dissolution of the Community Corrections Region administered from Caboolture—

- (1) What savings will be made as a consequence of the decision?
- (2) What is the staff establishment for the regional office?
- (3) How many staff from the regional office will be redeployed?
- (4) How many staff from the regional office will lose their jobs?
- (5) How many staff from other offices of Community Corrections will be terminated consequential to the closure?

- (6) Which other regional offices will assume responsibility for the supervision of each of the area offices presently supervised by the Caboolture regional office?

**Mr Cooper** (23/7/96):

(1) The expected savings are in the region of \$300,000 per annum. Additional savings in the vicinity of \$25,000 will be made once the lease for office accommodation has been re-assigned. The QCSC will collaborate with the Works Department to identify another tenant.

(2) The staff establishment consists of one Regional Manager (vacant) and three staff. An additional officer is seconded to the Region to implement core programs and coordinate staff training.

(3) The three permanent staff have been offered redeployment in other Commission offices/correctional centres or have been given the option of Voluntary Early Retirement.

(4) No officer will be involuntarily terminated. All three officers have been offered redeployment to similar positions within a reasonable distance of the Caboolture office. The Regional Manager position is currently vacant and will not be filled.

(5) No permanent officer from any Community Corrections Office will be terminated as a result of the closure of the Near North Coast and West Moreton Regional Office. One officer, currently on secondment to the Regional Office in the non-establishment position of Regional Program and Training Officer, will return to duties as a Community Correctional Officer.

The officer currently acting as Regional Manager will return to his position as Area Manager. These positions have been filled, in their absence, on a casual basis.

(6) The area offices currently administered by the Near North Coast and West Moreton Region will be distributed amongst the Central and Metropolitan Regions. This will be achieved by a re-assignment of area offices to regional offices to ensure an equal workload across regions. The boundaries of all regions have been adjusted as a result of the closure.

#### 451. Community Facilities Program

**Mrs ROSE** asked the Minister for Environment (10/7/96)—

With reference to the Community Facilities Program instituted by the previous Labor Government to offset the impacts on local communities of the proposed Gold Coast Motorway and following the scrapping of the northern section of this motorway that Government decided to maintain funding for the bulk of the program—

- (1) Is he intending to maintain funding to the various projects Labor agreed to fund?
- (2) Has he sought funding for these projects in the coming State budget?
- (3) If he does not intend to maintain the program as a whole, which projects is he intending to drop?

- (4) What is his justification for departing from these Government commitments?

- (5) Does he have the support of coalition backbenchers holding seats in which these projects were originally promised?

**Mr Littleproud** (25/7/96):

(1) Funding for all projects under the Community Facilities Program has been cancelled except for those projects which could be reasonably managed within the objectives of Koala Coast Protection Plan. Expenditure previously incurred on cancelled projects will be reimbursed.

(2) Funding for these projects is being sought through normal budgetary processes.

(3) As stated above funding for all projects under the Community Facilities Program has been cancelled except for those projects which could be reasonably managed within the objectives of Koala Coast Protection Plan. Projects to be funded include:

Capalaba to Thorneside multi-purpose trail—\$350,000

Avalon Road multi-purpose trail—\$130,000

Mt Cotton to Venman's walking trail—\$170,000

(4) The Community Facilities Program was established by the previous Government in association with its decision to construct the South Coast Motorway. As there is no intention to proceed with the motorway this justification to provide funding for these projects no longer exists.

(5) It has to be remembered that the Community Facilities Program as proposed by the lost, but not lamented, Labor Government was possibly the greatest example of unaffordable and unjustifiable pork barrelling in living memory. Any member holding a seat in an area to be so benefited would be delighted if it came off. But members on this side of the House live in a real world and know what is achievable and what is simply pie in the sky.

