THURSDAY, 31 OCTOBER 1996

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

PRIVILEGE

Motion of No Confidence in Government

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.31 a.m.): I rise on a matter of privilege. Yesterday, I gave notice to this House that, following the shock resignation of Mr Kenneth Carruthers, QC, as head of an inquiry into possible election bribery, I had written to the Premier regarding the grave and serious situation which resulted from that resignation. I gave notice that I would be moving a motion of no confidence in the Government today, unless the Premier sought to immediately redress the situation on behalf of the people of Queensland by amending the offending terms of reference of the Connolly/Ryan inquiry. The Premier flatly refused to act.

Last night, in a letter to me he refused to take any action to see that taxpayers got value for the money already spent on the Carruthers inquiry. If he had amended the offending terms of reference, it would have allowed Mr Carruthers to complete his task of reporting on his investigation into the role of the Premier and the Police Minister in signing the secret deal with the Police Union and other ALP matters.

The Premier refused to act because his Government had achieved what it wanted. The two Ministers in the dock got rid of the judge.

There is no political advantage for my party in pursuing the finalisation of the Carruthers inquiry. Members of my party were also the subject of investigation. However, unlike the Government, we believe in the rule of law.

In the interests of honesty and integrity, and to ensure that Queensland does not slip back into the mire of corruption we saw in the 1980s, the Premier's stubborn refusal to act leaves me no alternative but to move a motion of no confidence in his Government. This Government needs to understand that it and its Ministers are not above the law. I understand that, following negotiations between the Leader of Government Business and the Leader of Opposition Business, I will have an opportunity to move that motion of no confidence later on in business.

PARLIAMENTARY SERVICE

Annual Report

Mr SPEAKER: I lay upon the table of the House the annual report of the Queensland Parliamentary Service for the period 1995-96.

PETITIONS

The Clerk announced the receipt of the following petitions—

Service Road in Oxenford, Helensvale and Gaven Areas

From **Mr Baumann** (155 signatories) requesting the House to provide a two-way 60 kph service road for local traffic in the Oxenford, Helensvale and Gaven areas, as promised in the impact management plan, to ensure locals don't have to access the Gold Coast to Brisbane motorway to travel short distances.

Soccer

From **Mr Campbell** (1,208 signatories) requesting the House to (a) recognise that soccer is played by over 35,000 juniors throughout Queensland, (b) recognise that the withdrawal of funding has imposed excessive financial strain on soccer clubs which do not have access to major sponsors like other codes and (c) immediately press the Government to reinstate its level of funding for junior soccer to its previously existing levels.

Wahroonga Retirement Village

From **Mr Dollin** (193 signatories) requesting the House to oppose the proposed closure of 140 units and cottages at the Wahroonga Retirement Village.

Compulsory Third-party Insurance Premiums

From **Mr Dollin** (112 signatories) requesting the House to repeal the increase to compulsory third-party insurance premiums.

Suncorp

From **Mr Dollin** (132 signatories) requesting the House to oppose the proposed merger of Suncorp.

Private Car Parks

From **Mr Palaszczuk** (1,118 signatories) requesting the House to instruct the Government to amend the Traffic Act to allow the police to issue infringement notices under the Act for offences committed in private car parks.

Petitions received.

PAPERS

The following papers were laid on the table—

(a) Premier (Mr Borbidge)—

Annual Reports for 1995-96—

Department of Premier and Cabinet

Office of the Public Service

Office of the Queensland Parliamentary Counsel

Southbank Corporation

Parliamentary Contributory Superannuation Fund

(b) Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon)—

Annual Reports—

Queensland Government Superannuation Programme

Queensland Performing Arts Trust

Queensland Cultural Centre Trust

Queensland Museum

Library Board of Queensland

Golden Casket Lottery Corporation

Queensland Machine Gaming Commission

(c) Minister for Police and Corrective Services and Minister for Racing (Mr Cooper)—

Police Superannuation Board—Annual Report for 1995-96

(d) Minister for Economic Development and Trade and Minister Assisting the Premier (Mr Slack)—

Department of Economic Development and Trade—Annual Report for 1995-96

(e) Minister for Environment (Mr Littleproud)—

Annual Reports for 1995-96—

On the Administration of the Environmental Protection Act 1994

On the Administration of the Nature Conservation Act 1992

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

Annual Reports for 1995-96—

Department of Mines and Energy

Queensland Coal Board

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

A copy of a report from the Local Government Commissioner on the review of the external boundaries of the local government areas of Mt Isa City and Cloncurry Shire

(h) Minister for Training and Industrial Relations (Mr Santoro)—

Annual Reports for 1995-96—

Department of Training and Industrial Relations

Workers' Compensation Board of Queensland

Vocational Education, Training and Employment Commission

Portable Long Service Leave Authority

President of the Industrial Court in respect of The Industrial Court, the Industrial Relations Commission and the Industrial Registrar's Office, Queensland

Burdekin Agricultural College Board

Dalby Agricultural College Board

Emerald Agricultural College Board

Longreach Agricultural College Board

(i) Minister for Transport and Main Roads (Mr Johnson)—

Department of Main Roads—Annual Report for 1995-96.

NOTICE OF MOTION

Standing and Sessional Orders

Mr FITZGERALD (Lockyer—Leader of Government Business) (9.37 a.m.), by leave, without notice: I move—

"That so much of Standing and Sessional Orders be suspended to enable the Leader of the Opposition to move a motion of no confidence in the Government, without notice, forthwith, with the debate to terminate and questions put after two hours duration. Speaking time should be: mover of the motion, 20 minutes; seconder and other members, 10 minutes. After the question on the motion has been resolved, Government business shall take precedence for the remainder of the day's sittings except for a 30 minute grievance debate once Government business has been completed."

Motion agreed to.

NO CONFIDENCE IN GOVERNMENT

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.39 a.m.): I move—

> "That this Parliament has no confidence in the Government of Queensland."

I intend to outline the reasons in my address. Decades of corrupt Government in Queensland ended in 1989 and Queenslanders believed that that corrupt era had finally come to an end forever. The shock resignation of Mr Kenneth Carruthers, QC, this week starkly demonstrated to all Queenslanders that, when the coalition returned to power, the dark shadow of corruption came with it.

This debate is more than just a debate about the resignation of Mr Carruthers. This is a debate about whether we want to return to the corruption of the past, about what sort of Government we want for Queensland, whether we value honesty and integrity in Government and whether we want to see Queensland slide back into the mire of corruption which ruined Queensland's reputation during the 1980s. This motion is about our future, our children's future, about whether we respect the law and whether politicians should be allowed to be above the law. We will fight against corruption whether we win with this motion of no confidence or not. We stand for honest Government, while the Borbidge Government has one overriding policy: to turn back the clock to the corrupt days of the past—of brown paper bags, and doing favours for mates.

In moving this motion of no confidence in the Government, I will advance three arguments which I believe will convince every fair-minded, independent person in this State that the Government is guilty of corrupt behaviour. On Monday, the Premier and his Police Minister were facing the possibility of a properly constituted fully independent inquiry, the Carruthers inquiry, recommending serious charges against them. On Tuesday, thanks to the intervention of a politically motivated inquiry which they had been instrumental in creating, that risk had been removed. The Premier and the Police Minister were in the dock, and they got rid of the judge. That is what happened.

There should be no doubt in anybody's mind that it was no accident which led to an independent inquiry commissioner being advised that his inquiry had been so fatally compromised that he would have to resign. We should not lose sight of the fact that we have the head of an independent inquiry resigning because of Government interference. Who placed him in the position of being forced to resign? It was the very men he was investigating—the Premier and the Police Minister. They were major players in the Cabinet decision which placed him in that position. Their participation in that decision is the behaviour of unethical and unscrupulous politicians. They should not have taken part in that Cabinet decision. They should not have been in the room. They would have been fully aware of the possible repercussions of launching their own inquiry into the CJC, the body which had appointed Mr Carruthers to investigate the way in which the Premier and the Police Minister had entered into a secret deal with the Police Union.

The terms of reference allowed the "Borbidge inquiry" to investigate the Carruthers inquiry. More importantly, the creation of this politically motivated inquiry was deliberately timed to clash with the Carruthers inquiry at a time when Mr Carruthers was writing his report. The Premier has referred to this being an election promise. That promise did not go this far and it certainly did not say that the inquiry would be initiated at a time when it would interfere with an inquiry into the propriety of the Premier and his Police Minister.

The Government has found it very easy to postpone an election promise to improve freedom of information laws and to break other promises. Let me spell it out very clearly. A Government intent on seeing justice done would have made sure that it said and did nothing contentious in relation to the CJC until Mr Carruthers had delivered his verdict. An honest post-Fitzgerald Government intent on making sure that justice was seen to be done would have gone out of its way to say nothing and do nothing which could have been perceived as contentious until Mr Carruthers had reported. Not only did this Government not wait for Mr Carruthers to report, it deliberately took a course of action, the possible consequences of which were easily predictable and avoidable.

Let me put this into context by pointing out that, if the Government continues to plead not guilty to perverting the course of justice, it has to plead guilty to gross negligence in that it never considered the possible consequences of its decision to appoint an inquiry into the CJC. Anyone still unsure of the guilt of this Government has that simple question to deal with. Was this Government with all its resources and advice just plain stupid in not giving a thought to what might logically happen as a result of its decision, or

was the timing of the inquiry deliberately planned? Is the Government stupid or is it guilty of corrupt behaviour? That is the only choice. There is no other choice.

If that argument does not convince people, let me advance a second line of reasoning. A Government that was determined to make sure that justice is done would have been horrified and alarmed when Mr Carruthers resigned. A Government that had not intended these consequences would have immediately promised to put things right and get Mr Carruthers back. This would have been an easy thing for an honest Government to have done. But the Premier sat on his hands like Pontius Pilate and did nothing. What we saw was a Government refusing to take this simple action even when put on the spot by the Opposition when we gave it time to do so.

An honest Government would have learned the lessons of history and the lessons of the Fitzgerald inquiry, which found that corruption had flourished under a National Party Government. A party which cannot learn from its mistakes is doomed to go on repeating those mistakes. That is what we see here today. The National Party still believes that the five Ministers who went to gaol had done nothing wrong. It still believes it did nothing wrong and did not deserve to lose in 1989. That is why it failed to heed Fitzgerald's warnings about the Police Union. That is why it believes it did nothing wrong in signing the secret deal with the union which led to the Carruthers inquiry.

On this occasion, let us not forget that secret deal. It was a deal which gave the union powers of veto over the appointment of the Police Commissioner. It agreed to get rid of some assistant commissioners the union president did not like. It tore up major Fitzgerald reforms which affected police behaviour and, in the words of the CJC, sought to limit the CJC's powers, functions and responsibilities. And it still cannot see anything wrong with this, either. The National Party does not understand honesty, integrity and appropriate behaviour. Corruption is in their genes.

There is a third line of reasoning which shows that this Government was intent on one outcome and one outcome only, that of destroying the Carruthers inquiry to avoid the risk of it destroying the Government. Carruthers tells of his dilemma when he stated—

> "Two of the persons into whose conduct and possible misconduct I am currently inquiring have participated in setting up a commission of inquiry into my inquiry into them."

That is what the independent head of the inquiry said. Mr Carruthers said that the position was made more extreme by the fact that Mr Connolly had been appointed as a commissioner. Independent legal advice to Mr Carruthers from a former distinguished president of the Bar Association, Mr Walter Sofronoff, QC, whom the Premier has sought to denigrate and whose reputation he has sought to destroy, said—

> "Mr Connolly's advice was favourable to Mr Cooper and was relied upon by Mr Cooper at the hearing before Mr Carruthers. Now, Mr Cooper's counsel is one of the appointees to inquire into Mr Carruthers', as yet uncompleted, investigation into Mr Cooper."

Mr T. B. Sullivan: A disgrace.

Mr BEATTIE: What a disgrace!

Mr Sofronoff's advice also says—

> "Some observers might think that this conduct of the Queensland Government constitutes a use of raw political power, calculated to influence or frustrate the outcome of Mr Carruthers' uncompleted inquiry."

That is the legal advice of the former president of the Bar Association.

We warned in advance that the Government should not consider appointing Mr Connolly and that his appointment would be inappropriate. It was the only name we advanced as being unsuitable. The problem was obvious for all to see. We were prepared to consult with this Government in the spirit started in the Fitzgerald days when all political leaders were consulted. But not this Government. It would have been very easy for an honest Government, intent on doing the right thing, to have avoided the ensuing conflict by appointing any one of a number of former judges—any one of a number of former judges. Instead, the Government very deliberately set out to make the most controversial appointment it could—the appointment of a mate. Yesterday's public comments by Mr Connolly confirm his partisanship and his unsuitability to head this inquiry, and he should today resign. Mr Connolly should today resign. He does not have the support of the alternative Government in this State.

I submit that this process was very carefully thought out. There were obviously

meetings in the Bjelke-Petersen bunker and in the corridors of power where the ramifications of appointing Mr Connolly would have been carefully worked out. One of those ramifications was the possible perversion of the course of justice. The Government must have feared the Carruthers report very greatly to have taken the action that it did and to have appointed Mr Connolly. Independent counsel, Mr Sofronoff and Mr Newton, came to the considered opinion that the actions of the Government resulted in Mr Carruthers' inquiry becoming fatally compromised. The Government's action fatally compromised the Carruthers inquiry. The same independent advice says—

> "Arguably, the establishment of the Connolly-Ryan Commission created a perception of an intention by the Executive to interfere with Mr Carruthers' inquiry."

I repeat: "to interfere with Mr Carruthers' inquiry". Mr Carruthers was advised that a letter from senior counsel assisting the Connolly/Ryan inquiry signalled that the Premier and his Ministers had in fact created the Connolly/Ryan inquiry with the intention of interfering with the Carruthers inquiry.

Reasonable people might ask: why would the Government take the very risky, dangerous, disgraceful, immoral, corrupt course of action that it did? The answer is very simple: to rescue the Premier and the Police Minister from the findings open to Mr Carruthers. Let us look at what those options were. Let us examine them. Counsel assisting the Carruthers inquiry advised this—

> "In the case of Cooper, the charge could be in the following terms: that Theo Russell Cooper did, between the 12th day of December 1995 and the 15th day of January 1996 at Brisbane in the State of Queensland, offer to give a benefit to the Queensland Police Union of Employees, namely a Memorandum of Understanding signed by the said Theo Russell Cooper and Gary John Wilkinson and Robert Edward Borbidge, in order to influence the election conduct of the Queensland Police Union of Employees."

Counsel assisting Mr Carruthers also advised—

> "In our submission, Borbidge must assume responsibility for the fact that he signed this document, and that his signature undoubtedly added weight to the document."

I repeat: "undoubtedly added weight to the document". At the very least, Mr Borbidge and Mr Cooper were about to be severely embarrassed by the findings of Mr Carruthers. At worst, they could both have found themselves charged with serious offences.

We have been warning since day one that the Government was out to get Carruthers before he got it. Today I have outlined three arguments which all point to this being the case, which all point to corrupt behaviour on the part of this Government and which clearly demonstrate that this Government wants to turn back the clock to the corruption of the past.

The Government has thrown in a red herring to confuse the issue. It has told Queenslanders that they have lost $3.5m because Mr Carruthers did not complete his report. The Government has had 24 hours in which to rectify that situation and enable the money to be well spent. It could have taken action to enable Mr Carruthers to return, and it has deliberately not done so. Why has it taken no action? Because two of its Ministers are at risk from Mr Carruthers' pen, that is why.

Members opposite are the ones who have wasted the money. There is only one Government and one person in particular who is responsible for the waste of that $3.5m, that is, the coalition Government and its leader, the Premier. They are the only ones responsible for that waste of money. They have done nothing to try and retrieve that inquiry. Of course, the spending continues. The $1m Morris report, which reinvestigated old investigations for the Government, suggested that the going rate for senior counsel assisting an inquiry would be about $3,000 a day. That is what Mr Connolly will be paid, and I am advised that this Government is paying Mr Hanger—the counsel hired to assist the Connolly inquiry and who has had such an impact on the Carruthers inquiry—20 per cent more than this at $3,600 a day.

Yesterday Mr Borbidge launched a cowardly attack on Mr Carruthers, the independent head of the inquiry. But through all of the accusations it is important that people remember that on one side we have Mr Borbidge, a National Party politician, and on the other side we have Mr Carruthers, a retired judge. Whom should they trust—a retired judge or Mr Borbidge?

Tuesday was a day of shame for Queensland. The Premier and the Police Minister have succeeded in turning back the clock to the moonlight State. Mr Borbidge has achieved what disgraced Premier Bjelke-Petersen could not: he has closed down an independent inquiry into corruption. This

behaviour has similarities with the Joh jury affair, where subtle, hidden behaviour resulted in National Party corruption escaping without judgment being delivered.

Robert Edward Borbidge is not fit to be Premier of this State. This Government is not fit to remain in office. The only success it has achieved has been in the corruption area. There were hit lists; there were attacks. The people of Queensland have already delivered their verdict on one National Party Government, and they deserve an opportunity to deliver their verdict on another. They are entitled to a Government that gets on with business and acts in their interests, instead of being preoccupied with corruptly protecting its own hide at public expense. I move this motion of no confidence today with regret, because I expected better of this Government, and so did the people of Queensland. This Government is a disgrace and a shame to this State.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (9.59 a.m.): I second the motion. The Opposition does not move this motion lightly. We believe that Governments are elected to govern and to provide services to people, services such as better health care, more police and a better education system but, above all, to uphold the law. What we have witnessed this week is a return to the bad old pre-Fitzgerald days of corruption and political interference in the proper legal processes of Queensland—a return to the days when the National Party Ministers placed themselves above the law.

Let no-one be in doubt about what is going on here. This minority Government, led by a National Party that in 1989 was kicked out for corruption, has waged an orchestrated campaign to undermine the Carruthers inquiry and the Criminal Justice Commission. From day one, the Opposition has warned what the Premier and the Police Minister are about, to get Carruthers before he got them. Sadly, for Queensland, it looks as though they are going to achieve that disgraceful aim. The only way the Premier and the Police Minister could nobble the Carruthers inquiry was to place themselves above the law. Why would Queenslanders expect anything different from this crowd? As the Opposition Leader said, just look at how they nobbled the Joh jury.

The Government set out intentionally to destroy Carruthers. It did it by establishing the Connolly inquiry into the CJC, an inquiry with extraordinary terms of reference—extremely wide terms of reference. This is nothing more than a Government witch-hunt with a sole charter and the powers to deliberately undermine and compromise the inquiry before Mr Carruthers, QC, could report his findings. The Connolly inquiry is a most disgraceful abuse of the Executive powers of Government and was, as revealed by Mr Carruthers' own legal advice, nothing short of political thuggery at its basest. The Connolly inquiry was established with just one basic premise: to save the political hides of a weak Premier and his culpable Police Minister.

During the debate on the amendments to the Criminal Justice Act the Labor Opposition warned that the new legislation would be used to control and undermine the outcomes of the Carruthers inquiry. That abuse of legislative power has now occurred. That political interference designed to scuttle the Carruthers inquiry, to scuttle Carruthers, QC, has succeeded. It is quite apparent from the developments of the past few days and the independent legal advice provided to Mr Carruthers that the Connolly inquiry was prepared to exercise whatever coercive powers were necessary to achieve an outcome favourable to the Government.

It is a sad day in Queensland because the Fitzgerald reforms are dead. Once again, National Party Ministers have placed themselves above the law. Once again, they think they are untouchable. That is why the Premier and the Police Minister and their legal mates conspired to bring about the downfall of the Carruthers inquiry.

What was the Carruthers inquiry all about? It was about the Premier and the Police Minister corruptly acting to secure an election result by signing a secret memorandum of understanding with the Police Union. If there was any doubt about the culpability of the Police Minister and the Premier in relation to the memorandum of understanding, it was swept away by Mr Carruthers' revelations. The Government has known all along that they were guilty and it has been willing to do anything to save their political hides. The Premier in particular has demonstrated through his conduct in this matter that he has no regard for honest and accountable public administration in this State. Coalition members do not follow him out of a sense of admiration, they follow him with a sense of curiosity because he makes about as much impression out there as a feather would on a soft cushion. In doing so, the Premier has shown an absolute contempt for all Queenslanders. By his actions, he has made it clear that corruption in Government is encouraged by his Government.

The Labor Opposition is not prepared to tolerate this situation and, on behalf of all decent Queenslanders, will fight to prevent this return to the corruption which plagued this State under the previous Bjelke-Petersen National Party Government. This motion of no confidence, if successful, will not result in an election. If carried, it might result in a change of Government; that is a matter for Her Excellency the Governor. The Labor Opposition pledged itself to stable Government for Queensland and that it would not precipitate a motion of no confidence except on a matter of corruption.

I say this to the honourable member for Gladstone: I have not always agreed with her; I do, however, believe that she voted to install this minority Government honestly believing that she was voting for a Government which would uphold the law, a Government which would uphold the principle that the Government and the operation of the law should be separate, that all people were equal before the law and that no-one should consider themselves above the law. When the member for Gladstone examines the actions of this Government over the past few weeks, she must have doubts about its commitment in each of these areas.

The Government has systematically set out to destroy the Carruthers inquiry and the Criminal Justice Commission. It has set in train an inquiry that simply interfered with the judicial system in this State. I do not believe that the member for Gladstone would seriously believe that this is an appropriate way for a Government to behave. I think in her heart of hearts she believes in honesty and integrity in the political process, and I do not think she would want to be remembered in history as voting for the continuation of a Government in office that has deliberately perverted the course of justice and that was so lacking in moral fibre that it hounded a judge to prevent him from delivering a report into claims of electoral bribery. For all those reasons, I call on the member for Gladstone to examine her own conscience on all of these matters, and in particular on this matter.

In the same way as they did in 1989, Queenslanders are once again crying out for a Government of honesty and integrity, a Government with the member for Gladstone's support, which places the highest value on integrity and the independence of the judicial system, a Government which in six years in office never once had an allegation of corruption levelled against it, and a Government which supported the independence of the judicial watchdog overseeing its activities and ensuring accountability to all Queenslanders. Those are the issues that are at stake. These are the standards Queenslanders expect from their Government. To demand less from these people would place at risk their trust in their parliamentary representatives. I appeal to the member for Gladstone to support this motion because Queenslanders do demand high standards of Government.

On any objective measure, this Government falls well short of meeting any of those standards. It is a Government of crooked back room deals and of memorandums of understanding designed to sack the highest echelons of the Police Service just to satisfy the corrupt minority that want a return to the days of kickbacks, bribes and corruption. It is a Government whose Health Minister did a secret deal with the disgraced members of the Health Tripartite Forum just to steal an election. It is a Government with a leader who is too weak as a Premier to stand up to the corrupt actions of his Ministers and who knowingly sanctioned the memorandum of understanding with the Police Union. It is a Government lacking in integrity. It is a Government wanting to turn back the clock. It is a Government determined to lead Queensland back to the past.

The events of yesterday provide the green light for Government sponsored corruption to flourish once again under a National Party Government. We do not intend to sit idly by and allow that cancer of corruption to spread once again across this proud State because too much is at stake. It is a time to seek higher standards. It is a time to have a leader in this State who is honest in his dealings in Government and willing to uphold the law and the independence of the judiciary. It is a time for a Government which is committed to upholding the law in this State. It is time to change the Government of this State.

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (10.09 a.m.): I rise to respond to Labor's latest naked attempt to pervert the political process. I rise to do so with a heavy heart. The Leader of the Opposition should have learnt by now that Queenslanders will not cop chicanery. He should have learned that they do not like being played for suckers. It is such a shame that the Leader of the Opposition appears to be impervious to rational argument.

This Parliament's valuable time is being taken up with a transparent attempt by Mr

Beattie and his lacklustre Labor colleagues to grab both the limelight and the initiative. The Leader of the Opposition might manage to stand in the light for a while, but he will remain a stranger to initiative.

What we are seeing today is a pitiful man who is a self-appointed judge, jury and executioner. The Opposition would like Queenslanders to believe that their democracy is under threat because the Carruthers inquiry has been nobbled. But it is not at risk—at least not from the coalition. And if the Carruthers inquiry has been nobbled, it has been nobbled by the $400,000 man. It was Kenneth Carruthers, QC, who pulled the pin on this inquiry. He did it when he called his news conference on Tuesday and announced that the game was up; he was going to take his bat and ball and go home. He was a man of his word. That is precisely what he did. But the interesting point is why he did it. He seems to have done so because he perceived a risk to his person flowing from formal—and thoroughly normal—requests from the Connolly/Ryan commission of inquiry into the Criminal Justice Commission pertaining to records of his proceedings and other material in the possession of his own inquiry.

Mr Peter Connolly, QC, and Mr Kevin Ryan, QC, are inquiring into how the CJC conducts its business. The CJC is a body in which Queenslanders have, since the Fitzgerald inquiry, invested $140m. It is a body with coercive powers and an inquisitorial brief. It is a body that is accountable only through the Parliamentary Criminal Justice Committee, and then only to the extent that it wants to be.

Let me spell it out for the benefit of the slow learners opposite. The coalition Government has no policy to abandon or abolish or damage the CJC. What the coalition does have a policy on is a proper inquiry into the CJC's practices and powers and its application of those powers. There is no excuse for anyone not to know that this policy exists, or to be surprised that the Government, which is in the business of implementing policy, has taken steps to implement its policy on this question. It was in our manifesto for the July 1995 State election. It was the subject of further campaign publicity in Mundingburra in February. Even the Labor Party, in terminal shock—or overdosing on castor oil—cannot have missed it. The voters did not. In July 1995 and February 1996, 54 percent of them voted for it. They obviously thought it was a perfectly reasonable policy. It is. It is prudential. It might save Queenslanders money. It is administratively sensible. It shines a spotlight onto an area of State affairs that some seem to prefer to keep in shadow. It is democratically sound. It brings to public debate matters that go right to the heart of a free people's continuing freedom.

For all these reasons, everyone was stunned when Mr Carruthers dropped his bombshell on Tuesday. Here was an eminent jurist telling the world that he considered the rules that apply to everyone else do not apply to him. He chose—for reasons we cannot tell, because he will not tell us—to take advice from the Connolly/Ryan inquiry that he should not destroy material which it might decide to scrutinise as a direct threat to himself. He abandoned a fundamental rule of jurisprudence. He forgot that when in panic or in doubt one does not run in circles and scream and shout. He spat the dummy. He abandoned his post because he thought a letter from another lawyer was a personal threat. He abandoned to their fate everyone whose reputations are under a cloud because of the inquiry he headed. He claimed that he could no longer continue writing his report. He made it all but impossible for anyone to complete the job he had been paid to do. Yet this is the person whom Mr Beattie and the Labor Opposition seek vicariously to recruit to their political cause.

The Labor Party claims that, by launching this no confidence motion, it is seeking to protect Queensland and advance the interests of Queenslanders. Rubbish! The Labor Party is seeking to salvage the quivering remains of its post-Mundingburra political strategy. That strategy is—although "was" seems to be a more appropriate word—to worm its way back onto the Treasury benches. Mr Beattie, a leader so impactful that even a nickname does not seem to stick, has seen his master plan crumple before his eyes. A Carruthers inquiry finding unfavourable to the coalition would, according to the Beattie plan, cause the Government to collapse and Labor to win a subsequent election. As a strategy, it is not a bad one: if you have not got any policies, the voters might vote for you. But it ignores reality. Mr Beattie is good at that. It ignores the fact that the Carruthers inquiry was also about Labor's deal with the shooters, where money changed hands.

Let me make it clear that, in my view, the process of organising political support for parties in democratic elections inevitably means striking deals. Some are good. Some are bad. Some seem like a good idea at the time. Some come back to bite you. There is no monopoly on discovering wisdom after the

event on either side of this House. But that is essentially beside the point in the issue before us today.

The issue is simple. It is that a flawed commission—the Criminal Justice Commission—is no more likely to be perfection personified than any construct, and a flawed commissioner—Mr Carruthers—has left Queensland with a hefty bill drawn up against an invoice that daily looks less and less justifiable. Mr Carruthers had no reason to resign. It is hard to find a lawyer who is prepared to justify Mr Carruthers' action in purporting to disqualify himself on the basis of reasonable apprehension of bias. I am advised that it seems extraordinary that a jurist who is part heard in a matter should disqualify himself on the basis that conduct by one of the parties to the proceedings may have the effect that, when a decision is made, that decision may be called into question for bias.

Yesterday, commissioners Connolly and Ryan made a statement—a joint statement. I will read from part of it. They say—

> "We regard it as perfectly proper for counsel assisting us to take measures to ensure the preservation of all relevant documents. We are unable to understand how a request to Mr Carruthers for the undertakings could infringe in any way on his independence in providing his reports, or amount to an assertion of control over the conduct of his inquiry."

They then say—

> "In our opinion, the reasons given by Mr Carruthers for resigning are not valid."

Messrs Connolly and Ryan are not junior counsel. They are former justices of the Supreme Court of Queensland. Their opinions carry weight—or perhaps I should say that their jurisprudential opinions carry weight—on this side of the House. We listen to argument. We consider alternative points of view. We will not take the view that all wisdom resides within us. We await a reasoned argument from the other side. But, if you do not mind, Mr Speaker, we will not hold our breath.

The chicanery and opportunism that underscores this motion of no confidence is a sad commentary on its authors. It is right that we should debate it, even though it interferes yet again with a busy program of parliamentary business. But it would not do to think that there is anything high minded in this grubby little Labor scam.

I remind the House that, in his now infamous 1996 T. J. Ryan memorial lecture—an outing that, in my view, besmirches the memory of an eminent Queenslander—Mr Beattie was unable to articulate any vision. What we see is blatant hypocrisy—a Labor Party bringing on this motion today because the Government refused to interfere in an independent judicial review of the Criminal Justice Commission headed up by two of the most respected former members of the Supreme Court of Queensland.

Time expired.

Mr W. K. GOSS (Logan) (10.19 am): When the Premier and the Government will no longer respect or protect the important institutions of our democracy, then this State is headed for trouble. It is important to remind ourselves what is the principle. The immediate principle is the fundamental importance of the independence—the absolute independence—of a commission of inquiry and the absolute right to independence and no interference of the commissioner. Why do we have the special institutions of commissions of inquiry or royal commissions? They are brought into play when our traditional institutions and mechanisms have failed the community and we need the special intervention of a commission of inquiry to shed light on the darkness, to expose the truth. That is why the independence of such a commissioner is absolutely fundamental and should be respected. It is part of respect for the judicial process; it is part of respect for the important institutions of our democracy; it is part of respect for and commitment to the principle of the separation of powers. In the past 10 years in my time in this place, I saw two Premiers, Sir Joh Bjelke-Petersen and Mr Cooper, fail to understand or respect the principle of the separation of powers. It is very distressing that within that decade we see a third Premier going down the same road.

What if Sir Joh Bjelke-Petersen had established a commission of inquiry that had power to inquire into the Fitzgerald inquiry before the Fitzgerald report came down? There would have been an outcry. What if a Government had established a commission of inquiry that had power to investigate a judicial proceeding or inquiry being conducted by Mr Peter Connolly? He would have screamed blue murder from the Supreme Court all the way to the Queensland Club. It is not good enough in those circumstances; it is not good enough in this circumstance.

Beyond the principle, what is the consequence of this sort of breach? What is the consequence of this sort of interference? We have seen it in our recent past. It is a real

shame, a real worry, that memories seem to be so short. The Premier has just left the Chamber. That is a shame. I thought that he would have remembered those recent events because he was a part of the Government that presided over the darkness in the seventies and the eighties. The consequence of breaching that principle, the consequence of failing to respect and protect those important institutions, is there for us to look back on. In the seventies and eighties we saw this State descend into a mire of corruption and maladministration. A significant contributing factor to that was the absence of watchdogs, the absence of checks and balances. As a consequence, we saw politicians, political parties, police officers and some sections of the business community descend into corrupt entanglements.

Our institutions and the public were the ultimate losers out of that corruption. The public were the losers in myriad ways, because Government did not function honestly or properly. Tenders went for a higher price for the wrong reasons. The consequences are serious in terms of public standards and sending a signal to the rest of the community—to the business community, to young people, to whoever—that the State is to be run on honest and ethical lines and that people should follow that example. The example must come from the top; the example must come from the Government and the Premier first and foremost.

After the dark days of the seventies and eighties, it took the revelations of the Fitzgerald inquiry and it took a Labor Government to make Queensland respectable again. Let us not go back. However, it did not take just a Labor Government to get Queensland respectable again; a lot of people contributed along the way. We should acknowledge that in the pressures and difficult times of the late eighties, those people included Mike Ahern and Bill Gunn, who showed great courage and integrity in keeping the Fitzgerald inquiry on track. It took also the contribution of a principled Liberal Party under Angus Innes, in the days when the Liberal Party, despite its appalling politics and its appalling tendency to play second fiddle to the National Party, nevertheless still displayed some of the principles of the old Liberal Party.

If the Government genuinely wants to see the Carruthers report handed down, if the Government genuinely wants to avoid the waste of money that it carries on about, the problem can be fixed. The terms of reference of the Connolly inquiry can be properly amended to give the Carruthers inquiry and Mr Carruthers the independence to which he is entitled. Furthermore, if the so-called independent member for Gladstone genuinely wants to see the Carruthers report handed down, then the member for Gladstone would support and will support moves to ensure that the Carruthers inquiry has its rightful independence. I have to ask: is there anything that the members opposite will not do to hang onto Government? Apparently not—I hear no interjection.

I will deal with a couple of points before I conclude. In regard to Mr Connolly and his inquiry—firstly, let us always remember that Mr Connolly was a part of the Cooper legal team and he now chairs the inquiry that seeks to inquire into the inquiry into Mr Cooper and Mr Borbidge. Secondly, the statements made——

An honourable member interjected.

Mr W. K. GOSS: I will come to that.

I refer to the statements made by Mr Carruthers at paragraph 12, where he referred to Mr Hanger's letter—

> "There exists the distinct possibility that the conduct of your Inquiries will be a matter to be considered by this Commission of Inquiry" —

that is, the Connolly inquiry. At paragraph 22, there is the statement by Mr Hanger to Mr Carruthers' lawyers—

> "See him and tell him to do as he's told."

Then came the statement, or perhaps the slip, by Mr Connolly on ABC radio yesterday when he said that he had heard on the grapevine that there were complaints against Carruthers in the pipeline. I do not know what circles Mr Connolly moves in, but he does not move in Labor Party circles, so it is not the Labor grapevine from which he heard about the complaints against Mr Carruthers. Mr Connolly also joined in the Government's personal attack on Mr Carruthers with his reference to Mr Carruthers' being childish and perhaps needing to seek medical advice.

I turn now to the member for Gladstone. On Tuesday, people asked me: "What will the member for Gladstone do?" I had no hesitation. I said, "When the chips are down, she'll do what the National Party want her to do, because I believe that she is in fact the National Party member for Gladstone in disguise as an Independent." "But", I said, "if you want to know in more detail what the member for Gladstone will do, it goes

something like this: firstly, she'll seek more information; secondly, she'll seek a meeting with the Opposition; thirdly, she'll seek a meeting with a Government representative; fourthly, she'll seek more information; fifthly, she will express concern about this issue or that issue; sixthly, she will seek independent advice from another source. It has a familiar pattern: 1, 2, 3; 1, 2, 3—it is called the Cunningham shuffle. But the last move is always the same, that is, she votes with the National Party." I hope that the people of Gladstone will today see her revealed as the National Party member for Gladstone. Some of my colleagues believe that she will listen to the arguments and we will get a fair go. I hope that they are right, but I expect that they will be disappointed.