#### 452. Trade with Indonesia

**Mr ROBERTSON** asked the Premier (10/7/96)—

With reference to the Federal Government's plans to abandon the successful DIFF Scheme (Development Infrastructure Finance Fund) and the impact this will have on Queensland companies and Queensland's business relationship with Indonesia—

- (1) Were the Federal Government plans raised with him on his recent visit to Indonesia and particularly in his meeting with President Suharto; if so, what action did he take on his return to Queensland to bring these concerns to the attention of his Federal colleagues, particularly the Prime Minister and the Foreign Affairs Minister?
- (2) What result did he get from his Federal colleagues?
- (3) Which Queensland companies will be affected if the DIFF Scheme is scrapped?
- (4) Which of these companies are currently involved with Indonesian companies and their Government via the DIFF Scheme?

- (5) Which of these companies are environmentally based?
- (6) What impact will the scrapping of these contracts have on Queensland's business relationship with Indonesia?
- (7) What action is he planning to alleviate the impacts on these companies and to protect Queensland's trading relationship with Indonesia?

**Mr Borbidge** (24/7/96):

(1) President Suharto did not raise this specific issue with me during my visit. However, I am very grateful for the question, as it gives me the opportunity to congratulate my colleague the Hon Doug Slack, Minister for Economic Development and Trade, on the actions he has taken with the Commonwealth Government on this matter. The Minister has actively pursued this matter with the Deputy Prime Minister and Minister for Trade, the Hon Tim Fischer, both in writing and at a recent National Trade Strategy Ministerial Meeting in Darwin. Mr Slack was instrumental in bringing to the attention of the Deputy Prime Minister, the practical effects on business of the manner of the abolition of DIFF and its impact on relationships with our Asian trading partners.

(2) As a consequence of the strong representations made, the Deputy Prime Minister undertook to personally convey these views to the Hon Alexander Downer, the Minister for Foreign Affairs, who is responsible for DIFF. He also undertook to request Mr Downer to investigate whether DIFF might be phased out, with project decisions taken on a case by case basis, recognising the number of infrastructure projects currently at an advanced stage in negotiations.

Mr Fisher was further requested to pursue ways and means by which the continuing aid vote might be used to ameliorate the impact of the abolition of the DIFF scheme and that the Commonwealth Government, in close consultation with the State Governments, investigate an appropriate replacement scheme for DIFF.

I understand that the Deputy Prime Minister has since followed up these issues with the Minister for Foreign Affairs and we will continue to take every opportunity to press our position with him. Mr Downer has previously given an undertaking that all Australian firms that have a Letter of Formal Offer from AusAID for this financial year will receive DIFF funding. The Commonwealth Government has also announced a review, with wide terms of reference, of Australia's aid program, which will incorporate the views of the States in relation to the need for an ongoing program providing concessional finance for major overseas capital projects.

(3) DIFF is a Commonwealth Government program administered through AusAID. Details of Queensland companies which may have sought DIFF funding, and therefore may be affected by the termination of the program, are "Commercial-in-Confidence" and are not publicly available. Questions regarding details of Queensland clients of DIFF should be directed to the State AusAID Office.

(4) See response to (3) above.

(5) See response to (3) above.

(6) Queensland's business relationship with Indonesia is stronger now than it has ever been and my Government's active policy of facilitating growth in trade and investment with Indonesia will ensure that the business relationship continues to grow.

(7) During my recent visit to Indonesia I met with President Suharto and other senior Indonesian Government officials to reinforce the Queensland Government's commitment to our strong trading and cultural relationship with Indonesia. My Government is currently considering establishing a Queensland Trade and Investment Office in Jakarta to complement our existing Sister State Relationship with Central Java. Regular Ministerial and business trade missions to Indonesia have been scheduled over the next twelve months and we are confident that this robust program will continue to deliver real benefits to Queensland business.

#### **454. Rev. A. Male; Shaftesbury Citizenship Centre**

**Mr HOLLIS** asked the Minister for Police and Corrective Services and Minister for Racing (10/7/96)—

With reference to Moconochie Lodge located at the Shaftesbury Citizenship Campus at Deception Bay, a correctional facility operated by the Reverend Alan Male who is a private provider of correctional services and accommodation to the Queensland Correctional Services Commission (QCCS)—

- (1) What is the annual funding provided to this facility?
- (2) What was the average occupancy per month for this facility in 1995?
- (3) As a private provider to the Correctional Services Commission, does the Reverend Alan Male, his family or private companies owned by him derive any benefits from Government funding?

**Mr Cooper** (23/7/96):

(1) The centre management fee is paid according to a contract. The amount paid for the 1995/96 financial year (including CPI increases) was \$340,000.

(2) The average occupancy for the 1995/96 financial year was 15 offenders.

(3) The contract for the operation of Moconochie Lodge is between the QCSC and the Shaftesbury Citizenship Centre Incorporated. The Reverend Allan Male was Executive Director of Shaftesbury Citizenship Centre Incorporated. The terms of any agreements between Rev Male and the governing committee of the Shaftesbury Citizenship Centre are not known to the QCSC.

#### **458. Social and Community Services Award**

**Mr MULHERIN** asked the Minister for Families, Youth and Community Care (10/7/96)—

With reference to the introduction of the Social and Community Services Award from 26 July to cover workers of which 80 percent are women—

- (1) Does the Government support the introduction of this award?

- (2) Have they determined what financial impact this award will have on community based organisations?
- (3) Have they determined what impact this award will have on service delivery to clients by community based organisations if recurrent funding is not increased to offset the financial implications of the introduction of the award?
- (4) Will the Government increase recurrent funding to enable these organisations to carry out their work to the same level within the community prior to the introduction of the award; if not, what strategy will the Government adopt to ensure that clients will not be disadvantaged?

**Mr Lingard (19/7/96):**

(1) On 26 June 1996 the Australian Industrial Relations Commission made a new award to regulate employment in non-government social and community services in Queensland. The award was made by consent between the Australian Services Union (ASU) representing employees, and employer groups. The employer groups were principally represented by the Queensland Confederation of Commerce and Industry (QCCI) and the Queensland Community Services Employers Association (QCSEA). The Queensland Government did not oppose the making of an award but would have preferred a delayed implementation, on the basis that there had been insufficient time to make an assessment of the funding impact.

(2) The Government is not a direct party to this award, but is indirectly affected to the extent that funding subsidies are provided to community based organisations to assist with meeting salary costs. While the award will take effect from 26 July 1996, the Commission has allowed the parties 4 months to fully consider the award and determine appropriate classification levels for the employee positions. My Department is currently developing advice on the financial impact to the community services sector of the award.

(3) As the full cost implications of the award are yet to be determined, it is difficult to assess the impact on social and community services organisations and their clients.

(4) The Government will determine its position when the full cost impact is known. As a number of funding programs administered by my department are jointly funded with the Commonwealth, it is necessary for the Federal Government to be included in any deliberations on this matter. The concerns of community organisations are acknowledged.

**460. Rockhampton Correctional Centre**

**Mr SCHWARTEN** asked the Minister for Police and Corrective Services and Minister for Racing (10/7/96)—

With reference to his promise to build a new correctional centre to replace the current Rockhampton Correctional Centre—

- (1) When will this project commence?
- (2) When will it be completed and ready to house prisoners?

- (3) What consultation does he intend to have with local residents and current staff over the issue?
- (4) Will the existing site be used to site the new centre or will a different site be chosen; if so, what is the location of this proposed site?
- (5) Will the new centre employ all the current employees?
- (6) What is the overall estimated cost of the project?

**Mr Cooper (23/7/96):**

(1) As part of its 10 year infrastructure plan to provide sufficient prison cells to meet forecast prisoner number growth, the QCSC plans to build a new centre to replace the existing Rockhampton Correctional Centre. The project is planned to commence in 1997. However, funding for this project has not yet been approved. The timing of this approval will determine the time lines for commencing and completing the project.

(2) The new centre is planned to be completed in 1999. However, as noted in (1), the time lines are subject to approval for funding.