In February of this year, the Labor Party and I had to make some difficult decisions. We decided, I believe, to act in a decent and responsible way and put this State and the institutions of Parliament and Government first. Some people within my own party argued with the course of action that I pursued, and that is their right. In the end, the Premier and the Government have a responsibility first to the public, to the Parliament and to the institutions of our democracy not to put themselves and their own desperate need for power first.

Time expired.

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (10.29 a.m.): I see that the Leader of the Opposition has so much confidence in his front bench that we have not heard yet from the shadow Attorney-General, Matt Foley. Instead, the Leader of the Opposition had to put up the full-time student, the semi-retired, part-time member for Logan, the failed Premier, Mr Goss. We saw from Mr Goss exactly the same bullyboy tactics that we have seen from him before in this House. He could not get his own way from Liz Cunningham, so he denigrated her. She acts as an honest Independent. However, that is typical of Labor members: if they cannot get their own way, they denigrate whoever is in their way.

A few words also need to be said about the comments of Mr Goss and Mr Elder, who referred to the so-called no corruption within the Labor Party. In case members have forgotten, I will remind them of a few facts. When one looks at Mr Goss' record when he was Premier, firstly, we had Heiner. He said, "Do not preserve the documents, shred them." Then we had the first CJC Chairman, Mr Bingham—do members remember him? According to Bingham, not only was he run out of the State by Goss but also he said that there was a campaign run by Goss against him—and members should remember that Bingham was the first CJC Commissioner—and that Mr Goss and other Ministers of that Government sought to have him sacked. Mr Goss and Mr Elder are hypocrites.

Mr SPEAKER: Order! The Deputy Premier will refer to the member as the "honourable member for Logan".

Mrs SHELDON: Mr Speaker, I am sorry. I forgot about the "honourable". Indeed, then we find that those same two "honourable" members when they were in Government tried to hang on to Mr Mackenroth and Mr McElligott—and members remember the travel rorts affair—and sought to denigrate the CJC over that matter. We then had the poker machines report. The former Premier attacked the findings of that report because he wanted pokies in Queensland. When the Premier's Daikyo deal was going wrong, he exempted the casino from the Judicial Review Act. May I add, this is the party that states that when it was in power there was no corruption. I think Opposition members have also forgotten about the foxtail palm incident.

May I add that mention was made of Angus Innes, who was a very noble and upright man—and still is. I would like to place on the record that Angus Innes said that the CJ legislation should have had a five-year sunset clause. However, that proposal was not supported by the Labor Party.

Mr SPEAKER: Order! This is possibly the most serious debate that this Chamber has held in recent history. I have been allowing a broad-ranging debate. I also insist on an acceptable level of decorum for this particular debate. I can assure both sides of the House that I will invoke that. I call the Deputy Premier and I would like to have some decorum now.

Mr Hamill interjected.

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

Mrs SHELDON: The resignation of Ken Carruthers has left a black cloud hanging over the heads of everyone who appeared before him. Mr Carruthers' performance sets a very bad example to the community, which has a right to expect the highest standards from the legal system and, in particular, from judges. In this case, Mr Carruthers, QC, who is a retired judge, was not acting in a judicial capacity but as a commissioner. He had taken a

commission from the CJC to investigate the circumstances surrounding the police memorandum of understanding and an agreement between the ALP and the Sporting Shooters Association.

Elsewhere in the world, judges in places such as Italy and Northern Ireland, who are commissioned for far more important and difficult inquiries than this one, are prepared to risk being blown up or shot in order to deliver their reports. Closer to home, this morning, the *Courier-Mail* accurately reports the persecution of the Carmen Lawrence royal commissioner, Kenneth Marks, by the former Prime Minister, Paul Keating, and the two years of personal sacrifice experienced by Queensland commissioner Tony Fitzgerald and his family. However, despite the adversity that both of those commissioners faced, they continued and successfully completed their reports. The results of those reports have helped shape the Australian political and legal landscape ever since.

In this case, Mr Carruthers has been paid nearly half a million dollars and has tied up a squad of lawyers for eight months but, after receiving a letter asking him not to destroy his notes, he has pulled out. Frankly, his protestations are absurd. If Mr Carruthers really believed that the letters he received from Mr Hanger, QC, represented interference he could easily have included a statement to that effect in his report. That would have killed two birds with one stone: it would have ensured that his complaints of interference were acted upon but, more importantly, it would have ensured that the people of Queensland were delivered the report that they were promised when Mr Carruthers began his inquiry. In choosing to abort his own inquiry, Mr Carruthers has denied natural justice to those who appeared before him. He has wronged those people and left taxpayers with a huge bill.

The member for Logan spoke about the independence of Mr Carruthers being interfered with. Indeed, if Mr Carruthers thought his independence was interfered with, he had a ready remedy based on legal advice that was given to him. If Mr Carruthers thought that the letters from Mr Hanger were a threat and were in contempt of his commission, under the powers assigned to him by the CJC, Mr Carruthers could have called Mr Hanger before the commission and had him charged with contempt and had the matter heard in the Supreme Court. Mr Carruthers did not seek to take that action which was available to him. So let us have none of this rubbish about his independence being interfered with and that he could take no action. He could have.

The fact is that Mr Hanger and Simon Couper, along with Mr Connolly and Mr Ryan, who are two retired Supreme Court judges, are legally above reproach. I think that that must be placed on the record and accepted. It is not accepted by members opposite. It is an infantile argument to suggest that those distinguished leaders in the legal fraternity would agree to conspire in a grubby deal to nobble Mr Carruthers. Those leading legal identities have been unfairly smeared by Mr Carruthers. While the State sues for breach of contract, Mr Hanger and his associates should sue for defamation.

Of course, we have seen the ALP join in this ridiculous chorus. Yesterday morning in this House, the Leader of the Opposition pointed the finger of corruption at all of those lawyers and, for good measure, added Mr Callinan, QC. May I add that Mr Callinan, QC, is also a former President of the Bar Association. In the eight months since the start of the inquiry into the Sporting Shooters and the MOU, there are not many QCs left in Queensland who have not been accused of corruption or political bias by the ALP.

Across Queensland, thousands of young law students are now in the throes of completing their final assignments. What kind of message has Mr Carruthers sent to those students? Many of those students would have been inspired by judges and prosecutors who pressed on in adversity to deliver findings without fear or favour. The Carruthers example is exactly the opposite: he was paid half a million dollars and now he says that the dog ate his homework.

Mr Carruthers is not the first judge to face a difficult decision. It comes with his profession. He may be from New South Wales, but in handling his inquiry Mr Carruthers is accountable to the taxpayers of this State. Every day, plenty of Queenslanders make difficult decisions. Very few of them have the luxury of collecting nearly half a million dollars and then welshing on the contract.

It is not surprising that the Opposition has seized on Mr Carruthers' remarks. The Opposition is exploiting the situation for its political ends. It is using the simple, cynical political line that if the Government is prepared to do the political bidding of the ALP by meddling in the Connolly inquiry, then in some way Mr Carruthers will be free to return and complete his report. Sadly, that is a shallow falsehood. In common with everyone in this

House, I want this mess tidied up. I want to see Mr Carruthers acting in the tradition of other commissioners such as Tony Fitzgerald. I want Mr Carruthers to fulfil the charter that he was given. He is the only one who can fix the problem. Prior to his resignation, Mr Carruthers gave every indication that he intended to conduct a rigorous investigation and report without fear or favour on the result. However, when he resigned, Mr Carruthers sought to poison forever his part in the process. Now he is silent.

Natural justice is an essential tenet of life in this country. I do not accept that any of the minor points raised by Mr Carruthers in his resignation statement are sufficient to allow him to walk away from his responsibilities. Sadly, unless the former judge and commissioner reconsiders his position, those responsibilities will fall to the Criminal Justice Commission. Sadly for everyone called before the Sporting Shooters inquiry and the MOU inquiry, natural justice is likely to remain a very long way off.

These are important issues which have been exploited in this House by the Opposition. Since February, Labor has had a history of destructive behaviour in this House. We have seen the Leader of the Opposition running around the State saying how he wants to preserve political stability in this State through bipartisan support, yet we see no evidence of this. Actions speak louder than words, and through Peter Beattie's actions, he can be seen for what he really is: a wrecker. In response to all the very good policies that have been put forth in this House, we have seen this again and again.

Time expired.

Hon. M. J. FOLEY (Yeronga) (10.39 a.m.): In this debate, the Premier has argued that his Government's actions are prudent for free people in a free society. That argument puzzled me because I remember the old proposition, "The law shall set you free." There is nothing in the Premier's argument about the rule of law and its prevailing over the wishes of the Government of the day; nor indeed in his argument was there anything about that great enemy of freedom, corruption, which has stalked this State for some four decades.

Therefore, I puzzled: what could he mean by this feeling of freedom which he feels has come upon the Queensland people as a result of his Government's actions? Then I realised, of course, that it depends upon one's point of view. There are two people who have experienced a sense of freedom in the last two days; there are two people who found themselves—as we have said before—as prisoners in the dock, only to get rid of the judge who was trying their case. No doubt, Premier Borbidge and Police Minister Cooper have felt a wonderful sense of freedom over the last two days—freedom from being scrutinised, freedom from the rule of law, freedom from having to give an account of themselves to Mr Carruthers, QC. That is the freedom of which the Premier speaks; it is the freedom of the arrogance of power.

However, the Queensland people believe in the proposition that the law shall set us free and that the rule of law is what is basic and fundamental to a free society. They believe that because they have lived through the last four decades in which crooked cops and bent politicians sought to have their way with this State. They know what was done in the National Hotel royal commission headed by Mr Justice Gibbs and how the seeds of corruption had already been planted in the "joke" that later flourished so evilly in this State. They have seen the evidence that came out through Mr Justice Lucas' royal commission into the police in 1977-78. That inquiry recommended to another weak Liberal Attorney-General that there be action taken to stop corruption and to rotate police officers in the licensing branch, only to have it smoothed over by an arrogant, corrupt Premier. In 1987-89, they saw the first serious attempt——

Mr BORBIDGE: I rise to a point of order. I do not wish to inhibit debate, but I find the remarks that I am a corrupt Premier offensive, untrue and totally lacking in any common decency whatsoever. I ask for a withdrawal.

Mr SPEAKER: The Honourable Premier has found those remarks offensive and has asked for a withdrawal.

Mr FOLEY: I clarify the point: I will come——

Mr SPEAKER: The Premier has asked for a withdrawal.

Mr FOLEY: I was referring to the Premier at the time of the 1977-78 royal commission. I will come to Premier Borbidge in due course.

Mr SPEAKER: I accept the honourable member's point.

Mr FOLEY: From 1987 to 1989, through the Fitzgerald inquiry the people of Queensland had the opportunity to root out the evil of corruption. That action, followed by six years of Labor Government rule, gave cause for optimism that corruption—the great

enemy of freedom—might be allowed to be put to bed once and for all. However, under this Government we have seen the return of corruption. We have seen the appointment of the fourth commission of inquiry in four decades, the Connolly commission of inquiry, which was set up to fracture the political consensus in relation to corruption and to sabotage the independent Criminal Justice Commission and the Carruthers inquiry.

The people of my electorate do not want a Government choked in legal controversy day after day. They do not want the engines of Government tied up with repeated legal battles. They want the Government to get on with the job of providing a good education for their children and providing proper health services. They want the Government to get on with the job of providing a strong and responsive Police Service. However, instead, we see a departure from that duty.

In 1859, this Parliament was set up to make laws for the peace, welfare and good government of the people of Queensland. That requires a respect for the rule of law. However, this Government is characterised by an arrogant disregard for the rule of law. We saw it in the secret and sleazy agreement with the Police Union to nobble the CJC, to remove its power to investigate allegations of misconduct and official misconduct. We saw it in the persistent public criticism by the Premier and the Attorney-General of the CJC. We saw it in the Budget cut of $2m to the CJC. We saw it in the Attorney-General's extraordinary indifference, for over a day, to the evidence placed before him of significant corruption of police by criminal elements. We saw it in the Premier's desire to use his legislative power to override the rule of law with regard to native title in the Century Zinc fiasco. We again saw it in the Premier's desire to override the rule of law in his criticism of the Local Government Commissioner, who was simply doing his duty according to law. We saw it in the Premier's astonishing attack on the legal criticism of his Public Service Bill—his attack, no less, on the Director of Public Prosecutions of this State whose criticism he described as "ill-informed" or "politically motivated". What a disgrace! That is characteristic of a Premier who has little respect for the rule of law and who has placed his position above respect for the rule of law. We see it in the disgraceful attempt to oust the role of the Supreme Court in excluding judicial review from sackings in the Public Service. Again, that is a desire to put his Government above the rule of law.

This Government shows as little respect for the rule of law as the Roman Emperor Caligula. The House can have no confidence in a corrupt Government. The House can have no confidence in a Government which corruptly uses its executive and legislative power to frustrate a lawful inquiry into the alleged misconduct of its senior Ministers.

The Government of Queensland has descended into the abyss. We have a Premier and a Police Minister using their positions in Cabinet to sabotage an independent inquiry into their own conduct, and we have an Attorney-General willing to turn a blind eye to the conflicts of interest and the corrupt use of power by his ministerial colleagues. Premier Borbidge and Police Minister Cooper have waged war on the CJC and the Carruthers inquiry, and now their corrupt deeds and words have worked their poison—Carruthers is gone.

The people of Queensland are entitled to the basic decency of honest government. They are entitled to have a Government which respects the rule of law. They are entitled to have a Government which does not allow Ministers to sit in the Cabinet room setting up a commission designed to collide with the Carruthers inquiry into their own behaviour, and which has collided and caused Carruthers to resign. It is a day of great shame and disgrace for the people of Queensland. The Parliament, in representing the people of Queensland, should send a strong message that this Government does not have the confidence of the House.

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (10.48 a.m.): The ALP has never been able to accept that it lost control of this House in February of this year. It has never been able to accept that it lost Government in February of this year. It has never been able to accept that in July of last year it lost 10 seats. It has never been able to accept that in February, after initially losing 8 per cent to 9 per cent in Mundingburra, it lost another 4 per cent to 5 per cent. The former Ministers have never been able to accept why the people rejected them.

I remember when I was in Opposition I asked Ministers questions and, as they sat back with feigned mockery and laughed, they said, "You don't understand the separation of powers." Those Ministers said, "That is not our job any more. That is the job of the bureaucrats, that is the job of the public servants. We do not do that any more. We are not responsible for those things any more."

In February, what did we see? We saw the rats desert the ship. They left the ship, but they did not completely desert the ship. Like rats in a farmhouse, they did not run right away. They ran to the back of the shed and hid behind the bales. And still we see the rats at the back of the Chamber who deserted the ship. They are now starting to poke their little heads from around the back of the shed, because they think that there might be another ship going by. They want to jump on this little ship as it goes past. And so the rats sit up the back. It is not the Leader of the Opposition's ship that they want to jump on for the second time; it is any little ship. We saw that with the Ministers. What happened in July 1995 when members opposite lost power? Where did the Premier go? This Premier, who was referred to in Canberra as "We Know Best" Goss, lost his gloss through arrogance. We read the articles. And so Goss went into his bunker.

Mr SPEAKER: Order! The honourable member will refer to the member as "the honourable member for Logan".

Mr LINGARD: And so the member for Logan, the Premier as he was at that time, went into his bunker. But what did he do in his bunker? I will tell honourable members what he did. I will cite an example from the then Department of Family Services.

On 13 June last year, a director-general was to finish her three-year contract. Honourable members should remember that date. That contract was extended until 14 July. There are no criticisms whatsoever of that; 14 July was the day before the election. From 15 July onwards, the member for Logan went into his bunker. On 23 July, that director-general's contract was re-signed. For how long was it re-signed? It was re-signed for about 17 days until 10 August. This director-general wanted a payout. The previous Government wanted to get rid of that particular director-general and put in another one, so a contract was signed for 23 July to last until 10 August. On 3 August, the contract was terminated by the Premier. A figure of $91,750 was paid out. For a contract which had been extended to 14 July, re-signed on 23 July for 17 days and then terminated on 3 August, $91,750 was the payout. Do we suppose that that is an example of the lack of corruption among members on the other side of the House? That is what the honourable member was doing in his bunker. He was not seen by the public at all.

Mr W. K. GOSS: I rise to a point of order. The allegation is untrue and offensive. I ask that it be withdrawn.

Mr SPEAKER: Order! The honourable member has asked for a withdrawal.

Mr LINGARD: I withdraw the comments, if the former Premier believes that they are untrue. However, the dates are correct. On 13 June, the previous contract finished. It was extended until 14 July, re-signed on 23 July and terminated on 3 August. The payout was $91,750.

What about our previous Deputy Premier? Honourable members opposite say that they accept no longer being in Government. However, do honourable members remember Tom Burns, the member who once sat on the Government side of the House? From July last year until February this year, he used to put one finger in the air and say to the then Opposition, "That is how many we have got—one more than you." He thought that was a great joke. What happened on the night we all came back into this place after the change of Government? What did Tom Burns do? He did not even have the decency to listen to the Premier's or the Deputy Premier's speech. He came back into the Chamber when the now Leader of the Opposition and the former Premier spoke, and then went outside. The great little battler who has been through all sorts of traumas in Parliament could not accept that he had to sit on the Opposition side of the House. What happened later on that night? He came into this Chamber with tears in his eyes, crying his heart out and yelling abuse across the Chamber. Opposition members cannot accept that they are sitting on the Opposition benches and that they deserve to be sitting there.

And so we see the rats up the back starting to jump on this little ship. What the Leader of the Opposition has to remember is that he has not been able to control the rats sitting up the back, because this was the wrong time for them to jump on a ship. They have been trying to jump on a ship for quite a while. The member for Logan cannot find a job in the Federal Government. He could not beat David Beddall for preselection and has decided that the Federal Government is no go. He cannot get a job as a solicitor. The words "duty solicitor" still appear next to his name in respect of his legal career. He cannot get a job. So what has he decided to do? He has decided to say that he will jump on this little ship as it starts to come past again. What does Mr De Lacy, the member for Cairns, say? Like the true rat who ran away previously, he wants to be a rat and jump back on another ship coming past again. He thinks he might

have a go as well. And so we see them coming back.

This private enterprise, personal freedoms, coalition Government has a job to do. It has to clear up the mess left by Mr Beattie, his mates and the member for Logan after six years of social and industrial experimentation. This Government has gone back to basics. It is restoring services to Queenslanders wherever they live. It is putting real police into real police jobs where law and order needs enforcement, not behind desks and bureaucracies. It is opening hospitals and operating theatres. It is enabling Queensland to engage in trade with the world in ways that Labor only ever talked about doing. It is doing what it can—consistent with the balance of power in this House—to fix the black hole in the Workers Compensation Fund and to reform workplace practices. It has got a big job to do. We want to get on with that job. We want to get on with delivering to Queenslanders what we promised we would deliver. The tawdry little exercise in which Labor is indulging itself today is not helping.

We have better things to do than listen to Mr Beattie complain about how life has been unfair to him and his friends. Fifty-four per cent of Queenslanders voted for a coalition Government. We are delivering coalition Government policies for everyone, not just the people who voted for us. We need to get on with that job. The Opposition should participate in that process in the best traditions of parliamentary democracy. It is my contention that the people of Queensland have confidence in the coalition.

Hon. P. J. BRADDY (Kedron) (10.58 a.m.): Contrary to the assertions of the Government, we in the Opposition accept that Parliament has voted for the judicial review of the Criminal Justice Commission. However, the Opposition does not accept three vital points that have followed the appointment of that judicial review. Firstly, we do not accept that the judicial review should undermine the Carruthers inquiry. Secondly, we do not accept that Peter Connolly should preside over that judicial review. Thirdly, we do not accept that the Criminal Justice Commission should be destroyed so that this Government can escape responsibility and accountability. I will deal with the third point immediately.

We have heard the Government speakers today, particularly the Premier and Deputy Premier, engage in a scurrilous and cowardly attack on Mr Carruthers. They have called on him, in effect, as they have said, to show courage and get on with the job. Implied by their smears and sneers was that the man is not courageous enough to get on with the job when compared with other people. They have not answered in their speeches either in the House or outside of it the basic point that he made on advice from Mr Sofronoff and his junior counsel, Mr Sofronoff being the immediate past president of the Queensland Bar Association. I will outline the points that they have not answered which were made in the opinion given to Mr Carruthers. I quote from the joint opinion of the two counsel retained by Mr Carruthers. They said—

> "We have little doubt that if Mr Carruthers' report were to absolve Mr Borbidge and Mr Cooper there might be a perception in the mind of some fair-minded and reasonable people that he was overborne or at least influenced by the setting up of a Commission of Inquiry which is evidently going to examine the conduct by him of his investigation.
>
> Similarly, if his report were to make findings adverse to Mr Borbidge and Mr Cooper there may be a perception in the mind of some fair-minded and reasonable people that he was motivated or influenced by some sense of retribution, given their participation in the setting up of the Connolly-Ryan Commission."

The two counsel went on to conclude—

> "Our view is that the actual independence of the Carruthers inquiry, which hitherto could not reasonably have been questioned, has now been fatally compromised;"—
>
> **Mr Borbidge:** Rubbish!
>
> **Mr BRADDY:**—"the perception of independence, which has been critical, has been irretrievably lost; and Mr Carruthers' own position has become untenable."

I heard the interjection from the Premier, who said, "Rubbish." When he had his chance in his speech, he did not deal with those arguments. He has not dealt with them in the House or in the community. That is the crux of what Mr Carruthers is about.

What we see, of course, is that this Government is in fear, in panic, over the Carruthers inquiry. What we also know is that this Government is in fear and panic over other things that the CJC might do. I refer particularly to its fear, concern and panic over the reference of the disgraceful Public Service hit list to the CJC. I suggest that members opposite are so adversely concerned about that matter that it is also one of their

motivations in their attempt to destroy the CJC.

I refer now to the question of the judicial review undermining the CJC inquiry. When one reads the terms of reference of the Connolly/Ryan commission, when one reads the letters that Mr Hanger wrote to Mr Carruthers and when one listens to or reads the transcripts of what Mr Connolly said yesterday in his numerous sneering, smearing interviews, one perceives that the combination of all those instances indicates quite clearly that the undermining of the Carruthers inquiry was a major factor. In relation to that, I refer also to Mr Connolly's performance yesterday, when on one occasion he called Mr Carruthers "childish", on another occasion "very childish", and on another occasion made the sneering smear in relation to paranoia. Is this the behaviour of a person who is responsible and accountable—the person who has been lauded by members opposite?

We made it very clear in this place—responsibly and accountably, before the officers were appointed to the judicial review—that we did not accept Mr Connolly, the reason being that he had been involved as counsel giving an opinion to Mr Cooper. Mr Connolly is entitled to give an opinion, but under a proper Government that should have ruled out any participation by him in an inquiry which could look at the conduct of the Carruthers inquiry. Yesterday, Mr Connolly admitted that his inquiry is going to look into the Carruthers inquiry—"It is in the pipeline", he said. So it was improper to appoint him.

We thought we had established a tradition in this place, in the spirit of Fitzgerald, that people appointed to these very important positions are acceptable to all sides of the House. We raised no objection to the appointment of Mr Ryan. We did raise objection to the appointment of Mr Connolly. Many senior and responsible people in the community of Queensland and Australia have now joined us in saying that Mr Connolly should not be appointed. That was prior to his disgraceful performance yesterday in running interference and arguments for the Government of Queensland. Whatever debate there might have been before in the community about whether or not it was proper to appoint Mr Connolly—and we said that it was improper—there is no room for debate now. His performance yesterday has totally disqualified him from any proper continuation in the Connolly/Ryan commission, and he should stand down.

I want to address some remarks to the member for Gladstone. I am one of the people who gave evidence both in the memorandum of understanding part of the Carruthers inquiry and in the Sporting Shooters part of the inquiry. I was concerned at the outset of the MOU inquiry that the member for Gladstone was unduly influenced by some people who were advising her in relation to the attitude to the MOU inquiry. For example, Mr Beattie wrote to her and said that the Labor Party had had no opportunity to talk to the Police Union and that the MOU had not been offered in any form to the Labor Party. Mrs Cunningham wrote back to say that she had it on good advice that that was not correct—that it had been offered to Mr Braddy—and that she in effect preferred to accept that advice at that time.

It became immediately clear when the MOU inquiry was held that the advice she was given which she preferred to accept was wrong. Every single one of the Police Union witnesses said that they had not approached me and that they had not approached the Labor Party. That indicated to me at that time that, if there was advice that disagreed with Labor Party advice and information—advice that went against us—the member for Gladstone preferred to accept such advice. She should examine her conscience now and ask whether she is overinclined to take any advice which is detrimental to us, even advice which in effect said that I was lying. The sworn evidence of the Carruthers inquiry now shows that I was telling the truth.

We appear here today to bring responsibility and accountability back to the Queensland Parliament. All members who genuinely believe in the future of an honest form of government will support this motion of no confidence.

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (11.09 a.m.): It is quite clear from listening to the Labor Opposition that it does not have any policies to put forward to the people of Queensland. It is quite clear that this morning members opposite have come into this Chamber with their usual blank minds. During this debate Labor—if it was intent on showing no confidence in this Government—has had an opportunity to put forward some of its policies for the future but, as usual, we have not heard a word from members opposite about policies. They have just said, "Trust me, trust me, trust me."

During the term of the Labor Government, on many occasions issues of corruption were

raised. Today it has been alleged that no such issues of corruption were ever raised. If the foxtail palm affair, the Heiner documents, the Cooke inquiry report and so on and so on are not issues of corruption, one has to ask what are. Of course issues of corruption were raised on a number of occasions—and very grave matters they were indeed.

We have listened this morning to a great sally of comments and attacks on various people, particularly the joint commissioners—I emphasise "the joint commissioners"—who were appointed to investigate the functions and operations of the Criminal Justice Commission. I note the clever political ploy adopted by members opposite. They have referred to it as "the Connolly inquiry", even though there are joint commissioners. It is the Connolly/Ryan inquiry. They are two retired Supreme Court judges of this State, a point that members opposite tend to miss from time to time.

Opposition members: Who's the chairman?

Mr BEANLAND: The reason that Mr Connolly is the chairman is simply that he was the senior judge when both men were justices of the Supreme Court. That is appropriate and proper. In fact, when I asked former Justice Ryan, he agreed that Mr Connolly—who was the senior of the two on the bench—should be the chairman. Under the Commissions of Inquiry Act, where there is more than one commissioner there is a requirement to appoint a chairman. That is why Mr Connolly was made chairman and not Mr Ryan.

This morning, there have also been attacks on Mr Hanger, QC, the same Mr Hanger whom this Opposition when in Government asked for advice on the Vasta matter, advice which I have tabled in this House. They asked Mr Hanger to report to the Government of the day on that very sensitive and important issue. He was good enough to do that without any attack or criticism of him. I have never before heard an attack on Mr Hanger such as the attack I heard today. Those comments were outrageous and scandalous. I am sure that Mr Hanger is non-political. I have never heard of any comments other than to say that he is totally and completely non-political and unbiased.

Members opposite have made comments about the commission of inquiry. I want to refer to the statement put out by both commissioners of that inquiry because I think it is important. Section 3 states—

> "The misconception of the role of our Commission of Inquiry is apparent in the statement that 'Two of the persons into whose conduct, or possible misconduct, I am currently inquiring have participated in setting up a Commission of Inquiry into my inquiry into them'. We are not inquiring into Mr Carruther's inquiry into these two persons. The outcome of Mr Carruther's inquiry for Mr Borbidge and Mr Cooper is entirely irrelevant to this Commission of Inquiry. The opinion expressed by one of us in relation to the liability of one of those persons in respect to a possible breach of the Electoral Act 1992 is also irrelevant."

That comes from a joint statement of Commissioners Connolly and Ryan. I think it is worth while noting that they go on to state—

> "We regard it as perfectly proper for counsel assisting us to take measures to ensure the preservation of all relevant documents. We are unable to understand how a request to Mr Carruthers for the undertaking could infringe in any way on his independence in providing his reports, or amount to an assertion of control over the conduct of his inquiry.
>
> In our opinion, the reasons given by Mr Carruthers for resigning are not valid."

That comes from the statement put out by the joint commissioners of inquiry yesterday.

It is clear that this inquiry is independent. It has nothing to do with this Government whatsoever. I am sure that all reasonable people will see that. The Opposition wants the Government to interfere in this inquiry or interfere into the operations of the CJC, because the Carruthers inquiry was established and set up by the CJC. Again, that has nothing to do with this Government or any other Government. It is a matter for the Criminal Justice Commission. I am sure that the Chairman of the Criminal Justice Commission, Mr Clair, will be able to handle those matters in due course.

I am as disappointed as anyone else with the situation that we have got ourselves into. There is no point in members opposite saying that this gives a clean bill of health to members on this side and to the Labor Party in Mr Kaiser and Mr Goss, because it does not. It leaves a very grave, dark cloud hanging over at least four people. That is not good enough and the public of Queensland do not believe that that is good enough.

We must remember that money changed hands in the deal between the Sporting Shooters and the Labor Party, so there is

more for members opposite to worry about. All we are hearing today is their hollow rhetoric. We also heard an outrageous attack on the member for Gladstone from the member for Logan. The fact is that the member for Logan is left in a very grey situation. Nothing has been resolved and it must be resolved. It will be resolved eventually by the Criminal Justice Commission. I urge everyone to urge the CJC to get on with it expeditiously, because a result is certainly required.

The member for Kedron mentioned comments in the advice proffered to Mr Carruthers by his legal advisers that some influence was being brought to bear on Mr Carruthers by the establishment of this Connolly inquiry. There is no more and no less influence than there was previously. It is quite clear that, when a Premier, a Police Minister and a former Premier are involved in a case before a commission of inquiry, Mr Carruthers would be under a deal of pressure, but no more pressure than he would have faced on hundreds of other occasions when he sat on the Supreme Court Bench of New South Wales. Every case he ever presided over as a Supreme Court judge was subject to review before the appeals court of that State. These circumstances could not place him under any additional pressure. In fact, I would proffer that he has been under far less pressure in relation to this matter.

If members opposite want to talk about comments that have been made by people, I should say that Mr Carruthers made a number of comments during his inquiry which I thought were injudicious. I think that happened when the Minister for Police was appearing before him. It is quite clear that there is no additional influence being brought to bear. I say that this is another one of those political statements in advice from his lawyers. Are there any more political statements in this advice? That is a political statement—and there are more in the advice—which is not backed up by any concrete evidence. The member for Kedron would be fully aware of that. There is no concrete evidence, no legal argument, to back up any of these matters.

Queenslanders will not forget today's masquerade by the Opposition. At the last State election, that side of the House received less than 47 per cent of the vote; it was this side of the House that received around 54 per cent of the vote. We see no vision, no drive and no commitment from the Leader of the Opposition, and he obviously supports the attacks by the member for Logan on other members of this House. That was quite a disgraceful performance in itself. They have no vision and no commitment to getting on with the job. The people of Queensland threw the former Labor Party Government out because it could not get the job done. It was not looking after education, health, law and order and the people of Queensland. We are all aware of the problems in which this State found itself because of the failures of that Government, and particularly the current Leader of the Opposition, over a long period of time.

I challenge the Opposition to tell the House how many of its members will even be supporting the Leader of the Opposition at the next election. We already know that one former member, the former member for Mulgrave, will not support him, and I dare say that there are several members on that side of the House who have their bags packed to go. Let them stand up and be counted. If they are going to remain in this House, let us hear from them today. By this motion, the Labor Party has shown what a sham it is and what an outrageous and ridiculous situation it is endeavouring to get itself into over this matter.

Mr Elder interjected.

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

Mr BEANLAND: The public of Queensland are sick and tired of this outrageous Opposition.

Time expired.

Mr BARTON (Waterford) (11.18 a.m.): I rise to support this motion of no confidence in the Government. Like my colleagues, I do not do this lightly, but it has clearly reached the stage that this Government no longer deserves to be in office because of the steps that it has taken which have been highlighted very clearly by the actions that Mr Carruthers found he had to take. Before I move on, I wish to respond to one of the assertions made by the Attorney-General, who claims that the Opposition is seeking to have the Government interfere with the Connolly inquiry. I want to make it very clear that that is not our intention. Our intention in putting a view to the Government and giving it 24 hours to consider it before we took this rather unusual step of moving a motion of no confidence was to ask the Government to change its terms of reference for the Connolly inquiry to stop that inquiry from interfering with the Carruthers inquiry so that Mr Carruthers could get on with the job that we all want to see him do.

We have to revisit this Government's actions as to why it is taking the steps that it is

taking. It achieved Government by its actions in the Mundingburra by-election. We must never forget that in that campaign it failed to declare to the people of Mundingburra what it was prepared to do with the Queensland Police Service and the Criminal Justice Commission. The coalition achieved Government effectively by winning Mundingburra under false pretences. It then convinced the member for Gladstone to support its minority Government.

Townsville is my old stamping ground and I seriously doubt that voters would have supported the coalition candidate if they had known about the intention of this Government as spelt out in the MOU to take Queensland's Police Service back to the past or the intention to effectively gut the Criminal Justice Commission, particularly in its role of overseeing the Queensland Police Service and investigating misconduct by police. That is also spelt out in the memorandum of understanding that was signed.

This Government has now taken the steps to take away from Commissioner Carruthers his capacity to complete his inquiry into this Government's actions during the Mundingburra by-election, particularly the actions by the Police Minister and the Premier. We need to revisit what is behind that action as to why they have been so desperate. Of course, it is all spelt out in the secret memorandum of understanding that was signed with the Queensland Police Union. It is no wonder that it was kept secret and hidden from the voters of Mundingburra. They had a right to know what was promised to the Queensland Police Union in terms of the deal that would take us back to the past—a deal that would destroy key aspects of the Fitzgerald process by destroying the CJC's capacity to perform its role of monitoring and overseeing the Police Service and handling all issues of corruption and misconduct. This was a deal between the two groups who most hate the Criminal Justice Commission—the National Party and certain sections of the leadership of the Queensland Police Union. It was not all police, and it was not all of their leadership, it was only some sections. It was a deal so crooked that it was not only hidden from the voters of Mundingburra but it was hidden from Police Union members as well, including some of their own leadership. It was hidden from the Liberal Party coalition partners, as displayed by the evidence given before Commissioner Carruthers by the Deputy Premier and by the Minister for Industrial Relations. They gave evidence that they were not shown the entire deal before it was signed.

It was a deal in which the Premier himself gave evidence to the Carruthers inquiry wherein he effectively said, "I signed it, but I didn't read it." Is that a man who is worthy of being Premier of this State? The Police Minister says, "Yes, I signed it, but 'agreed' does not mean 'agreed' ." That did not wash with Commissioner Carruthers at the hearings, nor should it wash with this Parliament or the people of Queensland. It was a deal which would still have been secret if it had not been for executive member Steve McFarlane, being such a hopeless braggart, that he just could not resist skiting about it in his *Union News*. But keeping it secret is a real problem. Its contents are the biggest problem of all.

Just what did this memorandum of understanding include? It gave the Police Union an effective veto over who should be the Commissioner for Police in this State, agreed by the Police Minister and the Premier. It was clearly designed to remove Commissioner Jim O'Sullivan from office when his contract ran out. It agreed to remove a hit list of assistant commissioners whom the Police Union and certain members of the Police Union executive did not like, because they considered them as unsuccessful and that they should become redundant and, as demonstrated before Commissioner Carruthers, for very subjective reasons.

It was a deal that would have effectively destroyed promotion on merit and placed undue emphasis on periods of service. It also provided that there should be a new classification structure that rewarded service and did not reward merit. It would have lowered entry educational standards for police recruits. It would have provided a new promotions and appeal process with Police Union influence that would have effectively removed the real influence of the Police Commissioner and the whole important issue of promotions and appeals.