(3) The QCSC will be undertaking consultation with a number of stakeholders (including local residents and community groups) and service providers (such as the Queensland Police Service, Queensland Ambulance Service, Queensland Fire Service and Telstra) during the various stages of the project.

(4) It is planned to locate the new centre on the existing prison reserve.

(5) As the new centre is a replacement centre, it is expected that staff for the new Rockhampton Correctional Centre will be recruited from QCSC staff currently employed at the Rockhampton Correctional Centre.

(6) It is estimated that the capital cost of providing the new centre will be \$44 million. In addition, since the centre will be providing increased capacity for accommodating prisoners, it is estimated that there will be an increase in the recurrent cost of \$1 million per year.

**462. Wet Tropics Management Authority**

**Mr BEATTIE** asked the Minister for Environment (10/7/96)—

With reference to his intention to overhaul the Wet Tropics Management Authority and its controlling Board—

- (1) What are the particular faults he has detected with the board, the draft plan and the authority?
- (2) Did Senator Hill agree that these faults exist in his recent talks with him?
- (3) What agreement has he reached with Senator Hill to correct these supposed faults?
- (4) Will State and Federal public servants be represented on any new Board of Management he constitutes; if so, what numbers of each?
- (5) Will the current Director of the Wet Tropics Management Authority be retained by the Government in his current position for the term of his contract?

- (6) What changes does he intend to make to the structure and operations of the current board?
- (7) Does he support the retention of Noel Pearson, Aila Keto and Dr Lesley Clark on the board?
- (8) Does he support the Federal Government retaining one indigenous person on the board?
- (9) Does he support cutting the size of the board back from its present six members?
- (10) Does he intend amending State legislation to allow him to include State public servants on the board?
- (11) Which additional roads and powerlines need to be developed in the wet tropics as part of local infrastructure?
- (12) In which ways was the Government review of the structure of the Wet Tropics Authority conducted in 1995 inadequate?

**Mr Littleproud (25/7/96):**

(1) I am keen for the Board to produce a comprehensive plan for the Wet Tropics Area following consideration of all responses to the draft plan. Members would be aware that the Wet Tropics Plan has been under development for some years and this has created uncertainty in the minds of certain people and groups. I am keen for the plan to be finalised at an early date to remove this uncertainty.

(2) I have had several discussions with the Honourable Senator Robert Hill since my appointment as Minister for Environment and these discussions have been very constructive and have covered a wide range of areas. Senator Hill has indicated to me that he would like the Wet Tropics Plan finalised as soon as possible.

(3) The agreements reached between Senator Hill and myself are confidential. However, for the information of the Leader of the Opposition I can confirm that Senator Hill and I have agreed that the Board should expedite the finalisation of the Wet Tropics Plan.

(4) No decision has been made in relation to State representation on the Wet Tropics Management Authority Board. As far as Federal representation is concerned that is a matter for Senator Hill. The number of Board members is set by legislation at six, comprising a chairperson, appointed by the Commonwealth and State, two members from each of the Commonwealth and the State of Queensland, and the Executive Director, Wet Tropics Management Authority.

(5) The current Director of the Wet Tropics Management Authority was appointed under State legislation and his employment arrangements are the same as any other permanent public servant. The Director is not on a contract.

(6) As with other parts of my portfolio I will consider changes from time to time to ensure a high level of cost effective operations. If there were to be changes to the Board's structure then as I have indicated above, legislative changes would be required. I would provide detailed comments at that time.

(7) As Noel Pearson and Aila Keto are Commonwealth appointments, I would not wish to comment. I have discussed Dr Clarke's position on the Board with her so that I could take her views into account when considering overall long term arrangements.

(8) I do not wish to pre-empt any decision by the Federal Government regarding Commonwealth appointed members of the Board.

(9) The size of the Board may need to be changed at some stage in the future. At this time I believe that the current number of Board Members is appropriate.

(10) Amending State legislation to allow State public servants to be appointed to the Board is only one of many options that I have under consideration at this time.

(11) Additional roads and powerlines needed in the Wet Tropics will be considered further, after the Government receives the copies of the final Wet Tropics Plan.

(12) As members would realise many things have changed since 1995 and whether the review was adequate in that year or not, is not directly relevant at this time. My responsibility in 1996 is to ensure that the arrangements are the most appropriate ones at this time and for the future.

#### **467. Assistance for Disabled Citizens**

**Mr BRISKEY** asked the Minister for Families, Youth and Community Care (10/7/96)—

With reference to the urgent need for support for disabled members of our community to remain living independently in their own homes—

- (1) How many applications are received by his department for in-home support each year?
- (2) How many applications are successful?
- (3) When will there be an increase in funding to enable all those requiring assistance to be helped?
- (4) How many disabled people are forced to live in nursing home situations because their immediate families can no longer cope without outside care assistance?

**Mr Lingard (19/7/96):**

(1) Support by my Department for people with disabilities is through the Disability Program which provides funding to community-based organisations for a range of disability services, including in-home support. In the last financial year (1995/96) there were 144 applications from organisations for in-home support services, and the total in the previous year (1994/95) was 134.

(2) 65 applications were funded in 1995/96 and 52 were funded in 1994/95.

(3) The 1994/95 and 1995/96 funding rounds for the Disability Program were administered under the previous Government. Since taking responsibility for disability issues as part of my portfolio I have become increasingly aware of the high level of unmet need which exists in the disability field. I am investigating various avenues to seek increased resources and/or support for disability services,

particularly in relation to the renegotiation of the Commonwealth/State Disability Agreement which is due this financial year.

(4) I am aware of people with disabilities inappropriately placed in nursing homes for a variety of reasons, including those people whose families are no longer able to support them. I note this as one example of the high level of unmet need in the disability area that the previous Government did little to address.

#### **468. Elanda Point Revegetation Scheme**

**Mr NUNN** asked the Minister for Environment (10/7/96)—

With reference to his recent termination of employment of rangers from the Great Sandy Region—

- (1) How many staff have been lost from the Elanda Point Revegetation Scheme?
- (2) How many staff are still working on this scheme?
- (3) Will the revegetation work continue at previously planned levels?
- (4) Will weed and grass control in the revegetated areas continue at previously planned levels; if not, what fire management plans will be put in place?
- (5) What funding is he seeking in the coming State budget for this work?
- (6) Are new staff positions included in this budgeting?

**Mr Littleproud** (25/7/96):

- (1) 2.5 Full time equivalents.
- (2) No staff are dedicated exclusively to this project. Three (3) staff are available to undertake work as necessary in conjunction with other work programs.
- (3) At this stage, pending the State budget, the program will remain in a maintenance phase appropriate for the time of year.
- (4) Weed and grass control and fire protection in the revegetated area will continue. The intensity and frequency of weed and grass control will be reduced as the plants develop to control the site.
- (5) New Initiative submissions have been prepared for enhancement of Park Management in the Great Sandy area in accordance with this Government's election commitment. These initiatives include the revegetation program as one component of Park management at Elanda.
- (6) That will depend on finalisation of budget deliberations, which have to take into account the mismanagement of the previous Labor Government.

#### **469. Boothville Maternity Hospital**

**Mr MILLINER** asked the Minister for Environment (10/7/96)—

With reference to the imminent auction of Boothville Maternity Hospital in Brisbane and as this auction follows its sale earlier this year for \$1.25m and the subsequent disposal of considerable sections of its once spacious grounds—

- (1) Does he support the diminution of the grounds on which heritage buildings stand, particularly for cost recovery as is occurring here?
- (2) Will he require, as Heritage Minister, that any developments that occur on these disposed of lands are sympathetic to Boothville and do not in any way diminish its heritage values?
- (3) Will he take this matter up with the Heritage Council as he did with the Wesley Church in Warwick?