There was one small aspect that we might have been able to agree to. It did agree that there should be no promotion of more than one rank at a time. It is a pity that we did not have that when Inspector Lewis was promoted to be Police Commissioner, because he certainly jumped over a whole lot of ranks at that time. But it had some other awful features—totally misunderstood and misrepresented; double jeopardy for police officers. It allowed promotion for officers even if they were subject to misconduct charges. It would have dismantled the innovative enterprise bargaining agreement that provides for the 19 per cent operational shift allowance,

which provides for more police availability at busy times such as weekends.

That is what this Police Minister was prepared to do. He was prepared to remove even further the capacity of the Police Service to provide service to the public of Queensland in this dirty deal. It would have restructured regionalisation in a negative way; but, most seriously, it would have impacted on the CJC's capacity to investigate misconduct of police officers. It would have put investigations for misconduct back into the hands of the Police Service itself. It agreed that a substantial number of police at the CJC would return to operational duties with the Queensland Police Service. That in itself would have seriously restricted the CJC's capacity for investigation work. Of course, the removal of the CJC's capacity to investigate misconduct—unless it was serious criminal charges—is the very set of circumstances that led to the very serious police corruption that we had in this State for decades. Police were investigating police when they were doing the wrong thing. The people who have agreed to this deal have no capacity and no right to have influence over the Queensland Police Service.

We should not forget the Concerned Citizens for Mundingburra and the role that they played, which was hidden from the people of Mundingburra during that election campaign—the covert National Party campaign for Mundingburra led by the Police Minister's eyes and ears, Matt Heery, fronted by the Alice River branch of the National Party.

Sadly, I am running out of time. I certainly support this motion of no confidence in the Government. This Government is playing for keeps. The stakes are very, very high, and the public of Queensland deserve better than to have continue the corruption that is clearly inherent in what this Government's actions have been over recent months.

Time expired.

Mrs CUNNINGHAM (Gladstone) (11.26 a.m.): It is with quite some concern that, in the first instance, I respond to the events of Tuesday when Mr Carruthers, heading the inquiry into both the memorandum of understanding between then Opposition members and the Police Union and the Australian Labor Party and the Sporting Shooters Association's dealings, resigned. Mr Carruthers has stated that, because of the demands placed on him by the newly instituted commission of inquiry into the effectiveness of the Criminal Justice Commission, he felt the independence of his report on issues would be compromised and he subsequently resigned.

In spite of criticism, I can make a decision only on the basis of information and discussion. Irritating as it may be, I intend to continue that way, relying to the best of my ability on the facts, not on abuse or bullying attempts to make decisions to suit people or to prove independence. I have read the documents Mr Carruthers supplied with his statement with as much attention to detail as possible, given the stated intention of the Opposition Leader to move a motion of no confidence in the Government today.

I noted the following progression. On 14 October, Ian Hanger, QC, wrote to Mr Frank Clair confirming Mr Clair's undertaking that all documents and computer records of the CJC will be preserved intact until further notice. Mr Clair's response to the request was prompt, cooperative and displayed great integrity on these matters. Indeed, Mr Clair replied in a manner which indicated an acceptance that Mr Hanger had a role under the direction of this Parliament by the commissioners, Messrs Connolly and Ryan.

Mr Clair acknowledged that a notice had been issued to all members of staff within the organisation requiring them to protect documentation and ensure access. No exclusion of the Carruthers inquiry's personnel or documents was noted in Mr Clair's initial letter. It seems that only became an issue when Mr Carruthers raised concerns. It is in this letter to Mr Hanger, QC, that Mr Clair questions the possibility of access to—

". . . progressive drafts of his"—

that is, Carruthers'—

"reports or other . . . documents which would ordinarily be destroyed."

On 18 October, Simon Couper, QC, acting in Mr Hanger's absence, again in reply to Mr Clair, said—

> "Dealing with your facsimile dated 17 October, 1996, this Commission of Inquiry does not expect the Honourable Kenneth Carruthers QC to retain progressive drafts of his report. I presently do not see any other categories of document which would fall outside the scope of the undertaking."

That statement was in response to concerns raised that Mr Carruthers felt that he should be beyond the controls of the commission of inquiry. I note, however, that this commission carried the same powers as, but not greater powers than, Mr Carruthers himself had been

exercising over the past seven or eight months.

Mr Couper's request for—

> ". . . any document which is a communication or note of a communication to me"—

that is, Mr Carruthers—

> "from any person in respect of the contents of my"—

again, Mr Carruthers'—

> "report or the timing of its completion, or delivery or any document consisting of a response or a note of a response to any such communication . . . "

appears to me to fall within the terms of reference of the commission of inquiry, given that the Carruthers inquiry, by Mr Carruthers' own words, is fiercely independent, and any communication that would indicate the involvement of the CJC in the timing, content, etc. of Mr Carruthers' report would reflect on the CJC and its stewardship of its very substantial powers. That was the purpose of the commission of inquiry.

From my perspective, Mr Carruthers then, on the basis of Mr Couper's letter, need have had no concerns as to the continuing independence of his report. At that point, the commission of inquiry appeared to be asking only for access to documents that could reflect dealings between the CJC and the Carruthers inquiry, which appears to be consistent with the Connolly terms of reference.

On my reading of the documents provided, no inappropriate requests appear to have been made up to 24 October. It was at that point that Mr Hanger, QC, received a letter from Messrs McCullough Robertson acting for the CJC in relation to the inquiry. They stated that all further contact with the CJC would be via their legal officers. They then proceeded to reinforce the independence of the Carruthers inquiry, the fact that the CJC cannot answer for the Carruthers inquiry and that any further discussions with Mr Carruthers would be subsequent to his gaining legal advice. A contradictory statement followed in the McCullough Robertson letter—

> "It seems inappropriate that the Commission of Inquiry should write directly to Mr. Carruthers about these matters."

I find that difficult to substantiate, given that McCullough Robertson had gone to great lengths to distance themselves and the CJC from the Carruthers inquiry, yet assume or presume to speak for Mr Carruthers at that point.

Mr Hanger's response on 24 October is the only area in which I wished some clarification. I held some concerns. In his letter, Mr Hanger asks—

> "Please advise whether you are prepared to give an undertaking that neither you nor any person engaged in assisting you in the preparation of your reports will destroy any document which comes into or has come into your or their possession or has been produced in the course of the Inquiries conducted by you or the preparation of your reports. I include drafts of your reports in the category of documents which should not be destroyed."

It was that comment with which I was concerned. However, over leaf Mr Hanger stated—

> "There exists the distinct possibility that the conduct of your Inquiries will be a matter to be considered by this Commission of Inquiry. I therefore ask for your undertaking."

Again, on the basis of the commission of inquiry, the mechanics of the Carruthers inquiry would fall under the commission's responsibilities. Requesting documents pertaining to contact between the CJC and Carruthers reflects, in my opinion, the operation of the CJC.

The terse response from Mr Carruthers to Mr Hanger on 25 October appears to have exacerbated the situation and prompted the response from Mr Hanger, QC, wherein Mr Hanger requests an undertaking. I am going to run out of time, so I have to miss a little bit of my speech.

Had Mr Carruthers taken the opportunity to defend his strongly held views, the position that his report was now untenable would be more acceptable. He failed the fundamental test to take all opportunities to substantiate his concerns and he aborted the inquiry instead. I have spoken to Mr Hanger requesting his clarification, and based on the information he provided, believe the request to Mr Carruthers was similar to requests to others who have been contacted in a similar manner regarding the commission of inquiry. The only difference appears to be Mr Carruthers' unwillingness to be subject to non-destruction requirements. I continue to hold the view that the draft reports and the final documents of Mr Carruthers' report should remain confidential. On that point Mr Hanger did not agree.

One of the most telling matters in making my decision was that, in discussions in the last

24 hours, I put forward two options to solve the problem. The first option was an undertaking that the report be insulated from the commission of inquiry until it is handed down. The second option was that the whole inquiry be insulated until it was completed, and then it would be open to scrutiny. Both were rejected. To me, that answered the concern.

The other point raised here today to support the motion of no confidence was the very establishment of the CJC review. I participated in that debate and I have not changed my point of view. Nobody is above review, and, in particular, a body with such intrusive powers. Today, the CJC review has been called "Government sponsored corruption". I disagree. The review was instituted by this Parliament.

On the basis of all the information available to me, the documents made available by Carruthers, Borbidge, Beattie, others in Government and in Government previously, and in my discussion with Mr Hanger, there is not ground to support this vote of no confidence. It is disappointing that the resignation of Mr Carruthers by his own choice, as I have stated before, in my view, has been used to undermine the Government. I believe his report should be finalised.

Question—That Mr Beattie's motion of no confidence be agreed to—put; and the House divided—

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

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

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

Resolved in the **negative**.

FIRE SERVICE AMENDMENT BILL

Second Reading

Debate resumed from 8 August (see p. 2199).

Mr SCHWARTEN (Rockhampton) (11.44 a.m.): The Fire Service Amendment Bill does not necessarily pose any great problems for the Opposition in principle because the Opposition supports the broad notion of greater involvement——

Mr SPEAKER: Order! Honourable members, leave the Chamber or take your seats. The member for Ipswich, the member for Bundaberg and other members walking around, please resume your seats or leave the Chamber.

Mr SCHWARTEN: I would have thought that with such a riveting topic under discussion everybody would have been sitting here with their mouths agape. I reiterate that the Opposition does not have any real difficulty with the concept of creating an authority to oversight the Fire Service, although there are some reservations included in that broad statement. The fact of the matter is that anything that seeks to broaden community input into emergency services is to be welcomed. Certainly, under the Labor Government, that process was commenced by making the Fire Service and the Ambulance Service Statewide bodies. However, it was never an intention to lose sight of the fact that they are, in fact, community-based organisations.

In passing, it is interesting to remark that the Fire Service contains more volunteers than it does permanent employees. Without the support of something like 50,000 volunteer rural firefighters and 2,500 auxiliary firefighters, the Fire Service in this State would have to rely upon 2,000 permanent firefighters to cover the whole State. Quite clearly, that would be a ridiculous proposition. Also quite clearly, the public purse would never be able to pay for firefighters to cover the whole of the State. However, in terms of what I believe is a very good mix of volunteers, permanent and semipermanent firefighters, the Fire Service has worked very well. I believe that blend should continue and, under the circumstances of the Opposition regaining Government, that blend would continue. A Labor Government would ensure that there was an ongoing increase in the number of permanent firefighters and also an increase in other areas.

However, the Opposition has very grave concerns about clause 9 of the Bill which would give the Government the power to appoint a commissioner. That will mean the current commissioner, Mr Skerritt, will lose his job and as a result a new position will be created. The Opposition registers its grave

concerns about that. If I may, I will flesh out that argument somewhat. The fact of the matter is that, under the usual circumstances that we would expect to obtain, the commissioner would retain his job. Honourable members would recall that when the coalition came to Government there was a hue and cry about the Police Commissioner, who was supposedly on a hit list and would lose his job. The Government acted very quickly to ensure that the Police Commissioner retained his job. I think the same thing needs to happen in this case.

Before I continue on that point, I want to refer to the history of the role of the current commissioner. Honourable members would recall that back in 1990, a single Fire Service was created. The former Labor Government cannot take the entire credit for that. Members would remember that the Leivesley report was commissioned by the former National Party Government. Unfortunately, that Government did not get around to implementing the recommendations of that report. Obviously, it was full of barbs and problems. However, the Labor Government bit the bullet and on 1 July 1990 amalgamated the 82 boards throughout the State and put them all under the control of one authority.

Regrettably, the other thing that the Labor Government amalgamated was the debt, which ended up being around $60m. The amount was made up of an operating debt of around $29.6m and an overdraft of $27.7m—about $56m. I am the first to admit that that was an enormous impost to throw onto the back of the Fire Service. It was a fledgling service that was trying to develop standards across-the-board. It was trying to achieve uniformity to overcome the old problems of interboard conflicts and jealousies and it was attempting to get standardisation throughout the service. This was yet another straw on that camel's back. In those days, Treasury placed a huge impost of $6.1m a year on the Fire Service. The debt that was allowed to run up by the previous Government under the board system was horrific. Unfortunately, debts of approximately $50m to $60m were run up under the old system.

Having taken that debt on, Commissioner Skerritt had the problem of repaying the enormous sum of $6.1m per year. However, he did that and by 1993 he had all but wiped out the overdraft debt, with approximately $800,000 remaining. Since 1990, the overall debt of $57m has been reduced to approximately $16m or $17m. Therefore, Commissioner Skerritt certainly has done a good job. In 1993, when Tom Burns became the Minister, we went back to Treasury and negotiated a different loan. From then on, the repayments were about $3.5m a year and the debt should be cleared by 2005.

Skerritt can claim a lot of credit for the fiscal rectitude that enabled the Fire Service to move ahead while still meeting its debts, although he did not make a lot of friends along the way. However, that was not Skerritt's decision; it was the Government's decision to make those debts repayable to Treasury. The decision was in no way related to Skerritt. However, Skerritt was the bunny with the long ears. He had to hop into action and enforce the decision—I apologise; I did not see the honourable commissioner sitting in the lobby.

In my view, the service that has been created proves those actions correct. The Fire Service can now deliver a service that is aiming at excellence, although there have been a lot of hiccoughs along the way. A lot of unanswered questions, including very difficult political questions, remain to be answered and Skerritt had to carry that. The fact is that, at the same time that that huge amount of money was being paid back, over 100-odd new appliances were purchased, a couple of hundred extra firefighters have been put on, over 300 new fire appliances have been provided for rural Queensland, and the list goes on. It was unfortunate that Skerritt was blamed for not hastening the acquisition of all that material as many firefighters would have liked, bearing in mind that a lot of fire stations were falling to pieces because of the imprudence or otherwise of boards and that that was a constant reminder to employees in the Fire Service that something had to be done.

For those honourable members who do not know, I was working for Tom Burns as an adviser, predominantly in the area of the Fire Service, when the Southport tragedy occurred. It was a terrible tragedy; there is no other way to describe it. I certainly will not discuss what occurred. Enough coverage has been given to the issue. However, I will say this: Skerritt was the first on the scene. We were at Solathorn at the time and Skerritt left immediately and went down with the employees. I remember saying to Tom at the time, "That's a sign of somebody who understands what it is like to be in a fire ground." That is the culture—if I dare call it that—of the Fire Service. In common with the Police Service, in times of grief they rally together and they expect no less from their leader than for him to be with

them. I believe that Skerritt showed a lot of courage and leadership.

However, it did not stop there. When Skerritt returned, he made a full report to Burns and demanded a commitment from Burns that whatever came out of the coroner's report would be implemented. He received that commitment. I do not want to go into the toing-and-froing that occurred, but I say this: Skerritt stood in front of the Fire Service and he stood behind it. The label that was placed on him of being uncaring about his fellow firefighters is unfortunate and untrue.

Recently, the Honourable Minister stood in this place and praised the fact that the Fire Service had received an award for its Q-Step program. I applaud that, because I agree with the Minister. That program was started by Skerritt under our Government. Again, he understood the need for ongoing, state-of-the-art training. In a lot of cases that was resisted within the ranks of the Fire Service, because they are no different from anybody else—nobody likes change or a different sort of perspective being placed on things. This happened with the Ambulance Service as well and it caused a lot of anxiety. Again, it is to Skerritt's credit that the program was followed through, despite a great deal of opposition from some sections of the service.

What has troubled me, and where I am leading to in this debate, is that in about August 1995 most honourable members will remember that there was a lot of anxiety within the ranks of the Fire Service. Public meetings and marches were held by very angry firefighters who were demanding a whole host of conditions. They marched on the office of the then Opposition Leader, Mr Borbidge. In August 1995, Mr Borbidge told them, among other things, "Vote for me and you can elect your own commissioner." Therefore, quite clearly at that time there were what I would regard as dark forces within the service which were undermining the commissioner to the Opposition.

I point out that the current Minister was nowhere near the Department of Emergency Services at that time. I am certainly not sniping at the Minister in this regard, because I have found him to be a worthy opponent and an honourable gentleman. I do not believe that the Minister would have been involved in any nefarious deals of the sort that I am about to allude to.

The fact of the matter is that that statement says it all to me: Skerritt was caught somewhere in the crossfire in the UFU. One has to understand what the internal conflicts in the UFU were. My honourable colleague Mr Robertson will, no doubt, wish to talk about that, having been an official with that particular union. The UFU had a lot of its groundings in the early seventies in Rockhampton during a very vitriolic dispute at which time it was torn asunder by an internal dispute. Out of that grew a very strong, very committed and competent union. It was not until a couple of amalgamations occurred that the cancer, as it were, started to creep into it.

The fact is that the main player in the whole issue was a bloke named Bruce Wilkinson, a station officer. That name has already been mentioned in this place this morning. Bruce Wilkinson is the brother of Gary Wilkinson, whose name has also been mentioned here this morning. Bruce Wilkinson has been endeavouring to undermine the UFU, Tom Burns, Geoff Skerritt and anybody else within the union movement in order to get his own way, and I really do not know what his own way is aside from the gospel according to him. He is not a member of the UFU. On a number of occasions he has tried to get back in, but he has been unsuccessful. At the moment, he is before the QIRC trying to weasel his way back into the UFU. I hope that commonsense prevails and that he is not allowed back in, because he is certainly not worthy of the label of a decent unionist, as I understand that term, and I am a unionist of some 20 years' standing.

Bruce Wilkinson set up an organisation called the Democratic Firefighters Association, which undermined negotiations that were going on between the then Government, which included the commissioner, the Minister, and the then director-general, Dr Keliher, over workplace reform. There was a lot of anxiety under the workplace reform deal that was struck. Under the then leadership of the union, Dinah Priestley and Bruce Robertson, a deal was hammered out. The union decided to take that deal to a plebiscite of its membership to decide whether it would be accepted. That was where Wilkinson, Foster and a few of his other cronies really came to the fore. They started to produce a publication called *CODE-INE*, a guttersnipe publication which was as defamatory and as shocking a piece of script as I have ever seen. That publication is on the record in this Parliament, because the then spokesman for Emergency Services, Mr Littleproud, referred to it on a number of occasions.

That campaign worked very well. It undermined the whole organisation and it compromised the deal that had been agreed

to by the union and the Government via Skerritt, Keliher and Burns. The plebiscite voted down the deal. The membership said that they would not cop it. It was then referred back to the commission, and guess what happened. The Honourable the Minister does not need to be told about this, because he was the Minister when it was handed down. The fact is that the agreement handed down by the commission was much less favourable than that agreed to by our Government and the UFU.

So what Wilkinson, Kevin Brazel, Foster and a couple of their cronies effectively did was cost their mates a lot of money. They cost decent unionists, workers and firefighters a lot of money by undermining that issue for a long time. For 18 months they waged that campaign. The fact of the matter is that they were not content to do just that. After Mr Borbidge's statement last year, the political agenda really hotted up. The fact is that the MOU referred to this morning got off the ground as a result of a whole host of circumstances.

However, an MOU was also put together by elements purporting to represent the UFU and the now Premier, Mr Borbidge, and the then shadow Minister, Mr Littleproud, which in fact spelled out a compact of what the coalition would do if it won Government. The first item on the list was that they would abolish the position of director-general. Of course, they have not done that. What it really meant was that they would get rid of the director-general, Dr Keliher. We all know that has occurred. Next, they said—

> "The Coalition is mindful of the need for a Fire Commissioner . . ."

Brazel and Quinn signed the MOU, a document which was not authorised by the union, and they were disciplined later on. This MOU has the grubby little hand of Wilkinson all over it, as it sought to target the commissioner. The MOU stated—

> "The Coalition is mindful of the need for a Fire Commissioner to:-
>
> (a) have a good understanding of the ethics of the service.
>
> (b) have an excellent knowledge of the service and the State's fire prevention and fighting needs"—

I presume that means "firefighting" needs—

> "(c) the respect of his firemen."

Obviously, they have not caught up with the fact that we have some women firefighters as well. In truth, it was a very thinly veiled attack on Skerritt. This document was prepared to coincide with the Mundingburra by-election, when Gary Wilkinson's brother was involving himself in another campaign. Bruce was trying to get his own campaign up and running. Unauthorised ads were placed in the *Townsville Bulletin* by the UFU. Again, Wilkinson was responsible for those. It got so bad that a notice had to go out under the signature of Kevin Brazel which said—

> "I have assured everybody on the committee that the perceived intervention in Townsville's activities by the Brisbane branch will only happen when we are formally requested by Townsville members through their branch executive."

In other words, the Townsville branch executive said to them, "Don't come here. We don't want you. We don't need you." After its exposure, the existence of the MOU was denied on a number of occasions. As I say, it had no authorisation from the UFU. It is slightly different from the Police Union MOU, which did have the authorisation of the executive. Brazel and company had acted alone in trying to pursue a political agenda with the Opposition. Of course, one of the heads on the chopping block was that of Geoff Skerritt. The other point that makes one suspicious about this Bill is that Skerritt's name was also on the controversial hit list that has been circulated, with the reference that he is a probable Labor supporter and, therefore, should get the axe.

Mr Veivers: Have you got a copy of that?

Mr SCHWARTEN: I can get it for the Minister. I would have thought the Minister should have been able to get a copy through his sources.

Mr Veivers: No, I haven't got one.

Mr SCHWARTEN: We will get the Minister a copy. That is not a problem.

I know Skerritt reasonably well. I do not have a clue what his politics are, and I do not care. The subject has never been discussed. I have never been in a situation with him when he has raised the issue of politics. I have had plenty of blues with him about fire resources and how miserable our Government is and so on. I have always thought that he might be a tory. The dogs are barking about the fact that, once this Bill goes through, Skerritt is set for the chop. I have had innumerable phone calls from people——

Mr Veivers: You know what it's like.

Mr SCHWARTEN: I know what it is like, but I want the Minister to fix up this issue

today. I want the Minister to come out and do what Russell Cooper did in respect of his commissioner, who was similarly under siege. I have heard all the criticisms of Skerritt around the place. I know how the service works. I think the man has been tried unfairly. He is a person of good character, and he has done his best under what were difficult circumstances placed on him by our Government in trying to makes ends meet. We should analyse the improvements that were made in the service. I know it is not politically wise for the Minister to do that. Let us look at the service as it was in 1990 and then look at the standard of equipment it has today. There are still ongoing issues which we will need to talk about later, but by and large the service is better now than it was, and that will continue to be the case. This Bill will probably help it to go a step further in that regard.

I and the Opposition are not prepared to support this Bill unless the Minister makes some statement in his summing-up in support of Mr Skerritt and his leadership of the Fire Service. It is as simple as that. That is how strongly we feel about this issue. It really is a matter of grave concern. An injustice is being perpetrated unnecessarily on Mr Skerritt. As I say, I understand the criticisms. We all have our faults.

Mr Veivers: That is why we're having a board.

Mr SCHWARTEN: I thought the Minister would say that. I will talk about another problem I have with that. I wish the Minister had not raised the matter, but as he has, I will talk about it.

Mr Veivers: That's what we are here for.

Mr SCHWARTEN: I understand that. I will be honest with the Minister. I am concerned about the director-general, Mr Hocken, a person for whom I have respect. However, the following scenario has been put to me. Perhaps the Minister might like to respond to it in his summing-up. The director-general, Mr Hocken, is the cousin of Mr Phil Hocken, who is tied up with the nasty business in Townsville. Given that involvement, I am concerned that Wilkinson has had access to the Minister's office on a number of occasions. For example, on 27 February, Wilkinson rang the Minister's office stating that he was an adviser to the Minister. I know that Wendy Armstrong from the Premier's office has rung the Minister's office trying to set up Wilkinson down there. The fear is that Hocken——

Mr Veivers interjected.

Mr SCHWARTEN: I do not know. I am not accusing the Minister of anything. I am simply relaying what has been stated to me. As I said, I was not going to say anything about this matter, but the Minister spoke about the board. The fear that people have is that Hocken will chair that board and, as a result, he will conduct a kangaroo appointment process and Skerritt will miss out. That is what is being said. The Minister might like to address this issue in his summing-up. I hope he does.

I want to leave that subject and turn to section 8 of the Bill, which has in it a reference to who will constitute this board. Not surprisingly, there is no mention there of the biggest stakeholder in the whole department, that is, the UFU or the registered union. I am not surprised that the coalition Government does not want to have a union represented on that particular authority.

Mr FitzGerald: They're not excluded.

Mr Veivers: We will talk about that.

Mr SCHWARTEN: What I am saying is that they are not included, either. They are not prescribed. I know what the Minister is going to say—it is the same as what used to be said in the Joh days—"The union will be represented by somebody whom we will nominate."

A Government member interjected.

Mr SCHWARTEN: It does not say that. It says "five other members". We can fix that concern. We will be moving an amendment to make sure that the prescribed registered industrial organisation is represented on this board. I think that is fair and reasonable—and, by the way, it is not without precedent. Every other board in Australia has union representatives as of right. The fact is that there are other groups that similarly should be taken into consideration. I believe that the auxiliary organisation, which has the great swag of non-permanent firefighters, ought to have a say on the board. I believe also that the Rural Fires Council—which, after all, represents 50,000 volunteers, covers about 95 per cent of the State and represents about 1,900 brigades throughout the State—similarly ought to have a say. I am sure that the Minister will want to respond to that.

In defence of prescribing union representation on this board, I have to say that unions have valuable input. With that cauldron in the Fire Service involving the UFU continuing to bubble away—and believe me, it is; the same people write to me as write to the Minister—I believe that, aside from anything else, it makes good sense to have a union

representative on the authority that is going to make the decisions that will affect the bulk of the permanent work force. I believe that the UFU and people like Henry Lawrence, who is working with it, are very honourable people. Having been undermined by the likes of Wilkinson, they have worked very hard for a long period to try to get that union into some unanimity. It is heading that way, and I believe that the shot in the arm would be that that union nominate somebody on that board and that that be prescribed in legislation. As I foreshadowed earlier, we will be moving an amendment to that effect.

On that particular issue, there will be no compromise from this side of the House. If we were to win Government tomorrow—by some quirk of fate or whatever—then we would certainly be placing it in legislation. When I say "quirk of fate", if we were able to find somebody with independence to support us in this place, perhaps we might——

Mr FitzGerald: You would like an election today, would you?

Mr SCHWARTEN: Yes—no problem at all.

The next point that I would like to touch on is that of a coordinated response. I have a lot of misgivings about the fact that the Minister is going to create a fire authority and an ambulance authority. I am aware that he is seeking to have some continuity and coordination between those two by having each of the commissioners sit on each of the boards. There is some logic in that, but the matter requires examination. There is a possibility that that coordination will be compromised as a result of this, because there will be two authorities going off doing their own business, as it were. The Ambulance Service will say, "Our core business is ambulance business." The Fire Service will say the same. So the possibility of getting greater coordinated responses to disasters, such as we saw at the Boondall bus disaster a couple of years ago—which was rightly praised as being one of the best-coordinated approaches to a disaster anywhere—may be diminished. After that event, I thought that we were on the right track. The Government can disagree with that if it so desires. I believe there is a grave fear that this may in fact be compromised. The fact of the matter is that with a lack of overall coordination we could see a lessening of the number of joint facilities, for example, which, in terms of the overall service to the Queensland taxpayer, does not do us much good.

The other point is that the joint facilities which do exist have never been really well embraced by either service. If they have an authority to go and do their bidding, they will go and do it. I want to propose to the Minister something that is worth while thinking about down the track. Perhaps he should amalgamate both these boards into one emergency services authority. That is worthy of consideration. This could well be a progression to that—I am not saying that it is not—and it certainly is a fallback position. In common with me, I am sure that the Minister is committed to the notion of a coordinated response to emergent situations throughout the State.

I note that the director-general is going to sit on these boards for a period to try to keep that departmental structure. I cannot help but laugh at that, given that the old MOU, to which I referred earlier, talked about getting rid of bureaucracy and not going through the director-general. The first thing the Minister has done is put the director-general on the board. I fully support him in so doing, I might say. If I were the Minister I would do exactly the same thing.

Mr Veivers: I was about to say you would have, because you have to keep it all intact.

Mr SCHWARTEN: Absolutely—exactly. That is the truth of it: we need to have somebody with a departmental perspective on those boards. I am concerned, as is the Opposition, that by fracturing them into two authorities we will lose much of the coordination in terms of communication, buildings and so on.

I turn now to the standards of fire cover. This is the real sword of Damocles which hangs over this Minister's head, which hung over Tom Burns' head and which will hang over every Minister in this State until a policy is developed. What does one do with the situation in which there are full-time firefighters in, say, Dalby and auxiliaries at Warwick—two towns of the same size?

Mr Robertson: The difficulty for the Government is that their own Commission of Audit points the way to actually closing those permanent stations down.

Mr SCHWARTEN: That is right—exactly. The audit conducted by Ms Staib highlights that very problem and points the way to how to actually close down those stations west of the Great Divide. As politicians, we know the problems with that.

Mr Veivers interjected.

Mr SCHWARTEN: Exactly, which gets to the heart of the problem of the standards of fire cover. Whatever standard the Government

finally goes with, it will result in the same sort of situation that applies in Hervey Bay and Maryborough. Maryborough has a full-time, 24-hour fire station, and down the road at Hervey Bay—which is one of the fastest growing places in the State—the station is not open 24 hours a day and after midnight it is backed up by auxiliaries. I know that it was the previous Minister, not this Minister, who promised them 24-hour coverage. Having done that, the Minister finds that if he puts his toe on that sticky paper and says, "Yes, you can have it in Hervey Bay", the next thing he knows, all the members sitting up the back will be saying, "What about us?" It is always a lot easier in Opposition to have the answers to big issues.

Mr FitzGerald: What are you promising now?

Mr SCHWARTEN: I am not promising anything. I have been around the game long enough to know better. The Minister would have observed that I have not been making those sorts of promises, because I know what the issues are in this portfolio. I have torn my hair out about it. I have received abusive calls about it. On one occasion, I was even set up by a couple of grubs purporting to be from the UFU, one of whom was a former member of the Labor Party. What a grub he was; may he rot in hell.

The point is that we must find a way to deliver standards of fire cover in this State, and the only way to achieve that is by taking a similar approach to that taken on the gun laws. We will have to come to some sort of agreement. I will give the Minister this commitment from the Opposition: if he wants to come up with a sensible and equitable arrangement on standards of fire cover, I am prepared to sit down with him and talk those matters through. I will not do what Mr Littleproud did to us. He would not do that with Tom Burns. This problem, which down the track is gripping this Government as a political issue, could have been averted back then. There are no winners in this game; everyone ends up in the circle somewhere. Unless we respond to this issue in a bipartisan way, all those members who think that this issue is a bit of a giggle might find that it is not so down the track. I make that commitment to the Government. The authority has its work cut out for it in that regard.

I know that the UFU is concerned about the one-seventh of the fire levy funding that has been guaranteed by Treasury. They seek some reassurance that that will continue to be provided, and I have no doubt as to why it was provided initially. The other concern that the UFU has, and I think it is a legitimate concern, is that the creation of this authority leads to an opportunity for them to go out into the marketplace and create income. I do not have any difficulty with that type of fee-for-service.

Mr Veivers: As long as they are putting out the fires.

Mr SCHWARTEN: That is right. The Minister is alive to the issue. However, there is still an element within the Fire Service who say, "We are firefighters; that's what we do. We fight fires, we are not in the business of installing smoke alarms or going to schools and talking to kiddies about the problems associated with getting out of smoke-filled buildings." Recently, my Year 3 son, Christopher, came home and told me that firefighters had been to his school to talk to the children. They turned up in their BA outfits with their yellow over-trousers and so forth. To a child, that sight must be a pretty frightening spectacle. I had never thought of it before, but if a child found himself or herself in a smoke-filled room and a firefighter came in dressed like that, that kid's natural reaction would be to run away from someone who looks like they had come from outer space.

It is sad that some firefighters still hold on to that nonsense that that is not part of their core business. It is part of their core business—fighting fire by whatever means. The primary responsibility of the Fire Service is to make sure that life is protected and then property. I fully endorse that, and that is something that we must not lose sight of in the commercialisation of the operations of the Fire Service. There is a lot of down time in the Fire Service—it is 90-odd per cent. I wish there was 100 per cent down time; I wish they did not have to be called out at all. However, the fact is that they have to attend to incidents at a moment's notice, so they cannot be down the road running a fire awareness seminar to a group of business people or workplace health and safety seminars for a fee when all of a sudden they get called and have to race off to a fire. So the challenge for the Fire Service will be to develop the number of full-time staff and to have enough staff to do that sort of extra business, because there is no doubt that there is a market there for that type of work.

Another challenge they face is fire call-outs. There are some large organisations that the fire appliances are called to time and time again because those organisations simply will not fix up their fire systems. I would like to see a system whereby those organisations pay no charge for the first two call-outs, but after that

they receive a $10,000 bill, or something like that. If that were the case, they would damned soon fix the problems with their systems. The majority of fire call-outs that are attended to by fire appliances are either hoaxes or due to inappropriately installed equipment. There was a large hotel in Brisbane whose alarm used to go off regularly. Every time, the fire truck would attend. I always feared that one day there would be a fire and that the firefighters would go to the hotel complacently only to find that the place was in flames. There needs to be a more severe penalty for those who will not do the right thing.

I turn now to the bushfire audit. Over the past few weeks the Minister and I have been locking horns over this issue. For the benefit of those honourable members who are not aware of it, I point out that the bushfire audit came about in response to the New South Wales bushfires. It considered how Queensland would be placed if such a situation were to occur here. To the surprise of nobody, that audit found that under similar circumstances we would not fend too well.

When the Labor Party came to Government, there was not one new rural appliance in Queensland. The rural fire budget was about $2m, so funding was still coming from chook raffles and people were still fighting fires with wet bags. I will give Tom Burns due credit. He got $10m from Treasury over five years and away we went. The problem has always been the base rate of funding to the rural fire brigades. It is still at about $2.5m. Last year, we spent about $8m on it, and this year this Government is going to spend about $6m. The Rural Fire Council, which was set up to advise the Minister, says it needs about $10.5m in funding. Really, it is a round of drinks, and for Treasury not to come up with that $10.5m is pretty mean-spirited. I wish the Minister well in trying to get Treasury to unlock that sort of finance. If it is good enough for the urban service to have targeted funding or quarantined funding whereby they get one-seventh of the fire levy, then it is a fair enough argument to say that rural firefighters should receive the same funding.

If those people hung their overalls on the rack tomorrow, we would be in deep trouble. One of the great successes of the Labor Party Government was what it did for a traditionally non-supporting group of people, that is, rural firefighters. I have often sat here and listened to the buckets poured on us by Government members about not caring about rural people. The fact is that we took them from the 1949 blitz trucks and second-hand urban appliances they used to brand new appliances, and we were getting through that system pretty well. We went from zero to 300 new appliances in the space of six years. If the Minister can keep that momentum going for the next six years, that will get us out of trouble. If that happened, we could return to the time when we could get by with a bit of research and so on. If the Minister could get that quarantined funding for $10m for five years, a lot of the problems would be well and truly solved. We do not want to go overboard with the situation such as happened in New South Wales. I wish the Treasurer was here because she made a lot of the Bells Creek disaster.

Mr Veivers: Just take it easy on the Treasurer, you were going along fine.

Mr SCHWARTEN: I will remind her about the Bells Creek disaster. She stood up in this place and talked about those fellows who were injured there in November two years ago.

Mr Veivers: You can talk to Dr Watson, too.

Mr SCHWARTEN: Yes. The Treasurer was making a big thing out of it. That is fair enough, because she was taking up the matter on behalf of constituents. But I warn the Treasurer that, unless that sort of funding eventuates, we will see more and more of those sorts of disasters. This can be fixed with a relatively small amount of money. I urge all the Government backbenchers to get on the back of the Treasurer and make her see reason on this particular issue.