**Mr Littleproud** (25/7/96):

- (1) I am advised that two existing allotments on the edge of the Boothville site have been sold for residential development. I am further advised that, to date, the Queensland Heritage Council has received no applications for development on these allotments. I am aware that the Queensland Heritage Council has in the past approved the subdivision of land surrounding a heritage place where there is no substantial effect on its cultural heritage significance.
- (2) As Minister for Environment I am not responsible for decisions regarding the development of heritage places, this is the role of the Queensland Heritage Council. I believe the Queensland Heritage Council will ensure the cultural heritage significance of Boothville is protected.
- (3) As Minister for Environment I had no involvement in the decisions regarding the Wesley Church in Warwick, this matter was dealt with by the Queensland Heritage Council.

#### **470. Wet Tropics Management Authority**

**Mr De LACY** asked the Minister for Environment (10/7/96)—

With reference to recent terminations of temporary employees within the Wet Tropics Management Authority—

- (1) Was the manager of the Interpretation Services Section (PO3) one of the people terminated?
- (2) Was this person responsible for co-ordination of the activities of the authorities' public contact rangers and the volunteer program?
- (3) Will the work of these two groups continue; if so, under whose direction?
- (4) Will these duties be additional to this persons existing workload?
- (5) Was a graphic artist employed by the authority also terminated?
- (6) Was this person responsible for the production of many of the authority's brochures, newsletters, signs, etc.?
- (7) Will the production of these information materials be disrupted by the loss of this officer?
- (8) What alternative arrangement has been put in place to cover the loss of this artist?
- (9) If "outsourcing" is the intended alternative arrangement, what budget is available for this work?

**Mr Littleproud** (25/7/96):

- (1) Although the position of temporary Senior Conservation Officer who was responsible for

management of interpretation services was funded by the Wet Tropics Management Authority, that person was employed by the Far Northern Region of the Department of Environment. That person was terminated recently.

I am advised that the incumbent of the position was aware that the term of employment was for 12 months from 30 June 1995 and that any extension of the position would be subject to budget considerations.

(2) No, the person was responsible for coordination of the activities of the Department of Environment's public contact rangers and volunteer program.

(3) Yes, the District Manager (Wet Tropics District), employed by the Department of Environment and based in Cairns.

(4) Yes.

(5) Although the position of graphic artist was funded by the Wet Tropics Management Authority, the incumbent was employed by the Department of Environment. That person was terminated recently.

Again, I am advised that the incumbent was aware that the term of employment was only until 30 June 1996 and that any extension of the position would be subject to budget considerations.

(6) No, the incumbent was employed in the Far Northern Region of the Department of Environment and contributed to the Department's interpretation needs as required.

(7) The lack of an in-house graphic artist in the Department's Far Northern Region will disrupt production of some information materials in the region.

(8) Both external consultants and internal expertise will be used.

(9) The temporary graphic artist did not have a dedicated budget and no specific budget has been set aside for this work. When outsourcing of a graphic artist's skills is considered necessary for an interpretation project, the costs of that work will be clearly identified and approved when the project is initiated.

#### **477. Mr X. Herbert; Heritage Property, Redlynch**

**Mr FOURAS** asked the Minister for Environment (10/7/96)—

With reference to the recent provisional listing on the Heritage Register by the Independent Heritage Council of prominent author Xavier Herbert's home at Redlynch in Cairns—

- (1) Does he support the council in listing this property?
- (2) If the owner opposes the listing, is he prepared to acquire the property in the public interest, as was done with the Weiss House in Kalbar, and then resell it to a sympathetic owner?
- (3) Has he held, or does he intend to hold any discussions with the Cairns City Council to ensure the protection of the house as outlined above?

**Mr Littleproud** (25/7/96):

(1) The Queensland Heritage Act 1992 provides that the Queensland Heritage Council is solely responsible for the maintenance of the Heritage Register.

(2) I am informed that the owner of the former home of Xavier Herbert at Redlynch in Cairns has objected to the provisional entry of the house in the Heritage Register. Officers of the Department have discussed the matter with the owner. I have received letters, but informed the people the decision does not rest with the Minister.