I turn now to the fire levy. I notice that, under this legislation, the Minister has the power to direct that particular authority. I ask the Minister in his reply to deal with the issue of the fire levy. This Government was appointed on the basis that there would be no new taxes. That was the promise with which it went to the Mundingburra by-election and the general State election last year. The fire levy is a tax. There is no other way of describing it. It is a tax on householders throughout this State. Every time the former Government increased the fire levy a little bit, that lot opposite would scream blue murder if it outpaced inflation. Their promise was that it would keep pace with inflation. So the current $95 levy should stay, except for adjustments to take account of inflation, and inflation only.

I want the Minister to tell the House today that, by setting up this authority, he is not looking for an escape hatch to increase the fire levy. The story that I am getting around the traps is that it is going up, and it is going

up considerably. If the Government wants to employ an extra couple of hundred firefighters, where does it get the money from? It gets it from either Treasury—and we have all heard about the reluctance of Treasury—or the fire levy. There is no other source of income. Given that one of the aims of this legislation is to get some other income, that is going to take some years.

The promise that this Government made was that it would get more and more firefighters on board. I think the figure mentioned was 135 in the next 12 months. That is going to cost money. The Government wants to reach the level that the UFU regards as being the responsible and safe level, namely, one officer and three firefighters. I do not necessarily agree with that; I know that the QFS does. I also know that the QFS, in common with other fire agencies in Australia, and some other unions, argues that safety is different in different conditions. As a fellow from Hervey Bay said to me the other day when I was there, quite frankly they do not believe in one officer and three firefighters. They believe that, in most instances, they can get by without one officer and three firefighters. For example, that morning they had put out a fire in a rubbish bin. They did not need one officer and three firefighters to do that. However, in a structural fire, of which they have very few—in fact, the member for Hervey Bay might be able to tell me how many structural fires there have been in Hervey Bay in recent times.

Mr Nunn: Since October 1993, about two between the hours of 11 and 7.

Mr SCHWARTEN: I could not remember that figure. They said that, basically, they do not need one officer and three firefighters for other than those sorts of situations or a couple of potentially serious situations. That was a bit different from what I had belted into me in the last three years. Every time I would talk to the UFU they would say, "One and three. No compromise." That is what the Minister's predecessor promised to give across-the-board. By my estimations, if the Government wants to do that, the fire levy is going to have to increase by about $30, taking it to $120 or $130. If the Government wants to do that, it should at least have had the honesty to say that before the last election. There is no doubt that Opposition members would have liked to have done that, too. However, every time that we suggested there be a bipartisan approach to this issue, Mr Littleproud did not want to know about it—just as he does not want to know about Hervey Bay now.

There was a curious statement in the local Hervey Bay newspaper. Mr Littleproud was in town, and he was asked about 24-hour coverage. He said, "It is not my portfolio. Have a talk to the Minister for Emergency Services." It is no wonder that he scurried away from that particular portfolio as quickly as his legs would carry him.

Mr Nunn: You would be interested to know that, since then, he's been trying valiantly to wreck the Hervey Bay whale-watching industry.

Mr SCHWARTEN: Has he? That is the second good thing he has done for Hervey Bay. I wonder what he has against Hervey Bay.

Mr Nunn: I don't know. He hates it.

Mr SCHWARTEN: He hates it? I used to think he was just incompetent. I did not know that he was a hater as well.

Mr Nunn: I don't know whether I would go that far. He is probably just not up to it.

Mr SCHWARTEN: No. What I am saying to the Minister is that, in all political wisdom, he can stand in this place and say, "We are going to create this authority and we do not want to hamstring it. We do not want to say to the people of that authority, 'You've got to perform between these benchmarks.' They have to have some latitude to be creative, so they can go out onto the highways and the byways and into the marketplaces and get business interested in this and make the service a great place to be and make it less reliant on the public purse." That is fine. It is a noble ambition. But the fact is that it also provides the Government with a unique excuse for when the authority says, "Mr Minister, to do what your Government promised—to provide the extra firefighters—we are going to have to put up the fire levy by $30." Then the Minister will be like Pontius Pilate. A dish of water will come out, and he will say, "Well, so be it." And when Opposition members ask him a question in this Chamber, he will say, "Well, the authority recommended it. We set up this authority with criteria so that it would be referenced properly back into the community, and the community has spoken and made this decision."

I am asking the Minister to confirm that he will provide a written instruction under section 8H of this Bill, when it becomes an Act, to indicate to the authority that it was a commitment of this Government not to increase the fire levy and that that must remain sacrosanct. The Minister has the authority to do that. I am asking him whether, in his reply, he will deal with——

Mr Veivers: You never give undertakings that go on and on forever.

Mr SCHWARTEN: No, but the undertaking of this Government was that, if elected, there would be no rise whatsoever; end of story. I believe that binds this Government until the next time it goes before the people of Queensland seeking a contract with them on that basis.

Mr Veivers: You were hoping that it was going to be today.

Mr SCHWARTEN: Whenever that may be. With all the issues that are bubbling out there in the community, it might be fortuitous for the Minister if it did happen today. I notice that the Premier is whispering something to the Minister. The Minister should not listen to him, because he got him into enough trouble earlier.

The other point that needs addressing is: who will be the five other members who are provided for in proposed new section 8 on page 11 of the Bill? I will deal with that a bit more at the Committee stage. I am sure that the Minister has made up his mind as to who those people will be, but he should give some thought to perhaps advising honourable members whom he intends to constitute that particular board. If they are a heap of old hacks from the party room, I do not think there will be a lot of confidence in them—certainly not from me.

Mr Grice: What a terrible thing to say.

Mr Robertson: That's what you did with the fire brigade boards.

Mr SCHWARTEN: The fire brigade boards throughout the State were a great repository of old National Party simpletons. They were a great little sinecure for political appointees by the National Party.

Mr Veivers: You didn't do that when you came to power.

Mr SCHWARTEN: Certainly not. Actually, I was critical of our mob because we did not do that enough.

Mr Veivers: When you're the Minister, you might just have to do it.

Mr SCHWARTEN: No, we would have to do it on the basis of fairness and equity. Those days have passed. That is what I am telling the honourable member. Those days have well and truly passed when one could appoint some geriatric party hack who——

Mr Grice: What about your port authorities?

Mr SCHWARTEN: Dear me! I am talking about the Fire Service, you poor, simple, misguided thing. The honourable member cannot make the distinction. How does he get on with the members opposite? He will never make it to the front bench if he does not know the difference between water and fire. It is a pretty basic point to understand. "What about the port authority?" He might as well have asked me, "What about the price of barley in China today?" His question is about as relevant as that. What sort of idiocy is this? "Heed him not for he knows not what he says." "Please vacate this Chamber. Go ye to another place with your nonsense." I will take a sensible interjection.

Mr Nunn: What about the price of Cunningham?

Mr SCHWARTEN: The price of Cunningham, indeed. It used to be about 30 pieces of silver; I do not know what it is today, perhaps an overseas trip.

An issue has come to hand that ought to interest members who represent Gold Coast electorates. People from that area must have known that this debate would be on today, because a number of issues——

Mr Veivers interjected.

Mr SCHWARTEN: No, it is Gary McGuire, as a matter of fact.

Mr Veivers: Out the back of Mudgeeraba.

Mr SCHWARTEN: Yes. They have grave concerns about workers' compensation.

Mr Veivers interjected.

Mr SCHWARTEN: They are hardly Labor supporters out that way. We do not hold too many seats down that way.

The rural fire brigades issue is really bubbling along. If honourable members opposite do not do something about it soon, it will do them a lot more damage than it would to a Labor Government.

Mr Veivers: You're talking to a former rural primary producer.

Mr SCHWARTEN: I know that; that is why they feel badly let down by the honourable member.

Mr Veivers: Some of those blokes work for rural brigades out in the bush. You'd better be careful.

Mr SCHWARTEN: I understand the problem.

Mr Veivers: So do I.

Mr SCHWARTEN: But the honourable member is the Minister. I think there is a great difference between the wet bag and some form of appliance.

Mr Veivers: I used to do that.

Mr SCHWARTEN: Yes, the honourable member used to use it, but I would not advocate that he tells those firefighters that they should go back to using the wet bag.

Mr Veivers: I'm not going to do that.

Mr SCHWARTEN: I am sure that he is not advocating that. That is not the case.

I am sincere about what I said about Commissioner Skerritt. I believe that the rumours might be correct and there might be forces behind the promotion of Wayne Hartley into that position—and Lyn Staib is the name that is given; that is as blunt as I can be about it—and Skerritt might get the chop because he is on the hit list. Mr Borbidge made a certain commitment because the previous Minister in the scandalous MOU tried to do a shabby little deal to get rid of him. I seek the Government's affirmation today in support of Commissioner Skerritt in the same way as Mr Cooper did for Commissioner O'Sullivan, who found himself in similar circumstances. How the Government responds to that request for an affirmation will determine how the Opposition will vote on this issue.

Mr ROBERTSON (Sunnybank) (12.44 p.m.): It gives me pleasure to rise in this debate to support the amendment proposed by the member for Rockhampton, particularly with respect to recognising the pre-eminent union in the Fire Service, the United Firefighters Union, having a position on the authority. Most members will know my history with respect to fire services. As a former secretary of the United Firefighters Union, I spent almost 10 years with that union. That experience has stood me in good stead to speak about such issues. Unlike other unions, the United Firefighters Union deals with one industry. It is an industry union dealing predominantly with a single employer. As a result, one tends to live the issues of that industry day in, day out.

In supporting the amendment proposed to be moved by the member for Rockhampton, I thought I would refer to history to try to explain to the Minister why union representation should be recognised on the authority. In 1983, when I joined the union as a research officer, 81 fire brigade boards were still running Queensland fire services with an overall authority called the State Fire Services Council. I can only endorse the remarks made by my colleague the member for Rockhampton with respect to his explanation of how people became members of those fire brigade boards. They were predominantly organisations that just provided political sinecures for people from the party or the Government of the day. I am not saying that the vast majority of people on the fire brigade boards were not trying to do their best, but there was certainly no question of merit in the selection process. There was certainly no question of investigating whether those people knew anything about fire brigade boards. By and large, they were people who had been plucked from the community. Most of them were National Party members. If they were not National Party members, they were Liberal Party members. The only time a Labor Party member would be a member of one those fire brigade boards was when some Labor Party members were members of the city council or the shire council and the council nominated them to sit on the fire brigade board. Otherwise, it was just Liberal and National Party membership which determined one's involvement on those fire brigade boards.

If anyone tried to tell me that those fire brigade boards knew what they doing, I would refer that person to the fact that those fire brigade boards used to exclude the chief officers from fire brigade board meetings. The chief officer would sit outside the meeting. I would often sit outside with the chief officers, because I also needed to meet with the board. The senior fire officer for the city or the town would sit outside the board meeting and be invited——

Mr Stephan: That's rubbish.

Mr ROBERTSON: It is not rubbish. I am glad that the member for Gympie interjected, even though he is not sitting in his own seat, because the Gympie Fire Brigade Board was one of the worst for treating the chief officer of the Gympie Fire Brigade as a second-rate employee. Those officers would sit outside and wait to be called by the fire brigade board. They would go in, give their report and be ushered out of that fire brigade meeting. Matters such as financial considerations and planning matters were really not the province of the chief officer. Is it any wonder that, when we consider the Staib report, we find that Staib herself recognises a lack of managerial skills particularly among officers in the Fire Service. Under the fire brigade board system they were never given the chance to acquire any of those skills, because the local town accountant, the local councillors and the local branch secretary of the National Party would

not give them the ability to progress as professional managers in the Fire Service. To this day, we still suffer from those problems.

I was speaking about the role of the United Firefighters Union and why it should be recognised in this legislation. One of the Minister's predecessors, who was in this House earlier today and who just left the Chamber, Mr Cooper, was the first Minister to give any recognition to the United Firefighters Union when he finally agreed to amend the Fire Brigades Act to give the United Firefighters Union, which had 90 per cent membership of all firefighters in Queensland, representation on the superannuation board. Prior to that, the UFU was effectively shut out from the superannuation scheme.

Mr Grice: What did the union say to you outside when the rally was on?

Mr ROBERTSON: I will come to that. I thank the honourable member for his interjection. I hope I am given an extension of time to be able to answer him in this debate.

From that time, the UFU has been able to demonstrate a responsibility in the best interests of not only the membership it serves but also of the Fire Service. It was through the review that was initiated by then Minister Cooper—what we now call the Leivesley report—that the UFU was able to demonstrate how effective an organisation it really was.

If one goes back in history, one would realise that all of the initiatives about which the Staib report speaks are initiatives of the United Firefighters Union. Whose initiative was it to set up the fire appliance working party so that for the first time Queensland firefighters could ride on a purpose-built fire engine and not just a dump truck with a water tank on the back? It was the United Firefighters Union. The setting up of the firefighters uniform and protective clothing working party was another initiative of the United Firefighters Union. Those initiatives were achieved through annual conferences. In the case of the appliance working party, that was achieved through an annual conference at Coolangatta. The union invited the senior management of the Fire Service and appliance manufacturers from throughout Australia to attend that conference. For the first time, the Fire Service, the workers and the manufacturers got together and out of that initiative came the fire pack appliances. That is how we have fire pack appliances today.

As I said, the uniform and protective clothing working party was another initiative of the UFU. That came about principally because of a disaster that happened in Cairns. A gas tank exploded, what we call a BLEVE occurred, and two firefighters were seriously injured. Their clothing melted onto their backs because at that time firefighters were issued with clothing that was made out of nylon and polyester. It was out of that disaster that the UFU initiated research so that officers could be issued with the best protective clothing in the world. In fact, the UFU itself conducted and initiated research into those issues, the results of which are now used by other Australian fire services.

Do members know the response of the Fire Service in relation to the paucity of training that was available to senior management? The recommendation that came out of the Fire Service inquiry into that Cairns BLEVE was that firefighters should paint the underside of their helmets black to deflect the heat. It was the most ridiculous, inadequate statement that even a non-firefighter such as myself had ever heard. Yet that statement came from one of the senior officers in the Fire Service. It was no wonder that the UFU had to take the bull by the horns and initiate some of those major reforms that we now take for granted in the Fire Service which, although I do not criticise it, I do not believe the Staib report gives sufficient recognition to.

The other issue I want to take up with the Staib report is its statements about the industrial problems that occur and have occurred in the Fire Service for many years—in fact, for too many years. My colleague the member for Rockhampton has spoken about certain individuals, and I do not want to refer to them by name. To do so gives them greater prominence than I think they deserve. Effectively, they have been able to drag the good name of one of the best unions in Australia through the mud without justification. In terms of that union achieving outcomes for its members, I will put the industrial history of that union up against that of any other union in Australia.

Mr Pearce: Excuse me, what about the coal union?

Mr ROBERTSON: Let me say to the member that it is even up there with the coalminers union. I challenge any other union to provide information about wage outcomes over a three-year period that resulted in achieving wage increases of $140 a week on average for its membership. That was the type of industrial outcomes that union achieved for its members, and it achieved a lot more.

Reference has been made to a 38-hour week. At the time I was secretary of the union, that union would have achieved much greater

outcomes than a 38-hour week. For the first time in the history of the Queensland Fire Service, the union was well on the way towards gaining wage parity with firefighters interstate. It was only through the intervention and the destructive, disgraceful and dishonest tactics of the people whom the member for Rockhampton has mentioned that put that 38-hour week case in jeopardy to the point at which the Industrial Relations Commission could not hear the matter. A resolution of that matter would have provided another $60 in the pockets of average firefighters. Those people were responsible for that. I will never forget and I will never forgive what they did to their fellow firefighters. They took money out of the pockets of their fellow firefighters, and they continue to do it today. Their disgraceful, dishonest behaviour over the restructuring wage claim was yet another case of taking money out of the pockets of honest firefighters.

It will be a great day when the Minister and other members opposite stop listening to those people. Frankly, those people do the Minister and members opposite no good. I had the same conversation with the Minister's predecessor, Mr Littleproud. I warned him about the types of characters with whom he was dealing. He took no notice. I suggest that this Minister is a lot smarter than the previous Minister and that he knows exactly what I am talking about. If the Minister does not know what I am talking about, I suggest that he speaks to people such as the commissioner, other respected officers, and even Mr Cooper might give him some good advice about the types of people they are. I know—and I have said it in this place before—that one of the better Ministers in charge of the Fire Service was Mr Cooper. In terms of his dealings with the UFU, Mr Cooper knows of the integrity of the union.

Mr Woolmer: It sounds like you don't like these guys.

Mr ROBERTSON: I have not started with them. Let me say to the member that if this place holds a debate about the Cooke inquiry, it will give me an opportunity for the first time to tell the truth about the types of people they are. I hope that I get that opportunity before too long.

The UFU fought for, deserves and should continue to receive representation at the senior level on the Fire and Rescue Authority. My colleague the member for Rockhampton referred to the financial problems of the Fire Service and questioned whether the levy should go up. Let us not forget why the Fire Service is in the financial position that it is in today: because a former Minister by the name of Tenni refused to take the advice of operational firefighters. Instead, he engaged some alleged expert from Tasmania by the name of Paltrige, who in 1984 established the fire brigade levy system. He advised the then Minister Tenni that if the fire brigade levy was brought in, it would earn $89m. The only problem was that Mr Paltrige was $40m out. That is how the debt in the Fire Service came about—poor advice given to a poor Minister. The Fire Service was $40m short in its first financial year, and the Fire Service has never recovered from that debt.

That is why I become a bit suspicious—and I am not having a shot at the Minister because this has also happened under previous Ministers—when a Minister thinks that everything will be okay by setting up an inquiry or some kind of investigation into the Fire Service. I have always believed that it is actually a lot simpler than that: it is simply a financial issue. If the debt is taken off the back of the Fire Service, it will actually have an opportunity to improve its equipment and meet the demands for new fire stations, clothing and wages. The industrial frustration that firefighters face, and have faced for at least the 10 years or 13 years that I have had an interest in the industry, comes back to two factors: the fire brigade board system and the bungled introduction of the fire levy.

The start of the improvements commenced with Minister Cooper and the Leivesley report. However, we never—and both sides of politics are to blame for this—got the debt burden off the back of the Fire Service. Out of that, all the other problems arise. So I get a bit suspicious when a new broom—and in this case it is called Staib—comes through the Fire Service. It is like arguing about what we are going to do about staffing levels, or what we are going to do about the integration of auxiliaries and professional firefighters. It is a simple financial argument. It is not difficult to solve the integration issues of auxiliaries and professionals and it is not difficult to determine standards of fire cover, but they become impossible to achieve in an environment of economic rationalism and financial cutbacks.

In the time available to me, I will address two other issues. If, as the Staib report recommends, business opportunities are to be investigated—and perhaps this proposal is appropriate given the Government's announcement to try to purchase the Brisbane International Airport—I believe that there is

money to be earned through taking over the airport fire service on a contractual basis. That takeover would provide the airport firefighters with a career path through the civilian or the urban fire service, and vice versa. Out of that we achieve better productivity, better training and an integrated fire service. Frankly, in my view airport firefighters have the worst job I have ever heard of in my life. They are rarely called out to incidents and, if they are, they know that it is going to be a disaster. I cannot think of a worse job. So I ask the Government to give that proposal some consideration, particularly as its Federal counterpart wants to flog off the airports and privatise them. Given the Government's desire to put in a bid for the Brisbane International Airport, there might actually be an opportunity to look at that issue right now.

Lastly, I take this opportunity to place on record my thoughts on the passing of an old "firie" who died just last week, Hughie Brady. Hughie had many years of distinguished service in the Fire Service. He retired in 1975. He really distinguished himself in terms of his commitment to the UFU. He was one of the early campaigners for a separate fire brigade union for firefighters. Hughie died with two great distinctions to his name: he was a life member of his union and he was a life member of his party, the Labor Party—his two great loves. Not too many people in this country can claim the distinction of being a life member of a union and a life member of a party.

Mr Schwarten: He was a good bloke.

Mr ROBERTSON: He was a great bloke. He was a tremendous supporter of mine in Sunnybank and he put a lot into the Sunnybank community, including kicking off the Sunnybank Bowls Club in the fifties.

Hughie is going to be sadly missed. One of his last wishes was that both Len Ardill, the member for Archerfield, and I speak at his funeral, which I was very proud to do. I was very proud to see another member whom Hughie had supported from his early days, the member for Logan, Wayne Goss, also attend the funeral. Hughie is going to be sadly missed by the party and by the union.

With those few comments, I ask the Minister to consider the all-important issue of UFU representation at the highest level through the amendment moved by the member for Rockhampton.

Sitting suspended from 1.03 to 2.30 p.m.

Mr PURCELL (Bulimba) (2.30 p.m.): As the shadow Minister has pointed out, the Opposition has no problems with the creation of the statutory authority provided for in this amendment Bill. However, it is the intent behind this Bill which concerns us.

The member for Rockhampton has already outlined the real reason for this Bill, which comes from the Government's shabby deal to get rid of the fire commissioner and the director-general. In fact, the secret MOU with two renegades from the UFU pledged to abolish the position of Director-General of Emergency Services. However, of course, we now know that the real agenda was to get rid of Dr Leo Keliher, who featured on the Government's hit list—the same list that the Premier, Mr Borbidge, has tried so desperately to distance himself from in recent times.

I have had a little to do with Leo Keliher. I was on Tommy Burns' legislative committee. While I was there, Tommy organised many seminars involving officers from Emergency Services. As a new member of Parliament, I found it very enlightening to listen to these officers from Emergency Services talking to members of Parliament and outlining their programs. Leo Keliher was instrumental in setting up those seminars and ensuring that the information that we were given was up to date. I remember some fairly lively debates taking place over various things, which I thought was very good. Leo Keliher worked for the Queensland Public Service all his life. To have Leo treated in this way was very shabby. Leo did his job well and he knew his job well.

However, it is a fact that only days after the Mundingburra by-election the now Minister for Environment, Mr Littleproud, visited the Gympie Fire Station with the member for Gympie—and I see that my colleague is not present in the Chamber. They crowed to the local firefighters, "The good news is that Keliher will be the first one to go." Their agenda and what they had lined up for Leo was quite plain. Why that was, I do not know. They must have perceived that he was too close to the Government of the day. However, being a good public servant, he is very close to whichever party forms the Government of the day and he would give the same service as he gave for most of his working life to the previous National Party Government.

Let us not have this hypocrisy from the other side of the House. The good things this Bill can deliver are merely a mask to cover the real intention of the Bill, which is to give the Government the right to sack the commissioner.

I have also been fortunate enough to get to know Commissioner Skerritt. I was present

at the seminar when the news of the death of two firemen at Southport came through. I saw the haste with which the commissioner left to see how his two officers had died and to check on his other officers who were at the fire. I was also there when he came back to report. I can tell the House that he was visibly upset that he had lost two of his officers. He has a deep concern for his officers and their wellbeing, and for the families who lost their husbands and fathers.

I reiterate the comments of the member for Rockhampton: Commissioner Skerritt has worked diligently and tirelessly to reduce the debt that was hanging over the Fire Service so that instead of making interest payments it can better utilise money by buying equipment that is desperately needed, particularly in rural areas, so that our firefighters can protect our communities.

However, like so many other things it promised, the coalition cannot keep its word about abolishing the position of director-general as, under the Bill, the director-general is given a position on the board. Presumably, he will be the chairman of the board. Quite clearly, it was the coalition's intention to get rid of Leo Keliher, but of course it could not publish that in the MOU. Instead, it chose to offer to get rid of the position which he held. However, it has not got rid of that position but has sacrificed Leo anyway. It is no wonder that the people to whom I speak do not believe Mr Cooper or Mr Borbidge when they make reference to positions that they referred to in other deals.

Other than this vicious and underhand intention of the Bill, I have only one other real concern, that is, the lack of consideration it shows for workers within the proposed Queensland Fire and Rescue Authority. I have spent the best part of my adult life involved in the trade union movement and I simply cannot understand why the Government refuses to acknowledge the need to involve the relevant union—in this case, the UFU—in the changes it proposes. I know that the coalition does not respect the role that unions have to play in our society. I understand that it has every intention of trying, by way of new industrial legislation and laws, to crush the union's ability to represent its members. However, the fact is that this legislation, by its omission of any reference to union representation, is severely flawed. No doubt the Government thinks that this Bill will solve all of the problems indicated in the Staib report, but the fact is that it will not do one iota of good unless the changes proposed in that report have union support for their implementation.

Already the UFU is starting to make its views known on the issues of the Staib report through its own newsletters. The union is claiming—and rightly so—the right to represent its members on various implementation committees. Therefore, it will not be too long before the Minister has to face a campaign by the union to have its members represented on the board that this Bill will create.

All I say to the Minister is this: it is not a smart move to try to keep the UFU off the board. I urge the Minister to reconsider that. I know that he is a fair person. He knows that the union would fight very hard on behalf of its members, which is why we have referees. If the Minister does not put union representatives on the board, the union will fight all the harder. If the Minister involves the union in the decision-making process, the decision arrived at will be much easier to implement. It is a right of the UFU to have its members represented on this board and it is the right of every UFU member to feel cheated if their wish is not acceded to.

All firefighters have my respect. It is a tough job and, as far as I am concerned, they deserve every penny they get. However, the truth is that a very tiny minority, probably less than 10 or 20 people, have a lot to answer for in the terrible turmoil that has dogged the UFU for the last five or so years. There is no doubt that the UFU and our Government were successfully undermined by certain individuals who purported to have the interests of "firies" at heart. The truth is that certain sections of the UFU—notably the Brisbane branch, I am informed—did everything they could to stop the workplace agreement package from becoming a reality. An all-up ballot of the members rejected the package after an underhanded campaign was waged by a scurrilous, libellous publication known as *CODE-INE*. Of course, the people who put out those sorts of publications do not put their names on them.

I come from a fairly tough union, the Builders Labourers Union. From time to time we had internal differences about how the union should go about its business and how we should wage campaigns for wage rises. I assure the House that if people in our union did what these people have done, they would have been expelled from the union. I imagine that any person within the National Party or Liberal Party who took their blues outside the party and published those sorts of libellous papers would not last long in the party. There

are conventions to manage how decisions are arrived at. Once decisions are reached, it is up to everyone to put their shoulder behind the wheel. The publication *CODE-INE* was produced by people who had a score to settle with people within the UFU, and I think they really did the members of the UFU a lot of harm.

Mr FitzGerald: Will you table a copy of it?

Mr PURCELL: It would probably contain unparliamentary language and may not be able to be tabled. The truth is that, by their despicable action in undermining the workplace agreements between the QFS and the UFU, those union rebels effectively held up a wage increase for their mates for over 20 months. That is absolutely disgraceful. By forcing the agreement to arbitration, not only did the UFU members have to wait for pay increases but also what was ultimately handed down by the commission was far inferior to that offered by the Labor Government.

Without being too pointed, another issue I wish to raise is that, if agreement on matters can be reached without having to go to arbitration, a much butter result is achieved for all parties. In other words, the *CODE-INE* gang, by undermining the UFU and by stirring up firies into marching on Parliament House and on their own union, achieved only disunity and a worse deal for all of their fellow members. They also achieved their aim of driving the assistant secretary, Dinah Priestley, who worked tirelessly to get the best and fairest deal for UFU members, out of a job. I have considerable experience in union matters, and I can tell honourable members that the debacle which has occurred within the UFU over recent years has caused that union and its members a lot of harm. Never in my life have I seen such divisive tactics used.

I now wish to turn to the issue of overall funding. Honourable members would know that about 75 per cent of the Fire Service budget comes from fire levies. Unless that percentage changes, any increase in the number of firefighters will mean that fire levies must be increased. When it is passed, this Bill will give the Fire Service alternative sources of income so that it will be less reliant on having to increase fire levies to put on extra firies. No doubt there are plenty of opportunities for the Fire Service to enter into service-type arrangements. Fire awareness lectures, building inspections, consultations with other authorities and so on are all possibilities, but that cannot be achieved unless there are sufficient numbers on the staff. So staff numbers will have to be increased. There is no way that a company will pay the Fire Service to provide lectures and advice, only to have the officers concerned taken away from the lecture to fight fires. Before entering into any commercial arrangement, there will have to be more staff and better systems of organisation.

With respect to the extra 135 firefighters promised by the coalition, I must say that I thought it was a bit hot for the member for Charters Towers to stand up in this place the other night—he was obviously reading from a prepared written speech—and claim that the extra 50 firefighters coming on stream now were part of the 135 extra firefighters promised by this coalition. The truth is that those positions were created under the former Labor Government. Positions were called for and the training was done under the Labor Government. So any new firefighters who have recently been engaged by the service were certainly well in the pipeline before the change of Government. The coalition has yet to provide any new firefighters from its Budget, and we will have to wait until Christmas to see whether any new firefighters will arrive on the scene.

The final issue with which I wish to deal is salaries. I have already outlined the debacle of the UFU's attempt to get salary justice. The ball is now squarely in this Government's court. The Government promised wage parity with other States for Queensland firefighters. If this Minister thinks that by creating this authority he will somehow get around that promise, he is kidding himself. The fact is that the UFU has a proposal to get that parity. If the Minister is going to achieve this outcome, it is a simple matter of accepting the time lines and the amounts and making sure that the money is there. There should be no ifs and buts; the Minister will have to pay up for the promises made by this Government when it was in Opposition.

The Bill before the House is probably reasonable in that it provides the Fire Service with a great range of opportunities. I will be watching with interest to see whether those opportunities are taken up. I am sure that Commissioner Skerritt will make sure that every post is a winner for the Fire Service. What it does not do is provide an escape mechanism for this Government to get out of the promises it has made. Under the incumbent Treasurer, the present Minister is going to find it very difficult to come by that money. I wish the Minister all the best. With those few words, I will conclude my contribution.

Mr MULHERIN (Mackay) (2.47 p.m.): I rise in this debate to register my concern at the intent of this Bill. Under a smokescreen of allowing for better management and wider representation, this Bill will enable the Minister to appoint five members to this authority.

Mr Nunn interjected.

Mr MULHERIN: I think it will.

The word around the Fire Service is that the Minister has already promised people jobs on this board, and perhaps we could hear from him who those people are.

Mr Nunn: Red hot.

Mr MULHERIN: As the honourable member said, it is red hot.

Obviously, the Minister and the Cabinet which approved this Bill do not want any union representation on this authority. No doubt the Minister will tell us that the workers' interests will be represented by someone whom he nominates, but the fact is that the firefighters' major registered industrial organisation, the UFU, has no direct access to this board. One would have thought that, given the industrial turmoil in which the Queensland Fire Service has been embroiled over the past few years, it would have made some commonsense to put a representative of that organisation on the authority.

Mr Nunn: He is not exactly a Minister setting the world on fire, is he?

Mr MULHERIN: No, but I hope that he listens to what we are saying today and appoints someone from the union to this board.

One notable feature about the previous Labor Government was that where decisions were going to made about workers by statutory authorities, the unions were involved. The Railways Appeal Board is a good example of that. It certainly has not taken this Government long to revert to its old union bashing ways, as occurred during the disgraced Bjelke-Petersen days. The industrial legislation that the Government is intending to bring into this House is another example of its winding back the clock.

Mr Nunn: It's a disgrace.

Mr MULHERIN: It is a disgrace.

In truth, the United Firefighters Union has every right to expect to hold a position on this new authority. The Minister is telling us that the authority will be a stand-alone agency which is basically free to go about the business of running the Fire Service, but he will not allow the union which has coverage of the overwhelming number of the authority's full-time employees to have a say.

I urge the Minister to reconsider his actions in this regard. Tensions are still running high within the ranks of the firefighters. I know that many firefighters are very disappointed with the decision of the Industrial Relations Commission. They are also very concerned that this Bill is the first step towards privatisation. I can assure the Minister that these sorts of problems are going to multiply unless he provides the authority with a way to receive information from and disseminate it to the work force. By putting a union nominee on the board, the Minister would be expressing a vote of confidence to the UFU and signalling to its membership that he values their input.

The other point is that the UFU actually has a contribution to make to the effectiveness of the board. I know that if the UFU was asked to nominate someone for the authority, it would appoint someone with ability and experience. This is the very thing the board needs—someone who can balance out the arguments from a practical and experienced perspective. The shadow Minister, the member for Rockhampton, has already indicated that the Opposition will be moving an amendment in Committee to provide for union representation on the authority. I trust that the Minister will accept the amendment, as this is the only way he will achieve any decent input from the QFS workplace. It should also be pointed out that it must be the UFU which nominates its representative, not the Minister. A UFU representative has accountability to the rank and file of that organisation. That member will and must report back. There is no such accountability from a ministerial appointment.

I remind the member for Gladstone—and it is a pity that she is not in the Chamber—that she represents an electorate where union membership is amongst the highest in this State. I therefore urge her to consider carefully the amendments being proposed by the Opposition to allow union representatives on this board. I believe that the same argument applies to rural and auxiliary firefighters. They too should have the opportunity to have someone on the board who represents their views. As a matter of fact, the Auxiliary Firefighters Association has a significant presence in my area. It does a good job in representing its members and taking up issues on their behalf.

I now want to turn to the issue of commercial activities, which we are told will be enhanced as a result of this legislation being

passed. Recently, I had a number of my constituents voicing their concern over the decision by the Queensland Fire Service to place a large illuminated billboard on QFS property at the Mackay station on the corner of Alfred and Sydney Streets. This is a very busy intersection where traffic either moves south out of the city or north into the city. There is a lot of congestion at this location. Along with my constituents, I felt that a sign of the size proposed was a potential traffic hazard. I made the necessary representations on behalf of my constituents to the Mackay City Council, which had the final say in whether approval would be given to erect this billboard. I believe that this project will now not proceed. But the point is that it worries me that if the Fire Service is to be put on a more commercial footing and be weaned off public funds, then we will see a lot more of this type of activity.

The Minister has insinuated that this legislation will mean that he is at arm's length from the service. Does that then mean that he will not be taking an interest in these sorts of matters or, worse, that he will not be held accountable for them? No doubt this new structure does have the advantage in allowing for a broader range of commercial interests, but it must never be forgotten that this is a service which belongs to the ratepayers and taxpayers of this State. It must be in the business of forever striving to improve that service and not be unnecessarily diverted to commercial pursuits which will detract from that service. The Minister must not use this legislation to absolve himself from the promises his party made in Opposition. Mackay firefighters expect wage parity with other States by no later than September 1997, and they expect full one and three crewing levels to also be delivered. The fact that we will have an authority to oversee that process will in no way diminish the Minister's responsibility to deliver these promises, and he can expect to hear plenty from me on the subject if he does not deliver.

I recently raised the issue of improved firefighting equipment in the Mackay area. Radio communication in the Mackay region is appalling. Currently, firefighters rely on the use of mobile phones. There is a need to establish a series of radio repeaters throughout the Mackay area, especially with the pending transfer of the Mackay watchroom to a new regional watchroom in Rockhampton. The decision to have the watchroom located in Rockhampton at a regional level has been welcomed by Mackay firefighters because it will free up another highly trained firefighter for every shift. But the need for decent radio communication networks still remains.

There is also a need for the new board of the Queensland Fire and Rescue Authority to act on the service delivery proposal which was developed through the Mackay Local Consultative Committee. This committee consists of local management and firefighters. They sat down and identified the strategic needs for the Mackay area. One of the proposals put forward by this committee is to relocate the North Mackay station from Harbour Road to a new site on the corner of Holt Street and Beaconsfield Road and to dispose of land owned by the Fire Service at Eaglemount Heights. A new station at Eaglemount Heights would have restrictive access to the major arterial road networks that service the fast growing suburbs of the northern beaches, Andergrove and Glenella. A new station at the corner of Holt Street and Beaconsfield Road would have unrestrictive access to the arterial road system. However, the land must be acquired first. I urge the new authority to act on that matter very quickly.