(3) Cairns City Council has been informed of the provisional entry of the former home of Xavier Herbert in the Heritage Register, as is required by Section 24(4) of the Queensland Heritage Act 1992. At this stage, Cairns City Council has not indicated that it wishes to discuss the matter further.

#### **501. Department of Environment, Retrenchment of Temporary Staff**

**Mr MILLINER** asked the Minister for Environment (11/7/96)—

With reference to recent retrenchments of temporary staff from the Department of Environment—

- (1) Were ten of these positions in the Human Resource Management Branch in the Division of Corporate Services?
- (2) What sections of the branch were they lost from and at what classification levels?
- (3) How does he intend to cover the work previously done by these people?

**Mr Littleproud** (25/7/96):

1. No. Four temporary officers ceased at the end of their contract of employment.

2. These temporary staff were Administrative Officers, classification level A02 and were working in the Personnel Services Section of Human Resource Management Branch.

3. Some of the processes previously undertaken are now being handled at a regional level. The departmental Enterprise Bargaining Agreement included a number of Human Resource Management initiatives which have assisted in further streamlining processes thereby reducing workloads within the Branch.

#### **502. Department of Environment, Retrenchment of Temporary Staff**

**Mr WELFORD** asked the Minister for Environment (11/7/96)—

With reference to the recent retrenchment of temporary staff in the Far Northern Region of the Department of Environment—

- (1) Were any of the positions attached to any nursery operated by the department; if so, which nursery and what numbers of staff have gone?
- (2) What were the staffing levels at the affected nurseries?

- (3) What nursery activities are being cutback as a result of these losses?
- (4) What impact will these losses have on the volunteer programs run from these nurseries?
- (5) Will he guarantee that the revegetation programs run from these nurseries will continue at previously planned levels?

**Mr Littleproud (25/7/96):**

1. Yes—Lake Eacham Nursery. Two casual positions which were employed to complete specific projects and one temporary ranger position which was only guaranteed funding until 30 June 1996.
2. Two permanent positions, one temporary position, two casual positions.
3. In the case of the casual employees who were terminated there will be no activities cut back because those people were employed for specific projects which have been completed. In the case of the temporary ranger there will now be reduced maintenance of some rehabilitation projects and a need to review commitment to future projects.
4. Reduced supervision in some circumstances.
5. As in other years, the Department's commitment to revegetation projects depends on final budget allocations.

#### **514. Treatment of Aboriginal People; Stolen Children Inquiry**

**Mr T. B. SULLIVAN** asked the Premier (11/7/96)—

With reference to evidence given by an unnamed former senior Government official to the Stolen Children Inquiry recently in Brisbane—

- (1) Does he support his statement that (a) successive Queensland Governments had tried

to create a 'utopia' for aborigines, (b) aboriginal people in Queensland had benefited from past Government policies and practices, (c) one of the greatest achievements has been giving the silent majority of people of Aboriginal and Islander origin conventional lives in an urban situation and a participation in life in the fullness of all social structure, (d) removal of Aboriginal children from their parents did not take place in any shape or form between 1940 and 1986, (e) the department he headed had no knowledge of racially discriminatory wage awards paid to Aboriginals in State employment and (f) the department he headed had no knowledge of the forcible removal of Aboriginal residents from Old Mapoon on the west coast of Cape York in 1962 to make way for the Comalco mine at Weipa, rather the people left of their own free will?

- (2) If not, does he concur with the view of Commissioner Huggins heading up the inquiry who branded the official's version as a disgraceful rewriting of history?

**Mr Borbidge (22/7/96):**

(1) It is true to say that, with the benefit of hindsight, many of the policies and practices of government administrators in Aboriginal and Islander Affairs in the 1940s, 1950s and 1960s, although well intentioned, resulted in the breakdown of cultural and familial ties. Similar policies were applied throughout Australia.

(2) I do not so much see the official's version as a "disgraceful rewriting of history" as a different world view based on the thinking of a different era. It was an era, unlike our own, which, far from recognising difference and cultural diversity, emphasised sameness and conformity.