In addition to the Beaconsfield proposal, another proposal put forward by the local committee is to sell the Mackay station site and acquire additional land on the corner of Palmer Street and Harbour Road and build a new district headquarters on this site. This proposal will probably create some degree of debate within the local community of Mackay, especially amongst residents who live on the south side of the river. It has been indicated that these are only proposals, and all this will have to be considered by the new board in consultation with the Mackay community.

In his speech, the Minister said that the review identified the need for the Queensland Fire Service to identify potential business opportunities, especially in the provision of fire safety/prevention services for other organisations. The Mackay firefighters have led the State in fire prevention. They have developed a culture of fire prevention through training. Testimony to this is that there has not been a major fire in the Mackay district in the last six years. Fires that have occurred have been confined to the room of origin. This is an excellent record and has not come about by chance. All firefighters in Mackay, with the exception of five officers, are trained to Level 1 accreditation in fire prevention. The five officers who have not yet received accreditation will undertake the necessary training and be accredited by the end of November. This is an excellent record, and I

offer my congratulations to those involved. Well done!

However, whilst welcoming the chance to develop a commercial focus, Mackay firefighters are concerned that insufficient staff numbers will see a reduction in services and, as I said earlier, commercial pursuits without additional staff will definitely detract from the excellent service provided by Mackay firefighters and all other firefighters throughout the State. Again I say that, despite the fact that this Minister wants this legislation to remain at arm's length from the authority, these sorts of decisions must ultimately become his responsibility.

Finally, I want to address the issues of the urban fire levy, which provides about 75 per cent of the Fire Service budget. No doubt the new authority will be tempted to increase this levy, which now costs the average Mackay ratepayer $98. No doubt the Minister will also find this an attractive proposition, given his new armchair role in the organisation, but let me say that the people of Mackay have good memories. They know that this Minister was part of an Opposition which skulked to power in this State on a no new taxes, no increased charges promise. Therefore, it is not acceptable to my constituents that there be any increase in the fire levy that is more than the increase in the CPI. The Minister has no mandate from the people of Queensland to do so and, if he does allow the authority to increase the levy, I will ensure that I will use this Parliament to hold him accountable for his decision.

As the shadow Minister, the member for Rockhampton, has indicated, the Opposition does not necessarily oppose the legislation, as there are sound reasons for creating a statutory authority to administer the Fire Service. The creation of this authority offers this Minister the unique opportunity to provide a balanced board that serves the interest of all those who work within the service and those whose interests the authority will serve. If he gets the mix wrong, if he shuts out the union, and if he ignores the right of the auxiliaries and rural firefighters to have input, this legislation will fail to do what he is setting out to achieve. While mentioning rural firefighters, I would like to pay credit to the rural firefighters in the Mackay area who have been fighting a bushfire at the base of the Eton Range for the last week. If, on the other hand, the Minister makes the board inclusive, if he does not walk away from his responsibility by allowing the board to become his fall guy, I think this legislation may well help the Fire Service. If the Minister chooses to take another path, then he will wear the political consequences of his ineptitude.

Mr LIVINGSTONE (Ipswich West) (3.03 p.m.): In rising to speak to the Fire Service Amendment Bill 1996, I want to say that I have no real objections to the Government's intention to form a statutory board which will effectively overtake the responsibility of the commissioner who, in effect, currently operates as a head of a statutory authority anyway.

However, the real issue is that this Bill gives the Minister a way of getting rid of the current commissioner, and one need look no further than the memorandum of agreement between the Minister's predecessor and a couple of unauthorised people from the UFU to see why. In that secret deal signed between the then shadow Minister, Mr Littleproud, and the then Opposition Leader, Mr Borbidge, and Mr Brazil and Mr Quinn, supposedly representing the UFU, it is clear that both parties agreed that the current commissioner would be targeted for the sack after the coalition formed Government, but of course the commissioner is a tenured officer under the Fire Service Act 1990. So there was no way that he could be easily got rid of unless there were changes made to the Act; it is by the means of this Bill that that will occur. So while I support the broad notion that a statutory board is better than the individual in that it allows for greater input, I condemn this Government for its devious and underhanded ploy to get rid of the commissioner in this way.

Mr Springborg interjected.

Mr LIVINGSTONE: The member would be surprised. I therefore seek the Minister's assurance that the Bill will not pave the way for him to sack Commissioner Skerritt. In fact, I challenge the Minister to lay his cards on the table on this matter. I challenge him to tell the House whether or not he is going to get rid of the commissioner. I challenge him to deny that he has earmarked Assistant Commissioner Wayne Hartley to take Mr Skerritt's job. I further challenge him to give reasons for this disgraceful attempt to terminate Mr Skerritt's career.

I am aware that Commissioner Skerritt has sometimes been at odds with some elements of the Fire Service, especially those firefighters from the Brisbane branch who chose to undermine the QFS and the UFU but, in truth, as the shadow Minister has already pointed out, Commissioner Skerritt was merely trying to act out the wishes of the Government of the day. It was not Skerritt's

fault that he inherited a $60m debt from the previous fire board system and had to fund over $6m from his budget every year to cover repayments.

The fact is that Commissioner Skerritt is being blamed for not providing the staff that he had no money to provide. He is being blamed because the QFS has been torn apart by an internal industrial dispute within the UFU. If this Minister believes that his problems will go away by simply firing the commissioner, he had better think again.

The shadow Minister has already outlined the Opposition's insistence that the UFU should have the right to nominate whom it wants to represent the views and ideas of its members on the proposed board. As a unionist in the electricity industry, I had the honour to represent my fellow workers on a number of union management committees. These worked in the interests of both workers and management and it was more often the case than not that disputation could be avoided by these means. In any case it is a proven fact that consultation wins over confrontation any day.

It is not only sensible to have the UFU nominated person on the board, it is also desirable from an economic point of view. Just consider the amount of time and money that will be spent by the QFS in attempting to liaise with its members and employees—the endless meetings, newsletters, letters and so on to explain issues. While there will always be a need to use these communication channels, it is certainly better to have the UFU representative sitting as an equal on the board and therefore taking back the message from the board to the members. On the other side of the coin, we also have the advantage of the UFU being able to have its members' issues dealt with at the board level. Surely this must help develop harmony; surely this must help to restore some faith in what has become a demoralised work force; and surely it just makes plain commonsense.

I know that the coalition still has a 1960s attitude to unions, but the fact is that the unions play a pivotal role in our society. They are also the only organised and official voice of workers in this country, so it is pure stupidity to refuse the UFU members a voice on the board to be created by this Bill.

I now turn to the document from the UFU titled Code 2, Volume 10, Number 17, which was given to me by a constituent. In this document, the UFU outlined in much the same way as I have during this debate its concerns at being left out of the implementation process of the Staib report. It seems that even the operational levels of implementation of this report are being done by groups of people presumably nominated by the Minister or Ms Staib. I have to say that that is simply not good enough. I urge the Minister to have a good look at this document. I know that it has already been covered by the shadow Minister, but I want to amplify the point that, if the Minister is expecting the firefighters of this State to accept the changes he is promoting, then I strongly suggest that he start getting some input from the union by way of real representation on these implementation committees.

It has already been raised in this debate that the Minister is also hoping that this legislation will enable him to increase the fire levy without fear of political consequence. However, I seek the Minister's assurance that this Bill will not entitle the board he proposes to establish to increase the fire levy without reference to the Parliament.

There is also another matter of concern in relation to the recent events involving the QFS about which I seek some clarification from the Minister. As I understand it, two people who are purporting to represent the Minister are visiting fire stations and discussing matters in relation to wages and conditions with the members of the Fire Service. A Fire Service constituent of mine thought that perhaps the UFU was tied up with this matter, but on checking I found out that these people have nothing to do with the union at all. Perhaps the Minister can explain whether these people are in fact his representatives or could he tell me just who they are?

I turn to the issue of one-and-three staffing. I know that there was much to-do about this issue prior to the Labor Party losing Government. I also know that certain promises were made by the Government in relation to the secret memorandum of agreement regarding the implementation of staffing levels. Therefore, I ask the Minister to indicate in his reply how many extra firefighters he intends to appoint to Ipswich, and when will those appointments take place, so that that promise can be met?

In common with other members of this House, I know the crucial role played in my electorate by firefighters. We in the Ipswich area, in common with people in other parts of Queensland, need highly trained and committed firefighters to protect our homes and our families. Members will never hear me knocking firefighters or the QFS. But the buck stops with this Minister. If he believes that

creating this board will distance him from accountability, then he is mistaken. His coalition, in Opposition, knew that the problems confronting the provision of adequate and properly resourced fire services throughout this State were, to say the least, difficult.

The dishonest campaign run by the coalition and the splinter groups within the UFU prior to the last State election has done this Minister no favours. This Bill will do him no favours, either. The truth is that the low morale within the Fire Service still exists as a legacy of the undermining carried out by Mr Littleproud and the rump of the Brisbane branch. Our Opposition will not indulge in the same sort of despicable behaviour. We are also committed to providing the best Fire Service that we can afford in Queensland for the people of Queensland.

Ms SPENCE (Mount Gravatt) (3.11 p.m.): It gives me great pleasure to speak in support of the Fire Service Amendment Bill. In common with other members of the Labor Party, I support the establishment of a statutory authority. However, I would not be supporting that statutory authority if I thought that one of the consequences of the establishment of that authority was to allow the Minister to withdraw the services of the Fire Commissioner, Mr Skerritt, and replace him with the Minister's own appointee. As firefighters and Queenslanders would know, commissioner Skerritt was not a political appointee and has never been seen in that light. I believe that to dismiss him so that this Government can put its own political appointee in that position would be to the detriment of the Fire Service, and Queenslanders would have even less confidence in this Government than they perhaps do today.

An Opposition member: Very little.

Ms SPENCE: That is very little after today. The Minister promised an extra 135 firefighters before being elected to Government. We have heard today that those firefighters have not been produced as yet. Indeed, there have been no extra numbers at my local fire stations, and there have been no extra numbers at other members' stations. The Opposition is today asking: where are the extra firefighters that this Minister has now had eight months to produce for Queenslanders?

Mr Veivers: You did well in six years, didn't you?

Ms SPENCE: I want to spend a few minutes paying the Minister and the Fire Service a compliment. The Minister will like this bit.

I want to talk particularly about the work done by officers of the Mount Gravatt Fire Station. I do not know whether the Minister has had the opportunity to visit the Mount Gravatt Fire Station, but I know that he would be welcome there. Since becoming a member of Parliament, one of the things I have learnt about is the work done by fire officers. It is something that few of us in urban societies really understand. Having met the fire officers at the Mount Gravatt station on a couple of occasions and learnt about the work they do, I have enormous respect for them and the job that they do. One of the things that I have learnt is just how much community work they do in their own time, unpaid and on a voluntary basis. Those fire officers worked with me for a couple of hours at McDonald's last Saturday week. We made hamburgers together.

Mr J. H. Sullivan: Did you have one of the calendar boys?

Ms SPENCE: No, but I had fire officers working with me.

Mr J. H. Sullivan: What about the fire officers calendar?

Ms SPENCE: No, I did not have a calendar boy. Those fire officers were working in uniform in their own time. I have to praise them for the work they do in the community. As most Queenslanders would know, we had a very successful Fire Week last week. I compliment the Minister and his department on their initiative in giving out——

Mr Schwarten: Commissioner Skerritt was behind that.

Ms SPENCE: Commissioner Skerritt, yes. They were giving out fire extinguishers to the mothers who had babies last week.

Mr Veivers: Smoke detectors.

Ms SPENCE: Were they smoke detectors? It will be fire extinguishers next year. I thought that was a good initiative. It was very clever in alerting people to the importance of smoke alarms. In my electorate, the Mount Gravatt Fire Service ran a competition in the local schools and got school children to draw a picture about fire awareness. Many schools competed.

Mr McGrady: Did any draw the Minister?

Ms SPENCE: No, they did not draw the Minister, but they did draw a lot of intelligent pictures about fire safety and fire awareness. I was fortunate enough to be one of the three

judges of that competition. I was very pleased to see the fire officers conducting a competition like that in their own time, taking the trouble to get out there in the community and making our young people aware of the importance of fire safety. I congratulate them on that. The Minister may not be aware of this, but Mount Gravatt has two of the women fire officers in this State. I believe there are only three or four in the whole State. Is that right?

Mr Veivers: No, there are more than that.

Mr J. H. Sullivan: Four.

Ms SPENCE: I understand there are four. Two of those four women work at the Mount Gravatt Fire Station. Obviously, this was an initiative of the Goss Government. When Tom Burns was the relevant Minister, the first women were allowed to train as fire officers in Queensland. There are many women who would like to become fire officers, but they have been denied that opportunity for a long time. The two women at the Mount Gravatt station have been in the Fire Service for something like 18 months or two years. They are regarded by all their colleagues as very successful fire officers. I hope that the current intake of trainees includes more women. I would be pleased to hear the Minister comment on that in his reply. The Minister should consider offering some incentives for women who want to join the Fire Service. Perhaps he could think about earmarking some positions for women in the Fire Service. The four women firefighters in the Fire Service have proven that women can be just as successful as male firefighters in that role.

From talking to fire officers in my electorate, I know that they have many demands for new equipment. I know that they want a new fire truck. I am sure that they would be pleased to have the Minister visit them and listen to their requests for those kinds of things.

I will keep my contribution brief today. I support this legislation, but I will also be supporting the amendment foreshadowed by my colleague the Opposition spokesman to have union delegates represented on the statutory authority. I believe that the authority will be a poorer authority if we do not have those union delegates on that authority.

Mr J. H. SULLIVAN (Caboolture) (3.17 p.m.): I rise to speak on the Fire Service Amendment Bill and, at the outset, indicate my support for the amendments that have been foreshadowed by the Opposition spokesman, Mr Schwarten. In my dealings with Fire Service officers in my electorate, one single principle has guided me, that is, if I do my best to look after the blokes on the job—and regrettably, I am talking about all blokes—the blokes on the job will do their level best to look after the delivery of the service. If we look after the staff, they will deliver for the people of Queensland a much better service than we could ever insist upon if we were to lay down any rules or whatever requiring them to deliver. They will do their job better voluntarily than they would under coercion. By including their representative on the board, they will feel that they have a say in what is occurring around them. I believe that would be to the great benefit of all the people of Queensland who rely on the services of the Fire Service. My own sister had her home saved by the prompt action of fire officers at Caboolture. That is something for which she and the rest of our family are very grateful. Those fire officers provide a good service in my electorate.

There are a couple of things that I would like to say about the Caboolture electorate. One of them relates to the location of the fire station. Before members leap to their feet and say that it was built by the Goss Government—which it was—I wish to state that I was as critical of it then as I am about to be now—and publicly.

In Caboolture, the Fire Service shares a combined facility with the Ambulance Service. As a general rule, I do not support combined facilities. That facility seems to be operating okay in respect of the relationship between the two services; however, neither service is located at its optimum location. I am referring to emergency services that are not located at their optimum location; therefore, they cannot be considered to be in the best position to provide the community of Caboolture with emergency services. I think that that is something that we need——

Mr Veivers: How far would you have to move them to be in their optimum position?

Mr J. H. SULLIVAN: If we were to follow the risk mapping that was conducted when Mr Belcher was commissioner, the fire station would be located at Burpengary, at the border of the electorates——

Mr Veivers: How far is that from where it is now?

Mr J. H. SULLIVAN: That is five or six kilometres, and the ambulance station would be at the hospital, which is a few hundred—

Mr Veivers: You want to spend $300,000 to move it six kilometres.

Mr J. H. SULLIVAN: That is fine. I understand——

Mr Veivers: You have got to use a bit of commonsense.

Mr J. H. SULLIVAN: No. The Minister is talking about commonsense, yet he is doing precisely what was done by the former Government. I am not blaming him for the problem. The former Government looked at the savings that could be made by co-locating the services and disregarded the benefits that could be obtained by having the services at their optimum locations. I would be appreciative—as I am sure would the people of Queensland—if the Minister did not fall into the same trap. A combined centre might be fine in a town like Nanango, because it is a smaller town and it is much less likely to have a requirement for officers to travel long distances. It is my view that we should not be jeopardising the delivery of emergency services for the purpose of saving dollars, because our emergency services are about saving lives and property. We should never lose sight of that fact.

Currently the facility in Caboolture is located on Lower King Street, which, as I said at the time the decision was made, is already clogged with traffic most of the day. Particularly bad are the school times of 8.30 to 9 in the morning and about 3 to 3.20 in the afternoon when it is almost impossible for a vehicle to enter that street either from a side street or from a property on the street; yet the emergency services facility on that street does not have traffic lights such as those that I saw at a fire station on the Gold Coast. I think it is Broadbeach Fire Station that has lights that can be operated by officers at the fire station as the vehicle leaves the centre. The traffic problem on that street in Caboolture will be exacerbated because it appears that the Government has effectively delayed the construction of the Caboolture northern bypass by approximately two years. I understand that that is not entirely the Government's fault. A fairly hefty requirement for Federal funding for the interchange with the northern bypass and the Bruce highway has not been forthcoming. Nevertheless, Lower King Street has a traffic congestion problem outside that facility, which is causing some concern.

Currently, the Department of Main Roads is considering a proposal to squeeze a third lane onto the road in front of the fire station to carry the current volume of traffic and the anticipated increase in traffic resulting from the delay of the construction of the northern bypass road. The location of the Caboolture Fire Station is bad now; it was bad then. I would like the Minister to take on board the fact that we need to consider aspects other than the savings that can be made through co-location. As I said earlier, at that station the two services are getting on well together. From my observation, there are no interservice problems. There is no tension in that regard that I can see. However, I believe that, based on some longstanding information, the services have lost some of their advantages.

At the start of this speech I indicated that it is important that we are aware of the fire officers on the job. All members should walk into the fire stations in their electorates and listen to what is going on. At the conclusion of the 1994 bush fires, I made what I thought was a social visit to the Caboolture Fire Station to tell the officers how well the community regarded what they had done to save lives and property in that area, which had had some fairly savage fires. I copped an earful about what they thought about what the Government was doing at the time. For honourable members' information, I point out that a regular visit to the fire station would probably be useful for determining what is going on. All members know that people really need to be concerned about an issue before they will take the step of coming to our offices. If we want to know what is going on, we should go and see them. I thoroughly recommend that.

I refer briefly to Bribie Island, which is where my home is. We are protected from fire by a permanent officer and a number of auxiliary officers. I believe that that is becoming inadequate protection for Bribie Island. It may surprise honourable members to know the extent to which the population of Bribie Island has grown in recent years. For example, a decade ago Bribie Island had a permanent population base of 4,000 people; it currently has a permanent population approaching 14,000. From my letterboxing efforts, I can tell honourable members that more than 6,000 dwelling houses are on Bribie island.

An honourable member: You have doorknocked every one of them.

Mr J. H. SULLIVAN: I will not say that I have doorknocked every one of them. I have looked at every one of them.

Dr Watson: From the air?

Mr J. H. SULLIVAN: No, as I get older, I am becoming a bit nervous about flying.

The issue is that more than 6,000 dwelling units on Bribie Island need the protection of fire services. We hope that they will never need the protection of fire services, but the truth is that occasionally places burn. Not only do Bribie Island houses need protecting but a number of communities established on the mainland quite near to Bribie Island also need protecting. I am referring to Sandstone Point, Spinnaker Sound, Ningi, Godwin Beach and Bribie Pines. In a very short period those areas will have a population greater than or equal to the number of people living on the island.

Mr Hollis: Another electorate.

Mr J. H. SULLIVAN: Another electorate on Bribie Island would be a delight.

I do not wish to sound as if I am saying anything derogatory about auxiliary fire officers. They do a great job, but they are not always available. They are not always even on Bribie Island when a fire occurs. A little over 12 months ago, 28 minutes elapsed before a response was made to a house fire. I do not have the notes of that case with me, but I received a report from the Fire Service about that. That 28 minutes was the time it took for an appliance to arrive on Bribie Island from Caboolture. The Caboolture guys did a great job in getting there in that sort of time, but anybody who knows anything about a house fire will tell honourable members that there is not much left after a fire has been burning for 28 minutes. The people of Bribie Island believe—and I know this because for quite a while they have said so at various public meetings and progress association meetings—that they are now entitled to a little more of a professional fire service content in services on Bribie Island. I hope that the Minister will take that on board.

The third matter that I want to talk about is the rural fire brigades.

Mr Pearce interjected.

Mr J. H. SULLIVAN: I will try to be brief about this matter so that my colleague is not sat down for tedious repetition.

In the Caboolture Shire, which comprises a substantial part of Caboolture, there are 16 rural fire brigades. That means that a substantial number of volunteers are looking after the needs of their own area. Those people are keen and dedicated. It may be a bit startling to have a fireman come through one's front door wanting to sell some raffle tickets, but those people engage in fundraising in their own time to buy equipment and appliances and to undertake training.

The Minister came to my electorate to attend a rural fire brigade function on the retirement of Bob Barchard. On that occasion, members of rural fire brigades from all over south-east Queensland turned out in force. Very prominent among those people involved in rural fire brigades were ones from my area. Unfortunately, there is to be some reduction in funding from this Government and that is not something about which we should be at all pleased or proud. I think that all members of Parliament would realise and recognise the value of people in our society who volunteer to do work. The areas in which volunteers provide the greatest benefits to our society are those that relate to public safety. All of us would remember the sad occurrence in November 1994 when some rural fire brigade officers were burned.

Mr Schwarten: Bells Creek.

Mr J. H. SULLIVAN: Yes, Bells Creek.

Mr Schwarten: Two years ago this week.

Mr J. H. SULLIVAN: Two years ago this week. I think that the thoughts of all Queenslanders went out to those people. I had the pleasure of speaking to people from that brigade at the McDonald's which is located at the Caboolture-Bribie Road interchange on McHappy Day. They told me that in relation to equipment and appliances, they are in a fairly good position. However, they are concerned about the plight of smaller brigades. The Minister needs to have a rethink about anything that would remove operational funding from those rural fire brigades. We need to support those people to the fullest and we should not regard them as another group in regard to which funding can be reduced in the interests of shaving a few dollars off the department's budget. In fact, we have an obligation to support to the fullest those people who provide us with a free service of their own free will.

In all three areas—the professional Fire Service, the rural fire brigade and the auxiliary fire service—we have men and women. I acknowledge that there are not enough women in those brigades. Those men and women are giving a service to people in communities. That service allows people to relax and believe that if a fire should occur on their property, or their neighbour's property or the property of someone else they know, there will be a response that will save lives and save property.

I see that the member for Mount Gravatt is in the Chamber. She spoke in this place

about two women who are members of a fire brigade stationed in her electorate of Mount Gravatt. Mr FitzGerald and I were members of a committee that was set up by this Parliament to conduct an inquiry into the Ambulance Service. The committee involved in that inquiry visited ambulance services in Sydney and discovered that, because of anti-discrimination legislation, the Government of New South Wales was required to employ women as ambulance officers. So the Government devised a few tests to make sure that the women who entered the ambulance brigade were appropriately qualified. Of course, one of those tests was——-

Mr Schwarten: To lift an elephant.

Mr J. H. SULLIVAN: Basically. The test almost was to lift an elephant. One of those tests was to shut the open bonnet of a Ford F250. Of course, that created a problem for the Government because a short woman who was applying to join worked out that the easiest way in which to do that was to climb up on the tyre, lean on the open bonnet and shut it from the side rather than do it from the front.

Many types of professions have displayed some reluctance to open their doors to women. I applaud the inclusion of women fire officers in the Queensland Fire Service and I think that generally most other people would do so. There is probably some reluctance on the part of some to accept women fully within the service but, as time goes by, I hope that that reluctance will die away. I join the call from the member for Mount Gravatt for the Minister to take some positive action to encourage more women to join the Fire Service. Affirmative action in the Fire Service has a very pleasant ring to it, and I hope that the Minister undertakes that.

In the meantime, let me say that although I may not necessarily agree with some elements of this Bill—and I think that it is obvious that my side of the House and the other side of the House may well have different views about a number of things—it is essentially not destroying anything. A number of members have spoken about things that this legislation may allow to occur. I do not want to talk about those any further. However, I encourage the Minister to accede to the amendments placed before him by the Opposition spokesman, Mr Schwarten, and to give the men and women on the job the opportunity to be represented in board deliberations by having a seat on those boards.

Mr PEARCE (Fitzroy) (3.37 p.m.): In common with other Opposition members who have spoken already, I have some concerns about where this Bill may leave sections of the Queensland Fire Service, especially the rural division. Unfortunately, the Minister would be well aware that, before Labor came to power, the Rural Fire Division suffered badly under the National Party Government. Having lived on the land and having a large rural electorate, I certainly know the value of a defective rural bush fire brigade.

Mr FitzGerald interjected.

Mr Schwarten interjected.

Mr PEARCE: If members do not mind, I am trying to speak up for rural bush fire brigades. I am the only member who wants to put a lot of effort into the rural bush fire brigade service. I notice that not many members from the Government side stood up and talked about those people who do such a wonderful job for them.

In common with so many of the good things that the Labor Government did, there was never much credit given to it for its achievements in respect of the rural bush fire brigade. When Labor came to Government, there were 47,000 volunteer rural firefighters. They were really the forgotten service in Queensland. They had to buy just about everything themselves—ranging from their protective clothing to their own appliances. Their budget was a miserable $2m a year. Much of their equipment, if they could get it, took the form of museum pieces that were handed down from urban brigades. Some shires helped them financially; others did not. Under six years of Labor, the budget for those rural fire brigades went from $2m to $8m and nearly 300,000 new appliances were issued. As well, protective clothing and equipment were supplied.

I would like to read into *Hansard* some statistics. The Minister may recall that I placed a question on notice after which he said to me quite jokingly, "You kept my staff up all night answering that question you put on notice." That was because of all the information that I was after. However, I thank the Minister very much for supplying that information, because I can now have it included in *Hansard*.

Mr Veivers: Does it come up to your expectations?

Mr PEARCE: It did. When I looked at the figures relating to the time prior to the Labor Party taking office, I could see the benefits that accrued after Labor came to power. If I may, I will mention a few of those statistics so that they appear in *Hansard*. There are 1,607 registered rural fire brigades

in Queensland and 2,350 volunteer fire wardens. A lot of people may not realise this, but the number of volunteer firefighters is in the vicinity of 48,900—almost 49,000 volunteers. That is a lot of people giving of their own time in an effort to ensure that we have a fire service out in the bush.

Mr Veivers: It's a bit more than that now.

Mr PEARCE: I am glad to see that it is growing. They are obviously keen to look after their country, particularly through dry times.

The annual budget for the Rural Fires Board for 1989-90 was $2.55m. The approved expenditure budget for the Rural Fire Division for 1995-96 was $7.924m. No new appliances were provided for 1988-89. However—and this is interesting—nine used vehicles were refurbished and delivered to brigades. No new appliances were provided in 1989-90, however, we had a big boost—19 used vehicles were refurbished and they were delivered to brigades. In 1995-96, 65 brand-new appliances were to have been provided. There is current planning for 44 appliances to be provided in 1996-97 and I hope that the Minister will go ahead with that. I know of fire brigades which are very concerned that they will miss out. I have told them that the Minister is reliable and that he will deliver.

On 17 April, the Minister stated that the proposed budget for 1996-97 would be $7.26m. It was probably a bit of a furphy, but somebody was not being quite honest with the Minister. In the Estimates committee we found out that only $6.3m will be provided. However, things do change. The Treasurer has got a hold of the Minister and said, "Listen, Mr Veivers, I want you to give me back a few dollars. I've got to pay for the tollway." There has been a reduction of almost $2m from what Labor provided in 1995-96.

Let me carry on; I have a lot of interesting stuff here. Let us look at what happened to rural bushfire brigades under Labor and put some facts on the record. We can look back at what we did in Government and then look at what the coalition will do. I am interested in what the coalition will do because I have a lot of confidence in the Minister.

Mr Veivers: Why don't you give this a miss, sit down and I will tell you.

Mr PEARCE: I have a lot of confidence in the Minister. I am not mucking around; I am quite serious.

By the end of 1994-95, nearly 14,000 sets of protective overalls, goggles, smoke filters, gloves, helmets and so on, valued at $970,000, were distributed at no cost to volunteer rural fire brigades. That means that they did not have to run chook raffles and hold barbeques to raise the money. By the end of 1995-96, an additional 211 new rural fire appliances will have been put into service. I noticed in my local paper that the Minister has been claiming credit for some of the vehicles which have been delivered. Because I know the Minister and am pretty good friends with him, I just laughed and thought, "Fair enough." He needed a little bit of recognition. I know that a lot of those vehicles were already ordered because I lobbied our Ministers for them.

When the Labor Party came into Government, there was a six-year waiting list for appliances and that was reduced to two years. I sincerely hope that the Minister works hard to keep that waiting time down, because it is very important to rural bushfire brigades. If the Minister can maintain that time frame, a lot of people will be satisfied. The problem is that the Minister will have to get to Mrs Sheldon and get the dollars back.

In 1995-96, $198,000 was allocated as subsidies for the planned construction of 48 rural fire stations. In the period 1992 to 1995, 43 fire stations were subsidised.

Radio communication is very important. It was recognised and continued to received high priority in the 1995-96 Budget, with an allocation of $220,000. An additional $70,000 was allocated as an election initiative. I do not know whether that has been paid, but I am sure that it would have been.

On the ground, in 1994-95 two additional inspectors were recruited, with another inspector recruited in 1995-96. In 1995-96, $860,000 was to be spent, with appliances receiving $740,000; protective clothing, $50,000; and communication, $70,000. Those things will probably change because the Minister may have different priorities, and I accept that. However, I wanted to read into *Hansard* some of the things that the Labor Government did.

I turn to some of the things that the rural bush fire brigade units are concerned about. Will the Minister change the formulas that we had in place for brigades to use to gain equipment? To give an example of what I mean, the first medium fire appliance, valued at approximately $44,000—going back a while now—was provided to bush brigades for approximately $6,500. I think that amount is going to increase. Will the subsidies go up in line with the increase to help them out? I know

the price of the vehicle will go up, but will the subsidy go up?

The first light fire appliance, valued at approximately $32,000, is provided to brigades for $5,000 and the second appliance of that type is provided on a subsidy of $15,000 or $13,000 respectively. The 1995-96 budget for fire appliance subsidies was $2.5m. For equipment such as hoses, chainsaws, nozzles and tanks, rural bushfire brigades receive dollar-for-dollar subsidies. Will that remain in place? Does the Minister believe it will?

Mr Veivers: I will mention this in my reply.

Mr PEARCE: I want to go back and tell my people, because, as I said, I have confidence in the Minister doing the right thing by them.

Fire stations constructed by rural brigades receive a dollar-for-dollar subsidy of up to $5,000. Will that remain? I would like to be able to tell my people that it will. Funds raised by rural fire brigades by way of donations, fundraising activities or local government grants, and not levies, attract $1 subsidy for each $3 raised. I understand that that is going. I would like to see it stay, because it is important. National Party members should realise what is happening. Will funding for protective equipment such as overalls and so on remain in place?

I turn to another issue that is very important to volunteers, and I would really like the Minister to listen to this point. At the moment, members are provided with workers' compensation and a range of insurance coverage, training support, public education material, mapping services and a range of administrative support services, particularly in the area of workers' compensation. This issue must be cleared up. When does a volunteer actually say that he is on the job?

Mr Veivers: It's not easy.

Mr PEARCE: I know that it is not easy, but it must be cleared up, otherwise we will not have volunteers working for us.

Under Labor, a lot of progress was made for rural bushfire brigade services. There is a lot of concern that we are going to return to the bleak old days. I certainly hope that we do not.

During the time of the Labor Government, legislation was introduced to allow shires to levy ratepayers to fund their rural bushfire brigades. For once, due recognition was given to the excellent job these volunteers did. I do not often take credit for anything, but I must say that that was one area that I put a bit of work into. I lobbied Tom Burns, the Deputy Premier of the time, pretty hard. There was a need to expand on the 1990 amendment to the Fire Service Act to allow rural ratepayers to contribute to bushfire brigades through their local authority.

Honourable members will remember that the 1990 amendment passed in this House gave local authorities the power to make and levy certain rates and charges to contribute moneys raised to local rural bushfire brigades. The problem was that local governments could only apply those rates and charges on land it considered as rural residential, that is, blocks of land around the edges of the bigger cities. The problem was that land on the fringes of those rural residential areas was actually classified as rural, but a lot of people live in such places because they are close to the cities. The local governments could not levy because the legislation did not allow them too. Quite a few people asked me to lobby the Minister, which I did. I argued that no-one should be forced to pay a fire levy, but if residents themselves decided that they wanted to apply a levy, they should be able to do so under the legislation.

In common with many people, I was pleased to see that residents recognised and accepted responsibility for protecting their own properties and that they should be able to take necessary action to upgrade their local fire services. It is funny how the wheel turns. Mr Littleproud gave me a bit of a belt in the papers by saying that I was way off track, that I did not know what I was talking about, and that I was ignorant and destructive of the process.

An honourable member interjected.

Mr PEARCE: I did get upset about that. I took it to heart, and everybody at the local pub was talking about it for a couple of days. Another of my friends who often has a shot at me, the member for Callide, said that I was way off track and that to impose such a levy would simply impose another tax on farmers—nothing like the oil and tyre taxes!—at a time when they simply cannot afford to pay it. The fact is that people living in rural areas have welcomed that change to the legislation. They are contributing to a fire levy and they are providing the equipment that they believe they need.

As I said before, I know a little about bushfires, because of my experience of having lived on the land. In 1969, when in national service, I had a lot to do with fighting the big

fires in New South Wales. In 1970, I fought fires in Victoria. Being in the Army, I was required to help in fighting those fires.

Mr Elliott: That gave you a bit of experience.

Mr PEARCE: That certainly did give me a bit of experience. That is why I have some concerns about the Staib review, because it is focused only on urban firefighters. Queensland's Fire Service is unique in that all sections of firefighting were brought together under one piece of legislation in 1990. I know from talking with rural brigades throughout my electorate that they share my concern, and that is why they have asked me to raise this issue in the House today. They feel that, as a result of this Bill which will create the Queensland Fire and Rescue Authority, they will lose their identity and become subservient to the urban brigades. They have real concerns that the new Commissioner for Rural Fires will be less important than the regional commanders under the proposed restructure. They also have some concerns that, once again, they will be the poor relations. They are worried about going back to how things were previously when the rural service used to get the hand-me-downs from the urban units. They are telling me that they do not want to return to the burnt-out policies of the past.

Furthermore, they fear that, with the new emphasis on road rescue, which is a daily part of urban firefighters' routine, they will be forced to become a part of that agenda. Maybe the Minister can clear up that point for us. As the Minister knows, most rural brigades are not suited to performing road rescues. It would take a lot of training and new equipment to bring those brigades up to the point at which they could feel comfortable with this role. I ask the Minister to address these concerns in his reply to this debate.

I wish to touch once again on the issue of funding for rural brigades. Over 95 per cent of this State and 25 per cent of its population depend on rural bush fire brigades to provide their fire service. Even though our Government increased spending on the rural fire division by $6m, the lease allocation of $2m still stands. As I have said before, this year the Queensland Fire Service budget was reduced from the 1995-96 budget of $8m to $6.3m. That was made very clear at the Estimates hearings.

I know that the advice which has been given to the Minister from all quarters is that the base rate of funding should be $10.5m. I note that the Minister has shown no real commitment to achieving that level of funding. I do not believe that the Minister's response in that regard is satisfactory. The Minister really has to put in a bit more effort in that respect. No doubt the Minister is of the view that, once this lull is passed and the control of the Fire Service is handed over to the authority, he will be able to sit back and not worry about it.

The truth is that rural fire brigades, which play a part in my area and also in those areas which the Minister's party claims to represent, are not going to sit on their backsides and let him off the hook easily. I assure the Minister that, as a representative of over 100 rural firefighters, I will not let him walk away from his responsibilities in that respect, either. The honourable member for Southport is the Minister, and the buck stops with him.

I believe the Minister can redress a lot of the concerns of rural firefighters by making sure that a representative of the organisation is appointed to the board which is provided for in the legislation. That is just as important as having a union representative on the new board, because I believe that is the only way to have workers' interests addressed. I do endorse the placing on the board of the rural fire representative to look after rural fire issues.

I am nearly finished, and I know the Minister wishes to respond. From experience, both through active service, where I held some rank, and as a union organiser, I came to understand and learn very quickly that, if what is wanted is a cooperative work force which is going to be happy and do the job that the Minister and the Government expect it do, those people must be represented on the boards making the decisions which affect them. It is unfair to leave them out. The Government must involve those people. By doing that, the Government will get the best result. I will be looking very closely at that issue, because I want to see that rural bush firefighters' and union members' interests are represented. I am sure that the Minister aims to be a good Minister for Emergency Services. If the Minister puts these people on the board and gets them involved in making policy, I am sure he will gain their respect and that they will deliver the service he expects from them.

Hon. M. D. VEIVERS (Southport—Minister for Emergency Services and Minister for Sport) (3.57 p.m.), in reply: I will take first things first and respond to the shadow Minister's comment about the commissioner. There is no question whatsoever about the professionalism, integrity and competence of the commissioner. The establishment of the new recommended structure necessitates an enhanced role for the new position of the

Chief Commissioner. I will encourage Commissioner Skerritt to apply for the new position of Chief Commissioner—indeed, I am going to insist that he does so. However, it is important that the new board have a role in the selection process for the Chief Commissioner. Those processes will be governed by the principles—and these are very close to my heart and probably to that of the Opposition spokesman, too—of merit and integrity.

The shadow Minister spoke about the debt reduction from $60m to basically $17m, which came about through sound and prudent management. There is no doubt that that did have an impact on capital programs, but the program was managed in that environment. The establishment of the Queensland Fire and Rescue Authority will enable the organisation to offer more as a business entity and will better place it to take advantage of the skills and products in the authority.

The Opposition spokesman asked about whether there would be any revenue generated from these opportunities. There will be revenue, and that revenue will serve the Queensland Fire and Rescue Authority well and prevent that level of indebtedness from recurring in the future. The member for Rockhampton also mentioned that there were no female firefighters when Commissioner Skerritt was appointed as commissioner in November 1992. That is true, but there are now four female firefighters on permanent strength and there will soon be another two appointees. I point out these figures in response to the comments of the member for Mount Gravatt. There are approximately 50 female auxiliary firefighters across the State.

The member for Rockhampton also raised an issue which he considered as crucial and to which he wished me to respond. I refer to the union membership having representation on the board. That matter is dealt with in the amendment suggested by the Opposition. Board members should be appointed on the basis of the individual skills that any of those persons can bring to the board. I will not agree to provide in the legislation that there must be a union fellow on the board. If I were to do so, I would be doing exactly what the member was saying I should not do—I would be appointing someone out of the blue and saying that a particular person should be on the board. If an application is made, there could be a union member appointed to the board. That decision is up to me and, more particularly, the Cabinet. I remember vividly that during the debate on the Racing Amendment Bill I asked then Minister Gibbs about his appointments to certain boards. I asked him about the integrity of the people concerned. He said at the time, "Trust me", so I did. I am going one step further than that. I am getting the board to help facilitate who the representatives are going to be. In this case the Fire Commissioner will make recommendations. The Ambulance Service Amendment Bill provides for the same process.

The member for Rockhampton and the member for Sunnybank both mentioned the dangers of the establishment of prescriptive service delivery standards for the Queensland Fire Service as recommended by the Commission of Audit. The Commission of Audit found that the Queensland Fire Service should establish service delivery standards. This is supported, but it will be managed by the chief commissioner in consultation with the board of the new authority. A process is already being put in place to ensure that service delivery standards do not become viewed as simply a method for establishing fire stations and setting staff levels. It is basically about ensuring that the community is properly aware of and educated in their responsibilities for their personal safety.

The member for Rockhampton raised the issue of levies. The funding provided from Consolidated Funds is legislated in the current Fire Service Act, which provides for the one-seventh arrangement to which the member referred. This provides funding for the protection of Government properties and infrastructure, in relation to which—as the member is aware—levies are not paid. There is no intention by the Government to change that legislative provision. However, as with all provisions, we will continue to monitor the funding arrangements. Further on the fire levy—the 135 firefighters are not to be provided over 12 months. Once again, the new board will: (a) address the staffing issues through community and—the member should listen to this—union input; and (b) the levies will be reviewed by one of the implementation teams and recommendations put to the board for consideration.

The member also raised the issue of improving the base funding provided for rural fire brigades. The member for Fitzroy also raised that issue. I have addressed the base funding in the same way the previous Government did in its years in office: by increasing the base in line with the CPI. However, I am listening to the concerns of our highly valued volunteers around Queensland,

and I have asked the commissioner to consult widely with the groups concerned—the Rural Fire Brigades Association, the Rural Fire Council and rural brigades. He will then brief me in time to consider what action is necessary, if any, and whether I should make representations to the Cabinet Budget Review Committee for a change to the base.

I believe it was the member for Caboolture who mentioned joint facilities. The Government supports the principle of joint facilities for ambulance and fire where operational efficiencies are to be achieved. I think the member would appreciate that it is not an end in itself but is to be considered in each situation after a careful review of the characteristics of the geographical location. But it is not one of those things that we are pushing strongly for. If it is commonsense to do it, we will entertain doing it.

The member for Rockhampton referred to the use of section 8H to give a direction to not increase the fire levy. The question of increases in the fire levy is a matter for the Governor in Council in accordance with section 108 of the Fire Service Act. I will be exercising the power to give a direction under section 8H only in exceptional circumstances, which would not include circumventing the correct processes provided under the Act.

I must admit that I was not concentrating too hard at this stage as we were getting near lunch, but the member for Rockhampton also mentioned false alarms from fire alarms. The new authority will be better placed to address the underlying policy issues relating to the failure of property owners to properly maintain their fire alarm systems. The board will no doubt consult with the relevant stakeholders. Any increase in fees would ultimately be a matter for the Governor in Council.

The member for Sunnybank, who is not presently in the Chamber, sought specific representation of the union on the board. I have covered that point already. There is no doubt that the UFU has contributed to many positive aspects of the changes to the Queensland Fire Service, and this Government looks forward to working constructively with the United Firefighters Union into the future. However, I will not make commitments as to whom I will propose to Executive Council to be members of the board. I covered that point earlier.

The member for Bulimba asked why the United Firefighters Union has not been involved in the development of this legislation. A meeting took place between my departmental officers and representatives of that union to discuss this Bill just some weeks ago. I must say that I have no troubles in discussing anything with the unions. The member claimed that the unions are not listened to by us. I acknowledge that unions can be useful and are useful to their members and can have a responsible role to play in looking after their members.

I want to talk about the tragic accident at Southport. The shadow Minister might listen to this. It just so happens that I am personal friends with the father of one of the young firefighters who was killed, Noel Watson. I know that family very well. Herbie Fennell also lost his life in that particular fire. As the Minister, I am very aware of the dangers that firefighters face when going in to fight fires. The adrenaline must pump every time they are called out, because they never know what could happen. We have to give them the best possible gear to fight fires, and I will continue to do that.

Other than the member for Fitzroy, the member for Mount Gravatt was probably one of the only ones to say some nice things about me. She mentioned my presenting smoke alarms to women who have babies.

Ms Spence: Last week you did.

Mr VEIVERS: Yes, I know. I thought it was a novel idea. Of course, novel ideas get the attention of the press and the public. If we do not have smoke alarms, we are going to have a lot of dead people. Fires do not kill people, smoke does. I have been working in cahoots with the Minister for Local Government, and from now on every new dwelling that is built will have smoke alarms in it. I was only too happy to do that. I know that the former Minister for Local Government, Mr Mackenroth, tried to get Tom Burns to do the same thing, but for some reason which I do not know, he did not. However, this Government has done it and we did it in six months—24 weeks.

The member for Bulimba raised concerns that the UFU will not be represented on the board and that its members will be marginalised. The membership of the board will be determined from groups which will best represent the widest community interest in this area. The UFU will be only one of around a dozen unions that will be representing authorised employees on that board. As I have already said, those people can apply to sit on the board, and I am sure they will. I am sure that someone will ask the question whether I have made any decisions about who will be on the board. At this stage, I have not because I had to get the legislation through. It

did not look as though we were going to get the legislation through for months. At the rate we were going, I thought we would have to come back in the new year to do this. I did not think that I would have the opportunity to be doing it now.

Mr Milliner: That is because of the incompetence of the Leader of the House.

Mr VEIVERS: It was not because of the incompetence of the Leader of the House. It seems that there are a lot of windbags on the other side of the House who like to speak for the whole time allotted to them instead of getting to the point, making the point and then sitting down.

The member for Bulimba also asked whether the Government was making progress in the recruitment of firefighters at a sufficient rate to meet its commitment to 135 more firefighters. The last page of my portfolio statement reveals that, by the end of this financial year, the establishment of firefighters will be 80 more than the approved establishment at the end of 1995-96 financial year. I am advised that the accelerated recruitment program is well on track for achieving this target.

The member for Mackay raised the issue of signage on fire stations in Mackay as a revenue raising exercise. He said that this was a difficult issue for the Queensland Fire Service and that it diverts them from their core business. The previous Queensland Fire Service structure was not well placed for marketing, and this may have caused some of the problems in the past. The new authority structure will include a business and marketing structure which will take care of these opportunities on behalf of the board and the Chief Commissioner.

The member for Mackay also wanted to know whether the five remaining positions on the board had been promised to anyone. He was very vocal. He asked whether there had been any increase in the levy and whether it would be as a consequence of unilateral action on the part of the board. Section 108, which I have already spoken about, provides that the annual levy will be prescribed by the Governor in Council during the month of May preceding the relevant financial year. This check and balance provided by the Legislature will protect the interests of the people of Queensland.

The member for Caboolture talked about the location of a fire station with a combined facility at Caboolture which he would like moved. The risk mapping process identifies a broad range of options for the location of fire stations, but it is a major problem finding suitable blocks of land that we can purchase and that are not subject to objections or some other impediment. Sometimes the location of the available land is less than ideal. Through the Chief Commissioner, the new authority will strive to ensure that the best possible locations are found.

The member for Fitzroy asked about subsidies for rural fire brigades. Because of the increased costs, the two levels of fire appliances which attract a subsidy—the light attack and medium attack pumpers which the member was probably thinking about—are both subsidised by the Queensland Fire Service and the contribution by rural areas has increased. The level of contribution required by brigades has been held down for as long as possible. The dollar-for-dollar subsidy will continue.

The member for Fitzroy expressed concern that the Staib review focused only on urban firefighters. The concern is noted; however, it is clear that the Rural Fire Division is a critically important element of the Fire Service and that rural fire brigades are by no means subservient to urban fire services. The member might want to remember that because not a lot of people do. That will not change under the new authority.

The member for Fitzroy also asked whether rural fire brigades will be required to be involved in road accident rescue. There is a Statewide road accident rescue plan which provides that whenever there is an urban fire brigade, not a rural fire brigade, that urban fire brigade will provide the road accident rescue service and, in many cases, it will be supported by State Emergency Service units. In centres where there is no urban fire brigade, the State Emergency Service will provide that function. No rural fire brigade will ever be compelled to take up the responsibility for road accident rescue.

I know that this is not easy, but we are introducing this Bill to allow for the Fire Service's statutory board, and I am pleased to be the Minister who is doing that.

Mr Schwarten: Before you sit down, could you answer the one question that I asked: will you guarantee Commissioner Skerritt his job as commissioner?

Mr VEIVERS: I think I covered Commissioner Skerritt quite well. He was on my first page; I got to him straightaway.

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

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

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

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

Resolved in the **affirmative**.

Committee

Hon. M. D. Veivers (Southport—Minister for Emergency Services and Minister for Sport) in charge of the Bill.

Clause 1—

Mr SCHWARTEN (4.24 p.m.): I was disappointed with the Minister's answer to my question about the future of the commissioner. This indicates clearly to me that, despite the Minister's protestations that he will insist that the commissioner stand for that position, the Minister obviously has no control over that particular situation. Clearly, it is his full intention to feed the commissioner to the wolves.

I was most surprised to see the Independent member for Gladstone rush into the Chamber and immediately sit on the opposite side of the Chamber without heed to the justice of the situation. I can only assume as a result of that——

Mr McGrady: Why are you surprised?

Mr SCHWARTEN: I suppose that I should not have been surprised, because recent events have indicated to me that the member for Gladstone has not considered the arguments on the issue. I contend that the argument here is very serious.

The CHAIRMAN: Order! Clause 1 relates to the title of the Bill.

Mr SCHWARTEN: The title of the Bill is exactly what I am talking about. The title of the Bill is the entire issue here, because the creation of this instrument enables the commissioner to be removed. The Opposition may well oppose the title of the Bill on the basis that it should be called something else. The "Sacking of Commissioner Skerritt Bill" may be a more appropriate name for it under these circumstances.

I am very disappointed that no undertaking has been given in relation to Commissioner Skerritt—as there was by the Police Minister who, when confronted with a similar situation, was able to guarantee that the Commissioner of Police would stay in his job. No such guarantee has been forthcoming here today in relation to Commissioner Skerritt. Given the similarities between the two cases—the similarities being the MOU, the name on the hit list, the shabby and sleazy backroom deal, and the experience with Dr Leo Keliher being sacked—there is every reason to suggest that this Government intends to lop off that man's head, as it did with Dr Leo Keliher for the very same reason, and just as it attempted to do with the Commissioner of Police.

Mr VEIVERS: I think that the shadow Minister is speaking hypothetically. I answered that question initially as clearly as I possibly could.

I wish to refer to two other boards that are under my jurisdiction. One is the Lang Park Trust. The other is the Queensland Academy of Sport. On those boards are people who were appointed by the former Labor Government. I ask the Opposition spokesman to cast his mind back. Have any of those people who belong to the Labor Party been dismissed from those boards? I am talking seriously about blokes such as——

Mr Milliner: Des Hancock.

Mr VEIVERS: Yes, Des Hancock and those sorts of people. They are doing a good job. If they do the job, they stay there. It is that simple. I am also endeavouring to think of that old soccer player at the Queensland Academy of Sport—Ian Brusasco. Members opposite cannot tell me that he is not one of their appointees. He is still there. If people do the job, they will stay there. What the Opposition spokesman is saying is ridiculous. Mr Skerritt will have to apply for that job—as will everybody else—in the spill of positions. If the member wants to continue along this line, he can, but all he is doing is wasting the time of the Committee.

Mr SCHWARTEN: I resent the statement that I am wasting the time of this Committee. This is a very serious matter. As I have indicated previously, this is not about the boards. I fully applaud the Minister for his stance in not throwing people out simply

because they were appointed by the previous Government. I am not suggesting that for a moment. As I said earlier today, I believe that these instructions are coming from above the Minister. I am certain that, in the sacking of Dr Keliher, the riding instructions did not come from this Minister, because he was not even there when Dr Keliher was sacked. However, his name appears on a document, together with that of Commissioner Skerritt. It was subject to an MOU that was signed by certain individuals. There is great similarity in the fact that the two Wilkinson brothers are engaged in the same shabby and scabby deal. I can only reiterate that that is an entirely different situation from a hit list of those positions which the Minister mentioned before.

Mr VEIVERS: The Opposition spokesman has called for an undertaking in relation to Commissioner Skerritt. He also spoke about the Commissioner of Police. There is a difference. No doubt the Commissioner of Police was on a contract. The question was whether or not the contract should be extended. Is that right? I ask the member to think about that. In this instance it is a new position of Chief Commissioner. Right?

Mr Schwarten: That's right.

Mr VEIVERS: Good. It is a requirement under the Act that a fresh appointment occur. Commissioner Skerritt could be it; he is in line with the others who come along.

Mr ROBERTSON: When the changeover occurred from the fire brigade board system and the State Fire Services Council to the new State Fire Services—I believe it occurred in 1990—the then chief executive, who was the Brisbane chief officer, Wally Belcher, was immediately appointed to the new position. There was no calling for appointments or applications for the position.

Clause 1, as read, agreed to.

Clause 2, as read, agreed to.

Clause 3—

Mr J. H. SULLIVAN (4.33 p.m.): I take this opportunity to respond very briefly to the response the Minister gave about the location of fire and ambulance stations. The Minister said that it is very difficult to find a block of land about which there are no objections on which to build a fire station. If that were the point, the station in Caboolture would not have been built, because the Caboolture Shire Council objected the loudest and the longest. We met with officers of the Ambulance Service, because it was first mooted as only an ambulance station. The Government does not have to go through the objection process. Where it builds is not subject to objections. I wanted to set the record straight on that issue. I do not require a response.

Clause 3, as read, agreed to.

Clauses 4 to 7, as read, agreed to.

Clause 8—

Mr SCHWARTEN (4.34 p.m.): I move amendments 1, 2 and 3 circulated in my name.

Amendments negatived.

Clause 8, as read, agreed to.

The CHAIRMAN: The question is that clauses 9 to 13—

Mr SCHWARTEN: Clause 8——

Mr FitzGerald: It has been done.

Mr SCHWARTEN: I called for that clause. I called and I moved——

Mr FitzGerald: And the question was then put. You didn't speak. It was put. Three resolutions were put.

Mr SCHWARTEN: I called clause 8 and I asked to speak.

Mr FitzGerald: You stood on clause 8 and you moved amendments 1, 2 and 3 circulated in your name.

Mr SCHWARTEN: I did, and then I asked to speak on them.

Mr FitzGerald: The questions were put——

Mr SCHWARTEN: I called and I was not given the call.

Mr McGrady: Who's running this show?

Mr SCHWARTEN: I rose to move.

The CHAIRMAN: You did not speak.

Mr SCHWARTEN: I waited to be called.

The CHAIRMAN: I called you.

Mr SCHWARTEN: You did not call me to speak.

The CHAIRMAN: I called the member for Rockhampton.

Mr SCHWARTEN: This is a preposterous gag as far as I am concerned.

Mr T. B. SULLIVAN: I rise to a point of order. Mr Chairman, from the back we heard you call the member when he moved the amendments, but you did not call him to speak to the amendments. You called him to move the amendments, not to speak. That is what we heard.

Mr SCHWARTEN: I was not called to speak to the amendments. It is disgraceful.

The amendments were called. I was not called to speak.

The CHAIRMAN: I put the question and it was voted on.

Mr SCHWARTEN: Yes, and I rose in my place and, Mr Chairman, you automatically put the question without reference to me. I indicated to you that I wished to speak to it. You have denied me my democratic right to speak to that particular clause. Is that correct?

The CHAIRMAN: The clause has been put and it is passed. The question is that——

Mr T. B. SULLIVAN: I rise to a point of order. Mr Chairman, could you clarify for the Committee what the situation is when a member indicates that he or she wishes to speak to a clause and he or she is not called? The member had indicated that he wished to speak to a clause. It is the normal practice that, having indicated, the Chairman would do so. He was not called to speak.

The CHAIRMAN: I called the member for Rockhampton.

Mr McGRADY: I rise to a point of order.

The CHAIRMAN: The member will resume his seat. I called the member for Rockhampton. He moved his amendment. He did not speak to it. I then put the motion.

Mr J. H. SULLIVAN: Mr Chairman, point——

The CHAIRMAN: No. Did the honourable member for Mount Isa have a point of order?

Mr McGRADY: I rise to a point of order. I was sitting behind the shadow Minister and I heard and saw what went on. The facts are that he moved an amendment. The practice and custom of this place is, if one is to move a motion or an amendment, one normally speaks to it. We cannot have a situation in which a member moves amendments, stands up to speak and you as the Chairman pass him by. Mr Chairman, with all due respect to you——

The CHAIRMAN: There is no point of order.

Mr McGRADY: It is a point of order, with all due respect.

The CHAIRMAN: I have heard the honourable member's point of order. We are moving on.

Mr MILLINER: I rise to a point of order. Mr Chairman, point of order——

Clauses 9 to 13, as read, agreed to.

Mr ROBERTSON: I rise to a point of order. Mr Chairman, since you made that ruling, members on this side, and I suspect members on that side have been unable to hear one word that you have said. I have no idea what you have just called, Mr Chairman. In common with the member for Rockhampton, I have a vital interest in clause 8 and want to speak on it. I want to know whether I am going to get an opportunity to say the things I want to say in relation to this Bill. Before I ask you, Mr Chairman, with respect, I would perhaps ask the Leader of the House to provide some latitude to the member for Rockhampton who clearly indicated that he had an amendment and wanted to speak. Perhaps in the interests of good practice in this House, the Leader of the House could give way to the member for Rockhampton so that not only the member for Rockhampton but also I, and I imagine others, can say what we have to say about clause 8, because it is fundamentally important to this Bill. I make that request quite genuinely to the Leader of House. I ask whether he will give way and give that consideration so that the Chairman can perhaps reconsider his ruling.

Mr McGrady: We will divide on every clause.

Mr FITZGERALD: I cannot help that. If you want me to explain what happened——

Mr SCHWARTEN: I know what happened: I stood in my place, moved the amendments and indicated that I wanted to be called. I sat back waiting to be called and it was put. The chairman did not even make eye contact with me, which is the normal custom of the Chairman. If that is the way that you, Mr Chairman, want to run this place, that is fine. I indicate my intention to speak on every single clause that remains. If the Chairman wants to deny me——

The CHAIRMAN: Order!

Mr FITZGERALD: I do not want up upset the Committee. I know that there is a busy program, but it is quite clear that the Committee was silent at the time. The member for Rockhampton moved his amendments and then sat down. The question was clearly put. I know that there were a number of questions because I called "No", and then the question that the clause as read stand part of the Bill was called as an Aye. There was no further debate. When we were onto the next clause, the member wanted a go.

I do not want to dud anybody. As the Leader of Government Business, I realise that

this has caused a lot of problems. I am just asking what motions I have to go through to put all of these questions again, because the last time I tried to re-put a question on which a decision had been made, I got barrelled in the Chamber on a piece of legislation. I will leave it with the Chair.

The CHAIRMAN: Order! I seek leave to put clause 8 again.

Leave granted.

Clause 8—

Mr SCHWARTEN (4.41 p.m.): I move the following amendments—

"At page 11, after line 8—

insert—

'(2A) One of the appointed members must be the nominee of the industrial organisation of employees that has the greatest number of fire authority officers as members.

'(2B) Subsection (2A) does not apply if the industrial organisation does not give the Minister written notice of its nominee within the reasonable time notified in writing to it by the Minister for the purpose.'.

At page 11, after line 13—

insert—

'(5) In this section—

"industrial organisation" see Industrial Relations Act 1990, section 5. 1 '.

At page 11, after line 25—

insert—

'(2A) Also, if the appointed member mentioned in section 8I(2A) was, at the time of the member's nomination by the industrial organisation concerned, a member of the organisation, the appointed member's office becomes vacant if the member stops being a member of the industrial organisation.'."

I thank the Leader of Government Business for his recognition of the commonsense in doing this. Quite clearly, in my view it was an oversight by the Chair.

Mr FitzGerald: Don't reflect on the Chair.

Mr SCHWARTEN: I will not be reflecting on the Chair. As the member would be well aware, that would be the last thing that I would ever do. This is a very important clause for Opposition members, and it ought to be for members who sit on the Government side. Just as Opposition members understand the value of involving peak organisations in the overall scheme of good policy making, so too do Government members. I cannot imagine groups such as the National Farmers Federation or the Cattlemen's Union being ignored and not having representation on any boards that the coalition proposes. Consequently, in my view there is no need for the Government to be ignoring a union in this way.

The fact is that unions have a fundamental role to play in our society. I put it to the Minister that, in the history of the Queensland Fire Service, no greater need exists than to have stability created by having a union-nominated person on the board. I know that that idea is anathema to some sections of the coalition. I know that the idea of actually having union representation in the major structures of authorities is a new concept for the coalition. However, I think that the Government would be doing itself an enormous favour if it were to go along that line.

I hear what the Minister said about this matter being a Cabinet decision. We will wait and see how many the Minister can win over in Cabinet and if this decision gets up. However, I would not be betting money on it. I was expecting the Minister to appoint somebody out of the blue, somebody unknown to the Minister or his advisers or whatever group of people from whom the Minister takes advice. The fact of the matter is that that is a backhanded swipe at unions. In this day and age, unions are used to being involved in decision making. We are not back in the 1950s and we are not back in the days of unions adopting an adversarial role.

I believe that the union can bring a great deal of experience and stability to that board. Heaven knows the Minister is going to need it in the next few months when he deals with the complex issue of staffing throughout the State. The one and three issue is going to bite the Minister hard within the next six or eight months. The union has a very strong view on that. As I recall it, work bans were placed on the Labor Government because it did not deliver on that. That then caused the Labor Government to go down the track of allowing unlimited overtime, which effectively blew a hole in the capital works budget. They are the sorts of industrial problems that the Minister is going to face unless he can get some cohesion around a boardroom table, unless he can get some union input and unless he can get that union involved in sending messages to its rank and file.

I really do not know why I am giving the Minister this advice—probably because I am as interested in getting a stable Fire Service as anybody else in this Chamber. The Minister will ignore this advice at his peril. I implore the Minister to not put the union out of the picture. Let us not go back to the days when, as I recall it, it was determined by the Bjelke-Petersen Government whom the Teachers Union representative would be on various boards such as the Board of Teacher Education.

The Minister has to accept the fact that unions play a legitimate role in our society. They are a fundamental part of our democracy. They have something to offer. It is legitimate for employees to be represented on a structure that is talking about involving the wider community. The whole essence of these authorities rests in the fact that there is a need to broaden the policy-making process. There is a need to broaden the decision-making process. There is a need to embrace different points of view so that the community makes its views known and so that we do not have a single point of view making a decision on a community service such as emergency services.

If the Minister is going to do that—and I have already said today that I support that view—then clearly there is no reason at all why the Minister would exclude the UFU. As I said before, I believe that a lot of the troubles that the union has had in the past are behind it. The union has a lot to offer in the area of policy making. There are very competent people involved in the union. For the life of me, I cannot understand why it is that the Minister will not accept here and now the wisdom of putting a union-nominated person on the board of that particular authority.

I know that this particular proposal has been dealt with by the Minister and that he has given the assurances that, if we trust him, it will all turn out right. However, I am afraid to say that that is simply not good enough. I am not saying that the Minister is not a man of his word; clearly, he is and I have never had any problem with that. However, the fact is that this legislation needs to prescribe the inclusion of the peak union body on this board.

Similarly, the Rural Fires Commission, which was set up to advise the Minister, should be included on the board, as should the auxiliary firefighters, because they also represent the people who are at the workface. If those board members do not have the confidence of the firefighters, then the Minister might as well give the game away. The effectiveness of the whole system depends on the faith and the trust that those employees will have in the Queensland Fire and Rescue Authority. The way in which the Minister can achieve that is by making sure that a UFU representative is included on the board, that an auxiliary representative is included on the board and that a member of the Rural Fires Commission is included on the board.

Mr McGRADY: I rise to support the amendment. I do so with a knowledge of how some of those boards have operated in years gone by. I am not suggesting that that is the way in which those boards operate today, but everybody in this Chamber here knows——

Mr Veivers: I have just told you about the boards that are under my jurisdiction now, right? They have got your members on there and I have not changed them.

Mr McGRADY: That is right.

Mr Veivers: Good.

Mr McGRADY: But the point that the shadow Minister made is that this inclusion should be prescribed in the legislation.

Mr Veivers: If you prescribe people you end up with about 22 on the board.

Mr McGRADY: No, the Minister will not. In days gone by, we had hospital boards, harbour boards, electricity boards and fire boards and they were nothing short of a sheltered workshop for party hacks. The Minister knows that, I know that, and everybody else in this Chamber knows that.

In recent years, there has been a move away from this, and we have started to appoint people with experience. Take the mining industry as a good example. Almost every committee that has been formed by Government is a tripartite committee; there is the Government, the employers and the unions, and most issues were resolved at that level. The point that has been made by the shadow Minister, which I fully support, is that if one is going to go to the trouble of setting up these boards, they need people with experience and ability; they need people who have an understanding of finance; they need people who have an understanding of the legal aspects; and they also need people who understand the industry.

The Minister is suggesting that five board members be appointed by the Governor in Council. That simply means that the Minister selects five people. We are suggesting that one of those persons be a representative from the union movement. As the shadow Minister said, the union movement has a responsible

role to play. For heaven's sake: these people are not the ratbags; they are as concerned about the industry and its future as anybody else. The point that we are making is that where the legislation prescribes the people who should be on the board, go one step further and stipulate that a representative from the trade union movement be appointed.

One of the biggest issues facing industry today is industrial relations. A sad aspect of it is that people claim and really believe that they are experts in IR and, in most cases, they know nothing at all about it. Returning to the electricity industry, a couple of years ago when I was appointing people to boards, I insisted there be somebody on each one of those boards who had an understanding of industrial relations. The feedback that I received then, and that I still receive, is that those people played a very important and vital role in the running of the boards. Tonight we are requesting that the Minister take on board this amendment and enshrine in legislation that there should be somebody on these boards from the trade union movement.

Mr ROBERTSON: I rise to support the amendment moved by my colleague the member for Rockhampton. In so doing, I refer to the speech I made earlier today in which I talked about the very proud history of the United Firefighters Union—my old union—and its responsible approach to matters affecting the Fire Service.

From my experience of 10 years—I was the longest serving full-time official of that union—I say to the Minister that, although the Fire Service and the union have had their industrial problems over the years, there was never any argument when it came to the best interests of the Fire Service in terms of protecting Queenslanders and providing the best possible fire service to the community. The union has always taken a very strong public interest position and I believe that the industrial relations history of the union supports that statement.

I cannot remember the last time that firefighters withdrew the services that they provide to the community. My knowledge of the history of fire services in this State would indicate that the last time Queensland firefighters withdrew their labour—that is, they would not attend fires—was perhaps back in the 1950s. It goes back that far. That action was taken because of a matter of such seriousness that the firefighters had no option but to withdraw their labour. Since that time, firefighters have exercised their right to industrial action in a way that, while it may cause disruption to the administration and to the Government, has never been a disruption to its fundamental responsibilities, that is, to protect the community should it require the assistance of the Fire Service.

That is a very proud history. I think it says a lot for how firefighters and the union which represents them consider their role. I think that adds weight to the argument that was advanced by the member for Rockhampton for why the UFU, as the principle union which represents firefighters in this State, should be represented at such a senior level.

Earlier today I spoke in terms of the history of my union, and I say "my" union quite proudly. Where we have been invited or where we have succeeded in gaining representation at a senior level, we have demonstrated the level of responsibility required of such positions. I have mentioned previously an invitation that the now Minister for Police and Corrective Service extended to the union to become a partner in the Leivesley review. A representative of the union—and at that time it was the president of the union, who was a serving firefighter—had equal standing on the committee of experts that was established by Dr Leivesley to look into the fire service. The review benefited from having a serving firefighter and nominee of the United Firefighters Union as part of its representation at that level of managerial expertise.

More importantly, if there is an indication of how well the UFU has demonstrated its ability to act responsibly at a senior consultative and advisory management level it is when it finally gained representation on the fire brigade superannuation trustees, after years of campaigning. It is instructive that the person who was nominated by the United Firefighters Union to serve on the superannuation trustees at no time took directions from the union. The role of that nominee was to inform the union, and therefore the members, of what was going on. At no stage did the union ever try to interfere with the fiduciary responsibilities of the UFU trustee on the Fire Brigade Superannuation Board. If you like, it is the separation of powers argument. That principle was treated very seriously by the union because of the confidentiality provisions that affected the superannuation trustees. The union and its membership benefited from representation on the superannuation trustees, but at no stage did they use that position inappropriately to the extent that it compromised the nominee.

That is one example. I have used the example of the union's role on the Leivesley

committee and there are plenty of other examples of working parties when the separation of powers—the recognition of the wider responsibility beyond the immediate interests of the union—was recognised and respected by the union. That is important in terms of justifying the case for why the UFU, as the representative of 90 per cent of the permanent employees of the Fire Service, should be represented.

Earlier today, the member for Rockhampton stated that in every other Fire Service in this nation union representation is provided for at the management committee level. It is instructive to look at the behaviour of the interstate counterparts of the UFU to determine what those unions do in such a position. One will find that those unions do not necessarily nominate one of the elected representatives of the union, because there can be compromises in those situations, but they nominate a senior member or a senior firefighter of long service to sit on the board.

For example, if my memory serves me correctly, the firefighter who serves on the board in Western Australia is not a union official but a nominee of the Western Australian Fire Brigade Employees Union. He has some responsibilities in respect of reporting back, but at no stage does he, or is he able to, take directions from the union on how to vote on any particular issue. The union says, "We believe that our nominee will do what is in the best interests of not just the community but also our firefighters."

In conclusion, at present what we are seeing in Australia with the election of the new Federal Government is a challenge to the history of consultation and tripartism at senior levels that has occurred since the election of the Hawke Government in 1983. The union movement was embraced as a partner, along with business, in the decision-making process. For example, I do not think that anyone in this House would believe that Bill Kelty has narrow interests at heart; he has the interests of Australia at heart. He has been elevated to the Reserve Bank board. The recently retired chairman of that board, Bernie Fraser, had nothing but glowing praise for the involvement of a person such as Kelty at that senior level. Mr Fraser spoke of the importance of the advice that a person such as Kelty was able to offer to the Reserve Bank board. I suggest that, although the Howard Government has waged a campaign to remove union involvement at the managerial board level, the Minister can take a stand today and say, "We value the opinion and experience of firefighters. We want to involve you in the process that will take us into the next century."

Mr BARTON: I also wish to urge the Minister to consider seriously the amendment moved by the shadow Minister for Emergency Services. I cannot claim to have had the same level of direct involvement with the UFU and the Fire Service as has the member for Sunnybank, but I can say that I have possibly had an involvement over a longer period. In early 1975, I commenced as an official of the metal workers' union. At that stage, the union had some maintenance people for whom I was responsible in a number of the fire establishments around the State. We worked very closely with the UFU members. Since then, we have seen many changes to the Fire Service, most of which have been for the better.

Along with the member for Sunnybank, going back as far as to the time when Martin Tenni was the National Party Minister for Emergency Services, I was involved in negotiations on fire services issues with the Minister's predecessors. As one of the specialists in industrial relations in this State and with over 25 years' experience, I can speak not just from an industrial relations perspective but also about the general issues important to employees in the workplace. I have also served on many boards, both Government and private sector boards. I brought to those boards a different perspective, and not just an industrial relations perspective. I have offered expertise in the area of superannuation, finance and so on. It is acknowledged that including on boards people with a broad range of perspectives adds value to those boards. That has been widely acknowledged by the private sector and Government people with whom I have worked over that long period.

I wish also to stress that the UFU—the union described by the amendment being moved by the shadow Minister—is a very different union from the general unions, including the one of which I am still proud to be a member, namely, the metal workers' union, and most of the unions for which I was responsible as the general secretary of the Trades and Labor Council of Queensland, which is now known as the ACTU Queensland. The UFU is a specialist union covering firefighters. It is a union which has the capacity to not just look at the industrial relations issues but also at the professional issues important to it. When I first started to become involved in this industry, there were three unions covering

the Fire Service. I am trying to think back to precisely when——

Mr Robertson: There were actually five.

Mr BARTON: There were three that amalgamated into one union. As an aside, I was involved in the discussions that helped to facilitate that amalgamation at a time when Stephen Robertson, the member for Sunnybank, was an officer of that union. That was done very successfully. I make that point only to highlight the common bond in the professionalism of the service which would be brought to the Fire Service board by its having a representative of the body which represents the bulk of employees in the Fire Service.

That person would not just be able to give advice on industrial relations issues. However, I point out that, because of the recent degree of trauma in the Fire Service in Queensland, it would be of great assistance to put to bed the hangover from that trauma. There would be a great number of positives for the Fire Service in its having direct, hands-on, specialist experience from the people in the field.

When I first became involved with CSR's employee relations program back in 1975, CSR recognised that the person who best knows his job is not the person at the top of the tree who has the ultimate responsibility, but the person who has to do the job. Nobody would doubt that firefighting is a very different sort of job from that which anybody else in the community does. The job of firefighters is certainly very close to that of the police, the portfolio which I shadow, and also the ambulance officers, with whom they work closely. Having a union representative on the board would give it strength in that it would be able to obtain direct assistance in respect of its decisions.

When I can, I take the opportunity to talk to fire officers. I was speaking to some of them as recently as the middle of last week. They are feeling a little unloved at this time. I also stress the point that was made by the member for Sunnybank—and no-one has been closer to firefighters than he has in recent years—that the appointee need not necessarily be a full-time elected officer of the union. It may well be that the representative is one of the people the member spoke of—for example, a fire officer of long experience who is respected as one of the opinion leaders and key officers at the work face in the Fire Service.

I will not belabour the point any further, but I did wish to speak to this matter. From my experience as a member of boards and from dealing with Fire Service members over a period of some 22 years now on an on-and-off basis, I urge the Minister to accept what has been put to him by a number of members this afternoon, because there are large benefits to be gained. I know it is not fashionable for this Government to promote the union movement; however, this is not a general but a specialist union. This Government could gain some great strengths for that board if it were to accept this amendment.

Mrs CUNNINGHAM: I wish to ask the Minister a question in order to clarify something. The Bill states that the membership of the board is the Chief Commissioner, the Commissioner of the Queensland Ambulance Service, the chief executive and five other members. It is my understanding that the essence of the Staib recommendations was that those five members consist of two rural people, two business people and somebody with operational experience. I heard all of the arguments about having a union representative on the board. My concern is that the board should contain somebody, be that person a union representative or not, who is an active firefighter, someone who knows what is going on and what happens in the field. Given the Staib recommendations, would the Minister clarify whether he intends to include an operational officer on the board?

Mr VEIVERS: Bearing in mind that the situation is one that I did not want to accept, I will go so far as to say to the member that I would put a fire authority officer on there. That is it.

Mr ROBERTSON: I appreciate what the Minister has just said. However, I suggest to him that that is fraught with danger. I appreciate what the member for Gladstone was saying. In brief discussions with her, she said that she was concerned about that very issue—having an operational fire officer on the board. That is important. But what I cannot impress upon the Minister enough is that that officer has to have some demonstrated level of support amongst his or her fellow fire officers. I suggest to the Minister that the only way in which that can be achieved is via the nominee of the United Firefighters Union.

I will cite an example. In using this example, I do not want to be disparaging about another industrial organisation. Although the UFU has sole preference rights under the Industrial Relations Act, the reality is that there is a handful of officers who are members of the Australian Workers Union. Technically, one could debate whether that is

their right or not, but that is the reality. If the Minister were to choose a fire officer who is a member of the Australian Workers Union—as an example—that would effectively disenfranchise the 90 per cent of fire officers who are members of the UFU. If the Minister thinks that that is drawing a longbow, then I use the example of the Fire Brigade Superannuation Board, which until 1990—if I have got my date right—had as the representative of firefighters on that board a nominee of the Australian Workers Union. I would estimate that at that time the Australian Workers Union had around 40 members out of 650 permanent firefighters throughout the State. Although the Minister's commitment is appreciated, that is why he needs to take just that one step further that gives legislative recognition to the predominant union within the Queensland Fire Service—the union which, by a decision of the Industrial Relations Commission in this State, received sole coverage of firefighters. It represents firefighters from the probationary fire level up to station officer level and it therefore has 90 per cent coverage.

The other example may be that the Minister could nominate a senior officer to the authority. That would similarly be fraught with difficulties, because just as the commissioner is on that authority, that senior officer would not be seen to be an independent operational voice. I suggest to the Minister—and I hope that he takes this on board—that the only way to achieve an operational person on that authority is to request the United Firefighters Union to provide that nominee, just as the fire brigade employees superannuation plan does, and just as occurred during the Leivesley inquiry and subsequent working parties since then, because that is the best opportunity to get a nominee who has the support and the respect of the vast majority of operational Fire Service staff in this State. The Minister would be doing himself a big favour—and I suggest, with respect, that he would also be doing 90 per cent of firefighters in this State a big favour—by agreeing to this amendment.

Mr SCHWARTEN: I understand the generosity of the Minister's offer in reserving one of those positions for a fire officer. I note the member for Gladstone's approval of that particular plan. It was her suggestion, obviously, that has had some bearing on it, but I do thank the Minister for the sincerity of his offer—and I have no doubt that it is a sincere offer. However, for the reasons that were just outlined by the member for Sunnybank, it is not acceptable to this side of the Chamber, and it is not acceptable for this reason and this reason only: in order for a union to be truly representative of its employees, or for any organisation to be truly representative of its employees, the person who is nominated to sit on the board must have the confidence of those employees—in other words, the person who is put up must have the overwhelming support of the organisation.

The United Firefighters Union—correct me if I am wrong—has almost 100 per cent coverage of firefighters in this State, so it is quite likely that the person who was appointed would be a UFU member. But the fact of the matter is that if that person was not a UFU member, then that person could not then purport to represent the UFU and all the employees on that basis. In other words, the person who was appointed to that board would in fact represent the views of one person and one person only—his or her own. There is no communication channel—no reporting mechanism—for that person to report back to the rank and file. As I indicated to the Minister earlier, the strength of having a union person on that board is that that person will serve as a conduit to the overall membership. They will be able to bring input from the fire ground into the boardroom and, conversely, take it back. They will be able to do that with the confidence of the rank and file of that union, which is spread from Coolangatta to Cairns and to Mount Isa. It is a very difficult task to get that sort of communication channel open.

If the Minister just prescribes in the way that the member for Gladstone suggests, he is effectively saying that somebody—whoever the Minister chooses to anoint—is going to be the person in whom all the members of that union, all the employees within that organisation, have confidence. I think it is fraught with danger. It is the sort of Midas-touch approach that used to happen under Bjelke-Petersen: the Minister would anoint somebody and say that that person was a representative. I do not believe that it would serve to broaden the image, to broaden the impressions, to broaden the input that is supposed to occur on this community-based board.

As I said earlier, unions have a very vital role to play in our society. Remember this much: where unions do not exist, neither does democracy. They are a fundamental part and parcel of our society. They have, I would contend, a lot to offer in this overall structure. I have said it before and I will say it again: by putting somebody on there from the union,

the Minister will be able to capitalise not only on their experience but also on their capacity to represent the views of the wider rank and file of the firefighters throughout this State. With all the newsletters and so forth currently going around and the amount of disquiet that exists in the Fire Service—and it is always there—I would have thought that this Government would be looking for ways of trying to get some stability into that organisation. Heaven knows it needs it! By saying to the UFU that it would be entitled to nominate somebody onto this board——

Mr FitzGerald: And kick them off if they wanted to.

Mr SCHWARTEN: And kick them off if it so desired, yes. They are a representative of those people, of that organisation—in the same way as the NFF does on other——

Mr Veivers: As soon as he makes a bad decision you'd kick him off.

Mr SCHWARTEN: No, that is not entirely——

Mr Veivers interjected.

Mr SCHWARTEN: I did not say that at all. When that person fails to act in the interests or lacks the confidence of the overall organisation—and that includes the authority——

Mr Veivers interjected.

Mr SCHWARTEN: The Minister is indulging now in a bit of naked union bashing.

Mr Veivers: No, I'm not.

Mr SCHWARTEN: He is getting a little bit close to it. The broader experience, as the honourable member——

Time expired.

Mr ROBERTS: I wish to say a few words in support of this amendment. In his response, the Minister said that there may well be a union nominee or a union representative——

Mr J. H. Sullivan: No. He said an operational fire officer.

Mr ROBERTS: I see. I am going to suggest to the Minister that it is in the interests of the service to have the amendment passed and to have a nominee of an industrial organisation on the board. I take note of the comments of the member for Sunnybank when he talked about the nature of the industry and the history of the industry with respect to industrial relations and the reticence of the members in that industry to take industrial action, as is their right to do. However, given the nature of the industry, they have chosen to take forms of industrial action other than withdrawing their labour. Given that history and that experience, we should be looking to opportunities to be more inclusive of the employees and their industrial organisations in the management of this service.

In his second-reading speech, the Minister referred to the problems with morale in the industry and he also talked about the extensive consultation that took place in the lead-up to the development of this Bill. It seems that in terms of inclusiveness and involvement in the management of running the service, that consultation seems to be the end of it.

My experience in industrial relations is that morale and industrial problems are not solved by not talking to employees or including employees in the decision-making processes; it is done by involving them in a meaningful way in decision making. There are numerous examples where employee nominees on boards have played extremely constructive roles in the management and decision-making processes of various industries and of various boards. What we want for this board is good decision making, and good decision making cannot take place unless all interests in the industry or in the service are taken into account. Boards can talk about issues such as profits and management strategies, but an important element of any of the decisions, particularly in an industry such as this which is of an extremely hazardous nature, is the impact of decisions on employees. Having a union nominated employee representative is an excellent way of ensuring that that input is achieved and, as has been pointed out by other speakers, that information is passed directly back to employees via that representative.

One of the issues which often comes up in this place, and particularly in debates on industrial relations, is the "us and them" mentality. The coalition has been very vocal in its statements about trying to break that down. As I said, in the Minister's second-reading speech he talks about all the consultation that takes place. One way of achieving the breaking down of what the coalition terms to be the "us and them" mentality is to be more inclusive in the real areas where decisions are made, particularly areas such as the board that is being established for the Fire Service.

I hope that the reason why a union nominee is not included on the board is not as a result of the proposed industrial relations reforms that the coalition will shortly be moving through this Parliament. My own views of that

is that they are very clearly intended to weaken the role of unions. I certainly hope that in the drafting of this Bill that was not one of the issues that was considered. I think that the unions, particularly the UFU, has a very constructive role to play and it would be beneficial to the board and to the service if their nominee was included.

Mr J. H. SULLIVAN: I rise to support the amendments, as I said I would. I would also like to refer a little more bluntly to some of the issues that have been mentioned by other members. My colleague the member for Sunnybank spoke in very gentle terms about what has been a fairly tumultuous period for the Fire Service in this State.

Mr Robertson: That's the kind of person I am.

Mr J. H. SULLIVAN: I accept that that is the kind of person the member is. There have been some fairly bitter divisions forged between the professional fire officers whom I will call the workers because it suits the purpose of the kind of contribution I am about to make. As the member for Sunnybank said, there is a danger of selecting somebody who does not have the support of the majority of the officers. As my colleague the member for Nudgee said, it is all about communication.

According to the clause 8G(2)(b), one of the purposes of this board is to ensure that the authority performs its functions in an appropriate, effective and efficient way. Of course, those functions are essentially relating to the aspects of the job that require some knowledge of what is going to go on either on the fire ground or at the accident site. It seems to me that this is not possible to be achieved by the inclusion on the board of fire officers who either may not attend these kinds of events or do not have the ability to communicate with officers who do attend the events.

I noted with some interest that the membership of the board includes the chief commissioner, and that is quite logical, and the chief executive of the authority, but it also includes the Commissioner of the Queensland Ambulance Service. I do not have any reason to suggest that the Commissioner of the Queensland Ambulance Service should not be on the board, but it seems to me that the specific inclusion of the Commissioner of the Queensland Ambulance Service——

Mr Schwarten: Fire and rescue.

Mr J. H. SULLIVAN: I understand that, but the Bill does not say anything about the transporting of people who have been injured at the accident site or on the fire site.

Mr Veivers: You're going to leave them lying out on the road.

Mr J. H. SULLIVAN: Actually, the Minister is making my argument for me. My argument is that a section of the emergency services of this State have a specific function in cooperation with the Fire and Rescue Authority, yet the Minister sees fit to include a representative of them on his board by direct reference to them in the Bill. He simply could have said in the make-up of the membership of his board that it was the chief commissioner, the chief executive and six other members and then given the Ambulance Service the same guarantee that he is prepared to give the unions. It is simply not good enough.

I would like to see—and I know that other members on this side of the Chamber want to see it, too—the Minister abide by the principle of worker participation. There is not a business in this country or the Western World that has done worse by including workers in their boards of management. Every one of them has improved. The morale of the workers has improved and the output of the boards has improved. The end results for everybody have improved. Worker participation is what we are talking about and we want to be sure that those people who are included in this participatory role have the imprimatur of the people they want them there to represent. I am talking about the people who get out on the job and can tell what is going on. That is the sort of feedback that is needed.

For example, if those two spots that are supposedly reserved for the Royal Fire Brigade are filled by people who do not work at putting out fires in the scrub but by some contract SES officers who are working in the area, the board will lose some expertise that I think it is important for such a board to have. I do not necessarily think that boards are a great idea, but the Minister seems hell-bent on having one and I am just as hell-bent on doing my best to ensure that on that board there is an appropriately selected person to represent the workers who are going out and doing the work. They are the ones who can tell the board what is going on in the protection of persons, property and the environment from fire and chemical incidents and the protection of people trapped in motor vehicles. The blokes on the job are the blokes who are going to give the best advice.

Opposition members: And women!

Mr J. H. SULLIVAN: I use the generic "blokes" to mean men and women.

Mr McGrady interjected.

Mr J. H. SULLIVAN: The member for Mount Isa is offended, so I withdraw that comment. However, the men and women on the job are the people who are going to be able to provide the best advice and make the best decisions.

Mr McGrady interjected.

Mr J. H. SULLIVAN: The interjection from the member for Mount Isa reminds me of a very important point that he made during his contribution on this clause.

The CHAIRMAN: Order! The member for Mount Isa should not interject from other than his correct seat.

Mr J. H. SULLIVAN: There are an awful lot of withdrawals around here. Perhaps we could call this a bank.

The member for Mount Isa spoke about the need to have somebody with legal expertise on the board. I believe that this is an important point. When the member for Kallangur, the Honourable Ken Hayward, was Health Minister, he started a process of putting somebody with legal qualifications on each of the boards under his portfolio. He did that for one very good reason, namely, that boards often make illegal decisions; so those boards need members who have legal expertise. The Minister should have a really good think about what he is doing with this board.

I commend to the Committee the amendment moved by the Opposition spokesman, the member for Rockhampton. I believe that it is sensible. I believe also that it will go a long way towards ensuring that this Minister gets what he wants out of the board. If he rejects this amendment, appoints the wrong person to that board, and then tries to pass that person off as a representative of the workers and the unions, he will be asking for trouble. I assure the Minister that his Government has enough trouble already.

Mr MILLINER: I rise to support the amendment moved by my parliamentary colleague the member for Rockhampton. I will be fairly brief in this contribution because the representation on the board has been canvassed fairly widely by other members. I accept that the Minister is a very decent, honourable gentleman. I say that with all sincerity. He mentioned a couple of other boards, that is, the Lang Park Trust and the Queensland Academy of Sport. To his credit, he has not taken the blunt end of the axe to those boards—unlike some of his ministerial colleagues who have done that, such as the Minister for Racing who, without due reason, dismissed the TAB. There were some very fine people on that board, such as Mr Banks from Blackall, who made a tremendous contribution to that board. But because he had been appointed by the Labor Government, he was summarily dismissed. To his eternal credit, this Minister has not done that. I congratulate him. As I said, he is a decent and honourable person.

I accept what the Minister said about appointing a fire officer to the board. But that is not the point, because there is a problem that could confront the Minister. It is no secret—it has been said in this place time and time again—that the Minister for Public Works and Housing will not be in the Ministry much longer and that there will be a ministerial reshuffle. Therefore, this Minister may move to another portfolio. So although we have the Minister's word—and I have no reason to doubt his word—he may not be in charge of this portfolio in the immediate future. This is a continuing problem. We might have the word of a Minister—as honourable as it may be—but, in the future, when that person is no longer in that position, we can no longer rely on that word. That is why it is important to have these sorts of provisions enshrined in legislation. As my friend and colleague the member for Mackay indicated before, this situation is not unique. I refer to the rail board and——

Mr Mulherin: Electricity boards.

Mr MILLINER: —the electricity boards and the port authorities. They include union representatives, and I believe that it is not unreasonable to include union representatives on this particular board. I know that the Minister will pick very capable people for this board, and I have no doubt that they will make a valuable contribution to the board. But if the board includes someone representing the employees of the organisation, that is, the union, we will get a very good contribution from them—a contribution that would be very difficult to obtain from someone who does not work at the coalface.

I have personal experience in appointing boards, such as that of the Queensland Corrective Services Commission. When I was the Minister for Corrective Services, union representatives were appointed to that commission. They played a very valuable role and were able to make a contribution to the Corrective Services Commission that could not have been made by people outside the

commission who did not have the intimate knowledge of what was going on within the organisation. People who work at the coalface really can make a valuable contribution to boards.

I encourage the Minister to accept this amendment to enshrine in legislation the fact that there will be representation from those people who are doing a very difficult job in the Fire Service. I place on record my appreciation for those wonderful people in the Fire Service. They do a tremendous job. In many circumstances it is a very difficult job. They have to undertake some very unpleasant duties, such as attending serious motor vehicle accidents. That is a very difficult job. Those officers are to be commended for the work that they do. Doing that sort of work gives them very valuable experience which they can then pass on to the management of the organisation. That is why I believe that it is very important to have employee representatives on these boards. I appeal to the Minister, and I appeal to his decency, to agree to the amendment which was so ably moved by the member for Rockhampton.

Mr PEARCE: In rising to support the amendment moved by the Opposition shadow spokesman, I would like to speak to the Minister from a different perspective, if I may. I am not as eloquent as some of my colleagues.

Mrs Edmond: You're just an old miner.

Mr PEARCE: I am just an old coalminer. I am an old footballer who has had my head stuck in a few scrums, as has the Minister. We can see the results of that by looking at each other's heads. The Minister said that an operational officer may be appointed to the board. From listening to Mrs Cunningham, the member for Gladstone, I understand that, according to the Staib report, rural fire council officers may be appointed. But my point is that there is no guarantee that this is going to happen. Whereas an old worker—just an old battler from the bush——

Mr Veivers: So am I.

Mr PEARCE: Yes, just like the Minister. It is not good enough that we do not have that guarantee. Firefighters want to know that they are being represented on that board. That is the whole crux of the argument. It is fine to say that an operational officer may be appointed. But if I was a firefighter, I would want to know that the person who was to be appointed to that position was doing the work that I was doing and knew the risks that I was taking.

Mr Veivers: I'd bend over backwards for you.

Mr PEARCE: The Minister should stop interjecting, because I get the giggles. I ask the Minister: how is the board going to appreciate the depth of concerns of the employees and those people in rural areas, particularly those volunteers with bush fire brigades? My experience as a union delegate with the mining industry involved talking to much bigger people than the Minister—people on $170,000 to $750,000 a year.

Mr Veivers: I thought you were talking about my weight.

Mr PEARCE: No, I would not dare talk about the Minister's stature. He has previously warned me that he would sit on me, and I do not really want that to happen.

One thing that I learnt through my experience in the mining industry—and I also learnt this in national service, where I had the rank of corporal and had a lot of people working under me—was that we have to have people involved. We have to involve them in the process so that they feel as if they have some ownership. By doing that, we make them more efficient and——

Mr Veivers: You had a few problems with warrant officers in the Army.

Mr PEARCE: I got spoken to only once. I could tell the Minister a story, if he would like me to. I do have a couple of good stories and one day I will be game enough to tell them, but that will be at a later date.

People must have a good understanding of their role. The aspect of boards that worries me is that, if board members do not have any experience or know the background of the people for whom they are making policy and with whom they are dealing, they often do not get it right. That is when big problems with employees arise. When I refer to "employees", I mean Government employees. Should Government employees not have representatives on this board?

Mr Veivers: Can I just say this to you: how can you guarantee that being popularly nominated by the United Firefighters Union ensures that this person has the capacity and skills to meet the criteria set up to be on the board?

Mr PEARCE: Consider the history——

Mr Veivers: That's what I'm doing with the board.

Mr PEARCE: There is no guarantee. That is why we are asking the Minister to be understanding. We want it in the legislation so

that we know that it is going to happen. That is all we are asking for.

Mr FitzGerald interjected.

Mr PEARCE: Is the Leader of the House acknowledging it?

Mr FitzGerald: I'm just saying that the Chamber will decide.

Mr PEARCE: I would have sat down with a smile on my face.

Mr FitzGerald: I would have had a bigger smile on my face if you'd sat down.

Mr PEARCE: It has taken seven years, but honourable members are just about to find out that deep down inside me there is a little bit of humour as well as a lot of heart.

People on the board must have an understanding of what firefighting is all about. Firefighting is not about pulling out a hose and aiming it at a fire and hoping that it goes out. It is not about running up a ladder and spraying water all over the place. It is a very dangerous occupation. As the Minister is a National Party member he, and many other National Party members, should realise that fighting rural bushfires is a very dangerous occupation. We have to keep up with the changing demands of the job. If board members do not have the experience or background, how are they ever going to be able to make the right decisions? That is my concern.

A few moments ago the member for Nudgee made a very good point when he referred to the them-and-us mentality that exists today. I noticed that mentality in the coal industry also. The Minister is creating an us-and-them mentality. Why do we not pull it all together so that we are a team, so that we can do the job efficiently and effectively in the way the people of Queensland expect? I urge the Minister to support this amendment. I outcomes will be better for the Minister, better for the Government, better for employees and better for the people of Queensland.

I put this point to the Minister: is the reason that he is not prepared to legislate that those people be board members that he is seriously considering privatisation, or is he concerned about those people being involved in what he calls commercialisation of the Fire Service? If he is, I put it to him again: the best way to deal with that, so that he has the minimum reaction and achieves the best outcomes, is to have those people involved. I urge the Minister to think seriously and include it in the legislation. We will all be happy. I am sure that the people for whom he is acting as Minister will be a lot happier.

Mr ROBERTSON: I will give it my third best shot. Before I go on, I point out that it would gladden the hearts of the firefighters of this State to know that the coalminers of Queensland support them. Although the Minister has given a commitment that an operational fire officer will be appointed or elected to the board, I have two issues about which I seek clarification from the Minister. Firstly, can the Minister inform me whether that operational fire officer will be what is generically called a "senior officer" or will that person be of station officer rank or below?

Mr Veivers: I do not know now, because you've just got me to put it in. Fire authority officer—we'll have to see who comes along.

Mr ROBERTSON: Can the Minister extend that commitment to someone of lower rank than that which is generically called "senior officer"? The reason for asking that——

Mr Veivers: I have given ground greatly there.

Mr ROBERTSON: I appreciate that——

Mr Veivers: I appreciate the arguments you're putting up.

Mr ROBERTSON: What troubles me is that——

Mr Springborg: Give them an inch and they'll take a mile.

Mr ROBERTSON: If the member for Warwick were as informed as I am, he would also know that a non-operational fire officer who has an involvement in the Fire Service has already been approached to serve on this authority. By virtue of the Minister's commitment today, is he withdrawing the invitation for that non-operational fire officer to sit on the authority?

Mr Veivers: It could be anyone, from the bottom all the way up.

Mr ROBERTSON: An offer has already been made to a non-operational fire officer. Now that the Minister has given that commitment, which we all appreciate, has that offer now been rescinded?

Mr Veivers: Fire authority officer.

Mr ROBERTSON: So the offer to the non-operational fire officer has been rescinded?

Mr Veivers: Fire authority officer.

Mr ROBERTSON: By virtue of the Minister's non-answer, I can only assume—

Mr Veivers: You're making statements; I said "fire authority officer".

Mr ROBERTSON: No. I can only assume that the offer to an officer of the United Firefighters Union has now been withdrawn.

Mr Veivers: I did not make any offer, anyway.

Mr ROBERTSON: An offer has been made; I can assure the Minister of that. That must have been rescinded. That takes us back to square one: the United Firefighters Union will not have representation on the Fire and Rescue Authority. That is why the amendment moved by the member for Rockhampton must be agreed to. The Fire Service staff in this State have to have faith in the fact that one of their ranks—and I exclude the senior officers from that argument—needs to be on that authority. That needs to be a person in whom the vast majority of Fire Service staff have faith and confidence. The confidence of the vast majority of professional firefighters in this State can only be obtained by that person being a nominee of the United Firefighters Union. That nomination, as the Minister knows—in spite of his interjection—is handled democratically by, at the very least, a committee of management representing firefighters throughout this State. If the Minister thinks that selecting one fire officer—whether he be or not be a member of the union—will have the support of fire officers throughout State, he is sorely mistaken, because that can only occur with the support of firefighters from Mount Isa, Rockhampton, Cairns, Townsville and every other place throughout this State. He can only facilitate that through a vote or a resolution from the union that represents firefighters throughout the State, including Townsville.

Mr SCHWARTEN: I must respond to something that the Minister said in an interjection to the honourable member for Fitzroy. The Minister asked what guarantees could be given that the nominations of the union would meet the specified criteria. I am willing to bet the Minister anything he likes that whatever criteria he wanted to lay down, the union movement would be able to respond to them. We are not talking about nominating just any old Joe Blow, so to speak, although I would have to say that——

Mr FitzGerald: I don't think I'll ever go back on a question I have decided again. I've given you a pretty fair go and my patience has just about worn out.

Mr SCHWARTEN: I am not going to go on——

Mr FitzGerald: Really, I have.

Mr SCHWARTEN: If the member could just be quiet. I have one minute to go, that is all. I am just responding——

Mr FitzGerald: You are just going round and round.

Mr SCHWARTEN: That is all right. The member should not get off his bike; I will pick up his pump.

I believe that there is nothing inherently wrong with what the Opposition is suggesting. I believe that the Opposition is suggesting that a reasonable viewpoint be taken in regard to representation on this board. There is nothing sinister in what the Opposition is suggesting by this amendment. I understand the generosity of the Minister in adopting a change to what he proposed. However, that is not acceptable to the Opposition. The Opposition believes that union representation is a right on these boards, and certainly if the Labor Party is re-elected to the Treasury benches, it is something that it would be doing.

The CHAIRMAN: The question is, "That the words proposed to be inserted be so inserted"——

Mr Schwarten: No.

Mr FitzGerald: No.

Mr Robertson: Aye. Divide!

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

In division—

Mr FitzGerald: Mr Chairman, I raise a matter of privilege.

Mr Mackenroth: Point of order. The member cannot do that without something over his head.

Mr FitzGerald: I raise a matter of privilege. When the question was put, the member for Rockhampton definitely did call "No". In fact, I see that the member for Rockhampton is now voting "Aye". When I drew it to his attention, he said quite loudly, "Oh, I stuffed it", and that will be recorded on the tape upstairs. I object strongly to the member for Rockhampton now changing his mind.

Mr Schwarten: Stuff it indeed I did. The member who is not clothing his head in the appropriate way has been here longer than me, and he is sillier than me.

The CHAIRMAN: Order! The member for Rockhampton did indeed call "No" but the member for Sunnybank called "Aye" and "Divide", so we can proceed.

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

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

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

Resolved in the **negative**.

Sitting suspended from 6 to 7.30 p.m.

Clause 8, as read, agreed to.

Clauses 9 to 13, as read, agreed to.

Insertion of new clause—

Mr VEIVERS (7.31 p.m.): I move the following amendment—

"At page 17, after line 8—

insert—

'Amendment of s 26 (Conditions of employment)

'13A. Section 26—

insert—

'(2) However, if a person mentioned in subsection (1) is employed on contract for a fixed term, the conditions of the person's employment are not subject to any industrial award or agreement.'."

Amendment agreed to.

New clause 13A, as read, agreed to.

Clauses 14 to 21, as read, agreed to.

Schedules 1 to 3, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

CONSUMER CREDIT LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 7 August (see p. 2110).

Ms SPENCE (Mount Gravatt) (7.33 p.m.): The Consumer Credit Legislation Amendment Bill 1996 puts in place the necessary administration arrangements to provide for the enacting of the Consumer Credit Code which will come into effect on 1 November this year. The former Labor Government played an important role in working with the other States and Territories in establishing uniform consumer credit laws, and I would like to acknowledge the contribution of former Labor Consumer Affairs Ministers, particularly Tom Burns, for their contributions to the Bill before us today. I should also acknowledge another former Labor Consumer Affairs Minister, the Honourable Glen Milliner, for his contribution to the Bill.

The Opposition will be supporting this legislation which puts the finishing touches to the package of reforms which Labor in Government began with the passage of the Consumer Credit (Queensland) Act 1994. However, we have a number of concerns and we will be moving two amendments in the Committee stage.

It is of great disappointment to me and to the many consumer organisations in Queensland that the present Government has seen fit to give the whole area of consumer affairs such a low profile. The consumer affairs area no longer receives a mention in any Minister's portfolio name and the department has been buried in the Department of Justice. I have to say that, with due respect to the Minister's own capabilities, consumers in this State can have no confidence that their interests will be properly safeguarded, nor can their concerns be given the priority that they deserve in a portfolio of this size or importance.

One of the first actions of this Government was to sack the independent Consumer Advocate. This position was created by the Labor Government with the intention of bridging the gap between the bureaucracy and the various consumer organisations in this State.

Since becoming the shadow Minister for Consumer Affairs, I have taken the opportunity to visit some of these consumer organisations. I am surprised at the amount of work that they are constantly being asked to do by Government inquiries and Government

committees, both State and Federal, which want their consumer input in very important-decision making inquiries, yet we do not fund these groups at all. I think that the Labor Government did that to some extent, but in the future we need to look at the funding of these groups much more seriously than we have in the past if we really expect them to play a constructive role as consumer advocates. I do not believe that the Government's first move, which was to sack the one independent Consumer Advocate that was fully paid by the former Labor Government, goes very far at all in assisting consumers in this State to have their say on important consumer issues.

In Opposition, Government members were very critical of the fact that the Consumer Affairs Department was not a stand-alone department but was combined with Emergency Services. Coalition members, including the Minister, claimed that consumer affairs deserved more recognition, more staff, more attention—yet the coalition has provided none of these since it achieved Government!

Much of the Bill is concerned with the investigative and enforcement powers for the monitoring and enforcement of the Credit Act. All members should note that under the legislation the inspectors of the Office of Consumer Affairs are given significant new powers to enter premises, search, seize evidence, demand names and addresses, and request evidence. The Parliament should not lightly give public servants the opportunity to use powers such as these. However, we acknowledge that these are necessary powers to fight corporate misconduct and there are sufficient safeguards in this legislation to ensure that inspectors conduct their investigations with regard to the due process of the law.

I refer to the assessment of this Bill by the Scrutiny of Legislation Committee. In my opinion, it quite properly requested that the Minister consider inserting the words "appropriately qualified" when he delegates powers to other officers of the department. The Opposition will tonight be moving amendments to ask the Minister to do that.

We note that the Law Society has been consulted about the investigative and enforcement powers contained in the Bill, which largely mirror the current powers under the Credit Act. This Bill continues the negative licensing of credit providers in Queensland after the commencement of the consumer code. The negative licensing system means that credit providers are not required to obtain a licence before setting up business, but can be prosecuted and prevented from conducting business if they engage in unjust conduct.

Ultimately, the courts will make the decisions concerning restrictions or prohibitions on credit providers. New South Wales, South Australia and the Northern Territory have established similar negative licensing systems, while Victoria has continued with its previous system of requiring registration of credit providers. Although I do not necessarily agree with negative licensing as a broad principle, I have to acknowledge that, to date, it has served the credit providers of this State well and I believe that consumers have not suffered any additional harm since the introduction of the negative licensing system.

This legislation introduces substantial penalties for contravention of the Act and failures to comply with court orders. If the chief executive of the administering department considers that a credit provider has repeatedly engaged in unjust conduct in the course of a credit business, the chief executive may seek to restrain the unjust conduct by requesting the credit provider execute a conduct deed, or by applying to a court for an order. A court may issue an order to restrain unjust conduct on the application of the chief executive. The order may contain anything the court considers appropriate—for example, directions in relation to the credit provider's conduct or in relation to the rectification of the consequences of past conduct. If the credit provider is a corporation, a court order may relate specifically to an executive officer of the corporation, if the court is satisfied that the officer was involved in the unjust conduct, and may give directions about the officer's future involvement in the credit provider's conduct.

We note that a court may issue a prohibition order to prohibit a person from providing consumer credit or restrict the way credit may be provided. The Act lists matters which the court is to consider before issuing such an order, and those matters include: previous convictions for certain offences, previous business conduct and any contraventions of conduct deeds. The maximum penalty for non-compliance with a court order issued under this section is 200 penalty units, or six months' imprisonment. The current maximum penalty for non-compliance is three months' imprisonment, or 100 penalty units. This Act will substantially increase the penalties for non-compliance with court orders, and the Opposition accepts that that is appropriate.

A prohibition order does not generally affect a pre-existing credit contract. However, if a person provides consumer credit under a contract in contravention of a prohibition order, the person is not entitled to receive any payments under the contract. Any payments made are recoverable from the person. The current Credit Act does not provide for a civil penalty of this nature.

In general, the new powers are similar in nature to those currently existing but are expressed in contemporary drafting style. Several additional provisions are included, often with the effect of increasing the accountability of the investigative processes—something of which we approve. The Act also provides that inspectors may be appointed by the chief executive and may exercise powers given under the Act. These powers are subject to the chief executive's directions and may be limited in various ways: under a regulation, a condition of the inspector's appointment, or by a written notice from the chief executive.

I congratulate the Minister and his departmental staff who drafted this legislation on the detail in the legislation with respect to the appointment and the powers of inspectors. I believe this is necessary in legislation of this nature, as it should be thoroughly detailed. However, I have a problem when we move to proposed section 60 of the legislation, which permits the delegation of powers to anyone in the department's office, whether that person is properly qualified or not. We will discuss that issue when debating the amendment during the Committee stage.

I turn now to the section of this legislation which concerns the Consumer Credit Fund. This fund was established to be a repository for moneys derived from civil penalties awarded against credit providers. The fund was intended to provide a central location from which moneys can be disbursed to assist consumers and their representatives in relation to credit matters. Because the money in this fund cannot be awarded to individual consumers because of the small individual amounts involved, it is meant to be spent on the purposes correctly identified in this Bill, that is, providing financial counselling to consumers, giving legal advice to consumers about consumer credit and improving knowledge about consumer credit.

The Opposition accepts that the money should be spent on legal fees incurred by the Government in court proceedings. However, we do not accept that this money should be spent on the salaries of Consumer Affairs departmental officers or on training Government employees. Therefore, we will be moving an amendment at the Committee stage asking the Government to omit this section of the legislation.

Mr FitzGerald: What section was that?

Ms SPENCE: I refer to proposed section 53(2)(c). It is a section of the legislation which gives the Government the right to use consumer credit funds to pay the salaries of the staff of the Office of Consumer Affairs. As the Minister would be aware, the inclusion of this section represents an enormous reversal of his previous position on how the money from this fund should be spent. I took the time to read Minister Beanland's speech to the 1994 Consumer Credit Bill, and I was surprised to learn of his grave concerns over the uses that might be made of the Consumer Credit Fund at that time. In order to refresh the Minister's memory and for the benefit of other members of the House, I would like to quote some of that speech by Minister Beanland. The Minister complained—

> "The fund can disburse money to assist consumers—specifically, anything promoting the consumers' interest.
>
> I come specifically to the point of who defines what 'promoting the consumers' interest' is. I say that because I know that, in another place, more legislation will be introduced. I accept that; but, of course, we also have this all-encompassing clause or phrase that 'funds can be expended for anything promoting consumers' interest out of this consumer credit fund.' "

He continued—

> "I believe that the Government could end up funding the Office of Consumer Affairs. The Minister might deny that; but, after all, the Minister"—

at the time it was Tom Burns—

> "could maintain that such funding is in the consumers' interest. Being in the consumers' interest, I cannot see any reason why the Government, if it so desired, through the Governor in Council, could not do that."

The then Minister, Mr Burns, said, "Do you recommend it?" Mr Beanland stated further on, "I say to him quite clearly that he should not under any circumstances be funding the Office of Consumer Affairs" out of this credit fund. Mr Beanland further stated that "this particular Minister for Consumer Affairs or some other Minister" might say—

> " 'There is a consumer fund. Why is the department not being funded out of that fund?', particularly if the funds should build up over a period. A whole host of situations could arise, and it is quite obvious that that could occur. I do not think that it would be in the interests of consumers."

It is very hypocritical when one considers the Minister's former concerns about the uses of the Consumer Credit Fund that he should introduce legislation tonight that will allow him to use the Consumer Credit Fund to fund the payroll of the Office of Consumer Affairs. In 1994, the Minister predicted that a Labor Government would do that. We did not do that. However, as soon as the coalition Government was elected, it introduced legislation that allows the Minister to take the money that should rightly be spent and is provided for educating consumers and use it to fund his own department.

Mrs Woodgate: Hypocrite.

Ms SPENCE: It is hypocritical. I would like to hear the Minister explain how he can justify what he is doing tonight. The Government wants to use the fund to fund the Office of Consumer Affairs precisely in the manner that formerly caused the Minister such concern. I know from my consultation with consumer groups that spending the fund in this manner is totally unacceptable. I call on the Minister to reconsider this part of the legislation before we get to the Committee stage. There have been a number of articles in the media in which consumer groups have expressed their concern about the use of the fund in this manner. I will quote an article from the *Gold Coast Mail* which is headed "New law just a 'secret tax' " and which states—

> "Financial counsellors working with family support groups are describing legislation before State Parliament as a secret tax.
>
> The Consumer Credit Legislation Amendment Bill will allow funds awarded to consumers by the courts to be used by the Office of Consumer Affairs, according to president of the Queensland Consumers Association, Justin Malbon.
>
> Mr Malbon said the association has concerns about the government taking money intended for consumers.
>
> 'It is a de facto tax,' he said."

The Financial Counselling Service, a non-profit making organisation, has also expressed its concerns regarding this tax. Paul O'Shea, who is a community litigation solicitor for the Financial Counselling Service, said that when banks and other credit providers breach the law penalties are often imposed. He stated that these trust funds are supposed to be used to refund consumers directly or they are to be used for financial counselling. The funds are meant to be put into this fund in trust for consumers.

If one looks at the report on the operation of the Consumer Credit Fund—and I have a copy in front of me—for the period ended June 1995, one can see that there were 14 applications for funding from the Consumer Credit Fund by groups out there in the community. It is interesting to look at the sorts of community groups that want money from this fund. We have groups such as the Financial Counselling Service; the Gold Coast Skillshare centre, which offers financial counselling; the Bank Action Group; the Redcliffe Neighbourhood Centre; the Logan Legal Advice Centre, which also offers financial counselling—even Gilshenan and Luton applied for funding for its own telephone legal service—the Brisbane Migrant Resource Centre; the Cairns Community Legal Centre; the Brisbane City Mission; and Lifeline of Ipswich and West Moreton, to name probably 10 of those 14 applicants. There are many genuine groups in our community which want and need this money to undertake the good work they are currently providing in assisting consumers out there with financial counselling.

As members of Parliament, when we meet some of our constituents we realise that there are a lot of people out there in the community who really do need financial counselling. Some of the people who come into my office are often in a dreadful financial mess. A lot of them have got themselves into that position because they are just very poor financial managers. I believe that even those on limited incomes could be managing their finances better if they had some financial counselling. Last week, a man came into my office. The Housing Commission was going to evict him because he is $4,000 in arrears in his rent. I agree that that is dreadful, and I am surprised that the Department of Housing would let someone get in arrears to that amount. The department is now ready to evict him, but it has done little work in helping this man to obtain financial counselling. He is working, his wife is working, they are pulling in a very good income, but they have gotten themselves into a dreadful financial state because they are obviously bad financial managers. I referred this man to the Brisbane Financial Counselling Service. I believe that the service will do constituents like him a lot of

good. I am sure that members throughout the State get to see such constituents from time to time and value the fact that we have services out there which can help people who are really in trouble with their finances.

I have called on some of these financial counselling services myself in the past few months. I have seen the Brisbane groups, the Rockhampton groups and the Cairns groups. They are really snowed under. In the past, most of their funding has come from the Federal Government, and they have got meagre amounts out of the Consumer Credit Fund. They are very worried that when the triennial Federal funding runs out some time next year, they will not be as generously looked after by the new Liberal/National Government in Canberra, and they do not know where they are going to turn to for funds in the future. Therefore, I believe that funds such as they can access and can apply for through the Consumer Credit Fund are vital to enable them to provide these services.

As the Minister would well know, community groups which want to access the Consumer Credit Fund must go through a lengthy process and put in substantial submissions before they receive money from the fund. The Minister's department will not and does not give this money out lightly. It does thorough checks of the groups to which it gives the money. If the Minister pursues the line that he is going down tonight of using this fund to finance the Consumer Affairs Office and the salaries of Government employees, there simply will not be the money there in the future to give any sort of finance to these groups.

I believe that we need to spend a lot more money and a lot more time in educating people out there in the community about financial matters and about consumer affairs matters generally. The Minister is talking about withdrawing the money from this fund at a time when his own department has cut back on the education services it provided. We discussed this matter during the Estimates committee hearing. The Minister acknowledged that he has disbanded the education section of the Consumer Affairs Office. I am sure that members are aware of that fact, because many people have come to me from Rotary groups, from neighbourhood centres and from senior citizens groups and said, "Judy, what is happening? We can no longer get an officer from the Consumer Affairs Department to come out and talk to our organisation." At first, I thought this was just some ban that the Minister had put on overtime so that officers could not go out at night-time or on the weekend, but I learned through the Estimates process that the Minister is not providing the sort of education service that was previously undertaken by the Office of Consumer Affairs and that he intends to privatise this sort of service in the future, which I believe will be totally unsatisfactory in that semi-trained or untrained people will be going out and giving financial advice and advice on consumer matters.

The reason that the Office of Consumer Affairs has had integrity in the past is that, in the main, the Minister's officers are well trained in consumer matters. The Minister knows very well that consumer matters are complicated, often involving legalistic or financial issues, and that the person doing the training is required to have certain skills. I do not believe that privatising this section of the Minister's department will give Queenslanders the same sort of service that they previously enjoyed. It indicates to me that under a Liberal/National Party Government consumers are virtually being ignored in this State, and they certainly are not being given the attention—the pre-eminence—they had under a Labor Government. I will be going around this State telling Queensland consumers that the future State Labor Government intends to give the Office of Consumer Affairs the prominent position that it has had in the past.

The Labor Opposition will be supporting the legislation before us tonight. As I have mentioned previously in this debate, we have some reservations about the operation of the Consumer Credit Fund. We have some reservations about the powers that the Minister is giving to the officers in his department, but we have more reservations about the Minister's willingness to delegate these powers to just any officer in the department. I expect that we will discuss those matters in the Committee stage of the Bill.

Mr J. H. SULLIVAN (Caboolture) (7.58 p.m.): As the Opposition spokesperson said, the Opposition will not be opposing this legislation. However, there are some fairly startling faults with what has been brought before us. The interesting thing about that is this: it is quite clear from the Minister's second-reading speech that we are looking at a style of legislation that is known as uniform national scheme legislation. In recent times in this Parliament, the Scrutiny of Legislation Committee—of which I am quite proud to be a part—tabled a position paper in regard to the scrutiny of such pieces of legislation for, I guess, distribution throughout the country. The

paper has been prepared by all of the scrutiny committees in all of the jurisdictions in this Commonwealth. The position that is put in that paper is simply that legislation that is made under national schemes is agreed outside of any of the Parliaments of this country; the legislation is agreed at a meeting of Ministers. Those Ministers act under the imprimatur of their own Cabinets but not of their Parliaments, and they bring to the Parliaments in this country legislation that, by and large, it is not possible for those Parliaments to amend.

I suspect that in one particular way this legislation may be different from that in other jurisdictions. I have not had the opportunity to check that, but I suspect that this legislation allows for the fund to pay for salaries and training of officers of the department and that that may not be being done in other jurisdictions. If that is the case, I am not happy about that. The Minister may be able to tell us about that. The money in that fund should not be spent in funding the day-to-day operations of the Government. I do not believe that that is the purpose of that fund.

The Opposition spokesperson mentioned the provisions of the Act which she finds problematic. One particular provision is that relating to the delegation of powers. That issue was picked up by the Scrutiny of Legislation Committee. In fact, that issue is always picked up by the Scrutiny of Legislation Committee, for the committee feels that at times in legislation in this State those clauses allowing the delegation of certain powers are far too broadly drafted. Interestingly enough, the committee's concerns were taken into account in the Bill that preceded this one in the House. In bringing the Fire Service Amendment Bill to the House, the Minister for Emergency Services had that Bill drafted in such a way as to not cause concern to the committee. The words that were inserted in that Minister's Bill—and I believe he has done the same in the Ambulance Service Amendment Bill, which is on the table—remove any concern that the Scrutiny of Legislation Committee had. The words "appropriately qualified" were included when describing an officer to whom a delegation may be made. I commend the Minister for Emergency Services for so doing in Bills that he is bringing into this House and I commend that practice to other Ministers with the legislation that they bring into the House.

It is important for the Parliament to understand that, when we give a power to an officer in the Public Service to do something, we do so for him or her to act on behalf of us. Although there are certain safeguards and provisions within the Acts Interpretation Act, it is the long held view of the committee that those protections do not go the whole way and that the insertion of the words "appropriately qualified" protect this Parliament from the actions of people who may not be appropriately qualified but somehow obtain the opportunity to take actions.

Mr FitzGerald: Who determines whether they are qualified or not? Who is the person who makes that determination?

Mr J. H. SULLIVAN: The person who makes that determination is the person who makes the delegation.

Mr FitzGerald: Who do you appeal to if you believe that it wasn't appropriate and that that person was not qualified?

Mr J. H. SULLIVAN: I suppose that is problematic on the provisions of the Public Service Bill that went through the other day.

Mr FitzGerald: You think it may be problematic. That explains it.

Mr J. H. SULLIVAN: I think it may be problematic because I have not looked at the excluded material provisions of those things which are not able to be reviewed under judicial review. However, it is very likely that that decision to grant a delegation to a person may well be able to be reviewed in that way. The answer is simple: the words "appropriately qualified" should be inserted, as were inserted by the Minister for Emergency Services, and there should be an indication that "appropriate qualifications" mean formal qualifications and experience and there must be included, as the Minister for Emergency Services included in his legislation, a standard within the organisation that would provide the answer to that. There is no doubt in my mind, and I am sure there is no doubt in the mind of the honourable Leader of the House, that people do exercise powers on our behalf. We give them the right to do that. It is not something that they have without it being our gift.

Mr FitzGerald: And who wears the can if you delegate an authority and something goes wrong? Who wears the can?

Mr J. H. SULLIVAN: I am dreadfully sad that the member asked that question because in the Parliament of Queensland in recent times it appears that the doctrine of ministerial responsibility means nothing. If something goes wrong, the can is not worn by the Minister, the can is worn by the public of Queensland because there is nobody who is prepared to hold their head hen-like on the

chopping block and have it lopped off when the time arrives.

Another issue within this piece of legislation that will be a perpetual problem is the issue of rights of entry. Under this legislation, the inspector has rights of entry. I will turn to the page in the Bill because I would not want to be saying to the House something that is not correct, but I will try desperately hard not to refer to the clause at all. There are four grounds for entry. The entry can be made if the inspector believes, on reasonable grounds, that the place is a credit business place and that entry can be made when the place is open for the conduct of business or otherwise open for entry. Essentially, if an inspector believes that a private home is a place of credit business, that inspector can enter that house without needing the permission of the owner or a warrant.

Mr Beanland: Not your private home.

Mr J. H. SULLIVAN: Where is the exclusion for a private home? I will be happy to have the Attorney answer that. It needs to be remembered that in the 1990s, with computers and modems and the Internet and satellites and all of that electronic equipment, there are people who live in Brisbane who draw a pay cheque in Chicago. Those people log into their Chicago place of business from an office that may be a converted bedroom in their house. Throughout this country, there are people who are increasingly undertaking their occupational pursuits from their homes. I cannot see why that would not apply to the credit provider's place of business. I would be happy if the Attorney could respond to that.

An inspector can also enter without a warrant or without consent. Our system of law provides certain protections for people who have their premises entered when they give consent. Our system provides certain protections for people whose premises are entered under warrant. I cannot see that those protections apply when the law is drafted in a manner such as this. This is a proposition about which the Scrutiny of Legislation Committee is concerned and about which it will continue to be concerned until such time as either the committee is convinced that its concerns are groundless or that clauses of this nature stop appearing in legislation in this State.

I understand that the process of drafting legislation is not an easy one and that there are such things as template clauses floating around that come out in order to fulfil the structural requirements of a piece of legislation. The trouble with these template clauses is that, when they are wrong, they stay wrong for a long time and they turn up in series in legislation that continues to come before the Parliament.

It is not the Opposition's intention, and it is certainly not my intention, to try to stymie any of the policy objectives that might be being pursued here. However, I am concerned about the loss of protections that individuals would have when entry is made without the benefit of a warrant and without the benefit of consent. I bring to the attention of the House that obtaining a warrant is now a fairly simple matter. Under legislation in this State, a warrant can be provided by telephone. If one wants to enter somebody's premises, one can sit outside in a motor vehicle, pick up a mobile phone, phone up and, in a very short time, obtain a warrant. I believe that, to be fair, and to continue to be fair to the citizens who are likely to be affected in this way, the obtaining of a warrant is about the best way that we can go. It is not an impost on the inspectorate at all—unless, of course, there is no evidence. I think that one of the questions people would be asked if they wanted to obtain a warrant would be, "What is your evidence?" Unless a person has no evidence, I believe that it is fair that a warrant should be obtained.

Having spoken about those two faults in the legislation, I now want to give a pat on the back, if I may. One of the other issues that has puzzled Opposition members is why, in many pieces of legislation that have come before this Parliament, there seems to be—if not a total—a partial abrogation of people's right to silence. In respect of proposed new section 46(1)—"False or misleading statements"—I believe that this section has been drafted in such a way that people will still retain the right to silence and, therefore, not have one of their major rights taken away from them.

As the Opposition spokesperson said, we are not opposed to the legislation as such. However, I believe that it is important to say that, while national scheme legislation provides us with a number of problems, one of the biggest problems is the method by which it is settled—a method that does not provide Parliaments with much scope with which to alter provisions that they do not like. The method by which it is settled is a problem for us, as parliamentarians. Nevertheless, because we have that problem, that does not mean to say that national scheme legislation is a bad thing. In many cases it is important to have the same laws applicable throughout the country. Quite clearly, credit law is one of

those cases. National schemes of legislation are very worthwhile. The problem of their settling is going to be one in which we, as members of Parliament, ought to take a great interest. We ought to ask ourselves why it is that the power to settle our own legislation is taken away from us. Nevertheless, it does lead to a lot more stability and commonsense in actions across the country.

It is important that our protest be heard in relation to the expenditure of money from the Consumer Credit Fund to pay for wages and training within the department. That is a disgrace, and I would be surprised if it occurs in any other jurisdictions that are party to this legislation. We simply ought to have a look at the provisions that relate to the delegation of powers to see if we cannot settle a more suitable delegation power in this legislation, as many Ministers in this Government have done with legislation of their own.

Hon. G. R. MILLINER (Ferny Grove) (8.15 p.m.): I rise to speak in this debate and to endorse the comments made by the shadow Minister for Consumer Affairs, the honourable member for Mount Gravatt, and my learned colleague the "Chief Justice of Caboolture", the member for Caboolture. Uniform credit legislation was probably one of the most difficult pieces of legislation to put together. It was many years before Consumer Affairs Ministers finally met and agreed upon a uniform approach to credit. I was very pleased to be part of that process. I was very pleased also to see that we were starting to get a national approach to many issues.

When I was the Minister for Justice, we looked at getting a national approach to company law. As a result of people sitting down and adopting a commonsense approach to the issues, we put together the Australian Securities Commission, which took over the role of regulating the business community in Australia. Instead of people dealing with seven jurisdictions, they could then deal with one and achieve the same objective while ensuring that it was done in the most efficient and cost-effective way. As a nation, we can easily go overboard in relation to credit. We adopted a commonsense approach to having a uniform Credit Act that would ensure that there was consistency around the nation. It took many, many years to achieve that objective. Having put that in place, I believe it was a very progressive step and one which has been welcomed by consumers and the business community itself.

As the shadow Minister for Consumers Affairs said, there are a couple of disturbing aspects of this legislation. I intend to raise my concerns about the Consumer Credit Fund and the use of that fund by the Government to fund operations of the department which should come out of consolidated revenue.

The Consumer Credit Fund was set up as a fund to protect the funds that were given to it for breaches of the Act. The first one that I recall when I was the relevant Minister was an out-of-court settlement that was reached by the State Bank of New South Wales for the sum of $40,000 for breaches of contracts that it had entered into with consumers. We looked at how that money may have been disbursed. Considering the number of contracts involved and the amount of money that was finally agreed upon as the settlement, it meant that, if we were to distribute that money to individual consumers, they would have got very little indeed—in some cases, only cents. We made the decision then that the most appropriate way to deal with those funds that were being obtained through breaches of the Act was to put them into a fund to be expended on consumers. That was the basis of the establishment of the Consumer Credit Fund. In reality, the funds that go into that Consumer Credit Fund are not the Government's, they are consumers' funds. They are being held in trust for consumers.

As a result of that, we looked at what would be the most appropriate way to distribute those funds to groups within the community to get the greatest impact from those funds. We made the decision that one of the best things that we could do was start to educate consumers about finance. If one is trying to overcome the problem, one can have as much legislation in place as one likes. But the best method to ensure that we do not have breaches of legislation is to start to educate the community so that they are aware of the pitfalls of entering into contracts, particularly financial contracts. As a result of that, we distributed quite an amount of money to community groups so that they could start an education campaign throughout the community. I firmly believe that, had that program been enhanced, we would have gone a long way towards ensuring that breaches of contracts did not occur, because the people entering into those contracts would have been better informed as to what their obligations were and what the credit provider's obligations were.

I am very disappointed to see now that those funds are being diverted for other purposes that should properly come out of the Consolidated Fund. Governments have a

responsibility to protect the community. We do that in a number of ways. We protect their health, wellbeing and their safety. I believe that Governments have a responsibility to help to protect consumers when they are being ripped off. That can be done a number of ways, and the best way that we can do that is to start to educate the community.

The Bill provides for increased powers for inspectors. That increase is welcome. I can remember well situations that occurred in the Office of Consumer Affairs when the inspectors did not have great powers, which caused great difficulty. I remember well a situation that arose with a tour company called Expo Tours. It was brought to our attention that people were losing money from that particular operation. As a result, we decided to take action and raid the premises. Those premises were duly raided. At the end of the day, the people involved were convicted of misappropriation of funds. That raid was very difficult because we were not exactly sure what powers were vested in inspectors and how we were to go about using those powers. It is very pleasing to see that this legislation is improving inspectors' powers.

I agree with the member for Mount Gravatt about the downgrading of the status of the Office of Consumer Affairs in this State. If we are fair dinkum about protecting consumers, it is right and proper that the Office of Consumer Affairs receives acknowledgment in the title of a Ministry. It is particularly disappointing to see that nowhere in the present Government's listing of Ministers do the words "consumer affairs" appear. I think that that is a backward step and one that should be corrected by the Government in order to begin to give consumers confidence that the Government is, in fact, looking after their interests. I would think that, when he has a reshuffle after the Minister for Public Works and Housing is removed from the Ministry, the Premier should immediately consider a change of names and ensure that the words "consumer affairs" do appear within the name of a Ministry so that members of the community can have confidence that their interests are being looked after by the Government. Unfortunately, consumers do not have that confidence at the moment. I suggest that there is probably a falling off in the activities of the Office of Consumer Affair simply because consumers are not aware that that office exists. I hope that the Government takes the opportunity to rectify that in the not-too-distant future.

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (8.23 p.m.), in reply: I thank the Opposition for its support for this very important legislation for consumers in this State. I will refer to a few points raised by Opposition members.

The member for Mount Gravatt made reference to a number of points and I will endeavour to go through those for her. Firstly, she referred, as did other Opposition members, to the use of the Consumer Credit Fund, particularly in relation to proposed new section 53(2)(c), which relates to expenditure of funds for other purposes such as salaries of officers of the department. That section states—

> ". . . for example, salaries and training costs for officers of the department who administer or execute the laws."

That is referring to consumer credit laws. Certainly, those funds cannot be spent ad hoc for salaries within the department. If they are spent on salaries, they must be spent specifically on salaries of officers who administer or execute consumer credit laws. We are certainly not proposing to spend them elsewhere. I raise that important point because the member for Mount Gravatt quoted from a speech I made some time ago when I was supporting this legislation when it first came into this House. I made reference to the fact that, at that time, the funds could be spent for any purpose. At that time I stated—

> ". . . 'funds can be expended for anything promoting consumers' interest out of this consumer credit fund.' "

That meant anything within the Office of Consumer Affairs. Of course, we are not proposing that—far from it. I make that point because the former Government did take to the Auctioneer and Agents Fidelity Guarantee Fund, which was a trust fund. The former Government's actions required special legislation. In that speech I stated that the Government could end up funding the Office of Consumer Affairs. I contend that that is vastly different from what we are proposing through this proposed section, which relates particularly to executing the laws in relation to the Consumer Credit Code. As the member for Mount Gravatt would be aware, I am proposing to move an amendment to that proposed new section to limit that expenditure to 30 per cent.

This fund is not a trust fund; it does not involve taxes to which I think the member for Mount Gravatt referred. We are talking about fines. Those fines could easily end up in the

Consolidated Fund. I think that the member was repeating something that a journalist wrote in an article in a newspaper about a secret trust fund. The fund is certainly not anything of the sort. It is certainly not a trust fund, a guarantee fund or any fund of that nature. It is fair to say that, in due course, no matter who is in office, Treasury will get its hands on that money which, in the normal course of events, would go into the Consolidated Fund. Fines that are executed through the Department of Justice and other departments normally become consolidated revenue. We have been very effective in establishing and retaining the Consumer Credit Fund. If the foreshadowed amendment is accepted at the Committee stage, we will limit further the fund's use.

I go further by pointing out that we do not have to have a fund at all, because the fund is not part of the uniform agreement. It is up to each jurisdiction to decide whether it has a fund. I refer to section 106 of the code. It states that if a credit provider breaches the code and the credit provider or Government consumer agency brings the matter before the court, any penalty imposed by the court is paid to the fund if there is a fund. If there is no fund, section 106 goes on to state that the Government agency may pay the fund into consolidated revenue. We do not have to have a fund at all. I am pleased that we have been able to retain that fund out of which considerable funds have been expended by former Ministers and during the time that I have been Minister.

The honourable member referred to Financial Counselling Services. For the information of the member for Mount Gravatt, I point out that Financial Counselling Services were offered $23,500, but they, in fact, knocked it back. Other services were also offered funds, and they accepted them. I think the honourable member mentioned Mr O'Shea. Not so long ago he was offered some funds, but he was receiving Federal funds and decided not to proceed with the funds that we were offering. I think the honourable member was trying to make out that the Government was not paying money out of the fund to consumer organisations. We certainly have been and we will continue to do so. I believe that that is very important. The member indicated and I agree, as I have stated publicly, that we must ensure that we fund consumer organisations for worthwhile programs. This year, funds were made available in Cairns and Townsville in particular to assist people in the north and far-north Queensland with consumer information and consumer education.

The Queensland Consumer Affairs Agency has intervened and assisted in several civil penalty applications and aided in the protection of many Queenslanders. The honourable member commented that we had stopped the education aspect of the Office of Consumer Affairs. I refute that totally. That was not the point made in the Estimates committee. The point was that people from the relevant area of the office are now available to talk to consumer groups. We might have removed people from the education office but those people were transferred to client services. Those people, who have practical, hands-on experience, are encouraged to go and talk to community groups.

Of course, we have a number of Consumer Affairs offices throughout this State. From memory, the education centre was located in Brisbane and no other offices were located elsewhere throughout the State. Now, those offices have been located in various centres in Queensland. I think that it would be a pity if the member is putting out the message to people that, in fact, Consumer Affairs is not assisting community groups and encouraging education officers to go forth and spread the good word in relation to consumer education. We are certainly doing that and we are giving Consumer Affairs every encouragement and every opportunity to go forth and do just that.

As I said before, we are not trying to milk this fund to pay for salaries across-the-board in Consumer Affairs offices. Of course, we have to train people so that we have people who have special knowledge relating to consumer credit. Any funds that were expended would certainly have been expended only in that area. This evening, I am happy to move an amendment to this legislation to limit further expenditure to a percentage of the fund so that we do not go down the track of the former Government in relation to matters about which I have expressed concern previously. I refer to the Auctioneers and Agents Fund and other trust funds which were, in fact, wiped out by the former Government. That is the last thing on the Government's mind. That is the last thing that the Government wants to achieve in relation to this legislation. Again, I emphasise that, through this legislation, Consumer Affairs will become more client focused. It will ensure that we have hands-on staff in the Consumer Affairs Office who can meet the problems as they arise.

The member for Caboolture raised the issue of having appropriately qualified people. The member for Lockyer, the Leader of Government Business, raised a few points by way of interjection in that regard. I notice that the Scrutiny of Legislation Committee is keen on those words "appropriately qualified people". I have asked people, "What do they mean?" No-one can tell me what they mean. They mean absolutely nothing—a couple of words which will add nothing at all to the words that are contained already in the legislation. I say to members opposite that I would not mind if there was some sense attached to those words. The Scrutiny of Legislation Committee has never really explained what it is trying to achieve by seeking to insert those words.

At the end of the day, no director-general and no chief executive officer of a department is going to delegate powers to people who do not have the appropriate qualifications, whatever those qualifications might be. It would be a very silly and foolish director-general who would do that. I do not believe that any person, and I do not care where they are coming from, who is appointed to an important senior position within the department would jeopardise his or her position by appointing somebody who was not an appropriate person for the job. For the life of me, I have never quite worked out what those words mean. I even asked a number of lawyers what they mean. I thought that they must have some legal implication. They all fell about laughing. In fact, they thought that it was hilarious. So I am not quite sure what the member for Caboolture is trying to achieve.

Those words mean nothing but, if he is keen on those words being inserted in the legislation, we will see what transpires later when I hear an explanation for it. I think that it is fair to say that they are just a couple of convoluted words that are trying to add bulk to the legislation. I say to the member for Caboolture that, if that amendment is going to be proposed continually, we will eventually come up with appropriate words that mean something worth while. I do not know what the Scrutiny of Legislation Committee is wanting to achieve, but it is not achieving anything in that regard.

The member for Caboolture and the member for Ferny Grove raised the issue of inspectorial powers. That is a matter about which I am probably more concerned than those members, and I mean that sincerely. I have always been concerned about inspectorial powers. I understand that the ACCC has certain powers similar to those contained in the Corporations Law and the Trade Practices Act. These days, consumer legislation seems to go down the track of having these powers. That seems to have been accepted throughout the community generally. However, I still have concerns about them. It is because of that concern and caution that I try to ensure that we do not get into trouble with those types of powers. During my days in local government, I was always amazed by the powers of local government inspectors. In many respects, they have enormous powers. I am sure that they would make the powers of police officers pale into insignificance.

Mr Milliner: What about the egg inspector? Does he look under beds for chooks?

Mr BEANLAND: Yes, I can tell the member for Ferny Grove all about hens and fowl licences arising from my time in local government. If he has a couple of hours, I will give him a dissertation in relation to those matters. I can tell him some good jokes about them, too. However, I do not think that the Leader of Government Business would be very impressed if I did that.

I move on to refer to matters raised relating to private homes. I think the member for Caboolture was one of those members who raised that point in particular. I say that, in relation to this piece of legislation, there is no access to private homes. Clause 31 on page 20 of the legislation sets out exactly what a credit business place means. Under "Entry to places"—and obviously the member has not read the legislation or read very far into it—the legislation states—

> ". . . 'credit business place' means a place, other than a private dwelling."

I hope that that definition adequately covers that issue. It seems straightforward and simple to me. It says what it means. These inspectors cannot go into a private dwelling without consent or a warrant. I would hope that that definition would be accepted. I believe that it is only fair and reasonable that inspectors can go into a place of business, and they can enter without the consent of an occupier if they wish. However, to enter a private dwelling is certainly out of the question without consent or a warrant. Although I think I said that inspectors could enter a place of business without consent, they would have to get the consent of an occupier or a warrant to enter a private dwelling if they want access to books and so forth. Of course, those inspectors can get a warrant in any case during business

hours. I think that several members have indicated that that is not a big hassle, anyway. Of course, those inspectors cannot enter a dwelling house without consent or a warrant. So I think that clause 31, titled "Entry to places", clears up that concern.

The major concerns about this legislation seem to relate to the Consumer Credit Fund, and I think that I have covered those issues. The Consumer Credit Fund is the important area about which Opposition members are concerned, and I have covered those concerns. I am not talking about taking moneys out of that fund for any purpose at all. That is quite clear. I will be moving an amendment in relation to that matter. We will see whether the Opposition accepts that amendment. However, I think that the Opposition might also be moving an amendment in relation to that clause.

Just to make it quite clear, an inspector could enter a private dwelling place with a warrant. No doubt, members would appreciate that. Obviously, if an inspector gets a warrant, he or she could enter a private dwelling place. I would not like members to believe that inspectors could not do that. Under the legislation, I am sure that they can. That is the usual situation.

I think that covers the points that I wanted to make in relation to this legislation. I believe that this legislation is a major win for consumers. I have put a lot of effort and energy into this legislation. It was to come in on 1 August. In fact, I had both consumers and small-business people come to see me in relation to that matter. They wanted the legislation put off to 1 November to ensure that everyone was ready for it. I hope that they are ready for the changes that will occur tomorrow across the nation in relation to the Consumer Credit Code. This Government has endeavoured to play a significant role up front to assist consumers and the finance industry—the credit providers of this country and of this State in particular—so that they are ready tomorrow when this legislation is set in place so that we can have first-class consumer credit legislation in this State and nation.

Motion agreed to.

Committee

Hon. D. E. Beanland (Indooroopilly—Attorney General and Minister for Justice) in charge of the Bill.

Clauses 1 to 17, as read, agreed to.

Clause 18—

Ms SPENCE (8.42 p.m.): I move—

"At page 32, lines 24 to 26—

omit."

The Labor Party proposes that we omit the words—

". . . other expenses incurred in administering the consumer credit laws including, for example, salaries and training costs for officers of the department who administer or execute the laws."

I have heard the Minister's explanation that he will not spend all of the fund on the salaries of officers of his department. In fact, he is promising to earmark the fund for purposes in the department that relate to the aims of the Consumer Credit Fund.

Mr Beanland: It must be spent on executing the laws of the Consumer Credit Code.

Ms SPENCE: That is fine, but I put it to the Minister that, while he detailed how the money was going to be spent there, there is already the power to spend the fund on legal fees incurred by the department, legal expenses, costs incurred by the registrar or costs awarded by a court against the registrar. Already, a great deal of the fund is earmarked for the Minister's department for those purposes. I am sure that those in the consumer movement would agree that additional costs or moneys from this fund should not be spent on paying the salaries of the Minister's staff.

I quote once more from the Minister's 1994 speech in which he stated—

"It would also not be in the interests of the legislation, which this House is approving, to set up a fund and for the Government to turn around and use those funds to fund the Office of Consumer Affairs."

That is precisely what the Minister is doing in this Bill. The Minister is trying to tell the House, "Trust me; I am the Government. I will not spend these funds. I will only spend these funds on the salaries of those officers who are performing duties that relate to consumer credit." Why should we take the Minister's word for that? How is the consumer movement going to know that the salaries that the Minister is going to pay out of the fund are going to be paid only to those officers who are performing duties relating to consumer credit? I find that totally unacceptable. The Minister is asking for a level of trust in himself as the

Minister and in his Government which I do not believe consumers want to give.

In an article from the *Courier-Mail* of 18 August 1996, Phil Dickie stated that Ministers with responsibility for consumer affairs might not be as good at prosecuting consumer fraud as they could be, but that they are certainly good at warning consumers to read the fine print before signing off on anything. I agree that the Minister has buried this proposal to take some of the penalties paid by misbehaving banks and put them into this department rather than into consumer education, counselling and legal assistance. The consumer world does not agree with the Minister's proposal to expend the fund on paying salaries for officers of the department.

I also reject the Minister's argument that, if he does not do this, the funds will end up in consolidated revenue. Officers of the Minister's department have told me that one of the major reasons why they want the funds earmarked to pay the salaries of Consumer Affairs staff is that the Treasurer has got her eye on this fund. They say that if they do not do this——

Mr Beanland: Not the Treasurer.

Ms SPENCE: That is what I have been told. I have been told that the Treasurer has her eye on this fund and, if the fund is not earmarked for some of the costs of the Consumer Affairs Office, Mrs Sheldon will get her hands on it and the department will not get it back at all. This is an unacceptable reason for taking money from the fund. I can tell honourable members of the sort of money involved. There is approximately $57,000 in the fund at the present time. We are not talking about a magnificent amount of money which Mrs Sheldon might have her eyes on. It is a paltry——

Dr Watson: If it was $57m, you might be worried; but $57,000? I think it's safe.

Ms SPENCE: The officers tell me, "We have to do this because our Treasurer has got her eyes on this fund and, if we do not do this, she is going to gobble it up and put it back into consolidated revenue and the Consumer Affairs Office will not get it any more." We are talking about a paltry amount of money—$57, 000. This is all that there is to distribute to consumer groups in the State, and not even all of it goes to the consumer groups. Most is spent on legal fees incurred by the department. If there is a little left for the consumer groups, it is probably only tens of thousands of dollars. The Minister is now proposing to take that small sum off those groups and distribute it to pay for the salaries of his own officers.

Minister, I say that is recognition by you that your Government——

The CHAIRMAN: Order! The honourable member will refer to "the Minister", rather than "you".

Ms SPENCE: I believe that this is a recognition by the Minister that his Government is a bad financial manager. It has to have its eyes on a fund which has a paltry $57,000 in it from one year to the next. It has to use that fund to pay the salaries of the officers of one of its own departments. That shows the foolishness of putting this proposal in the legislation and it shows why the Opposition cannot accept that the Government should use the Consumer Credit Fund for this purpose.

Mr BEANLAND: I can tell the member for Mount Gravatt that I do not think that the Treasury people sit up at night worrying about $57,000. I do not think that they are going to lose too much sleep over it.

The member has to appreciate that these funds would be expended on matters other than legal fees. She listed some matters, mostly covering legal issues. We have mentioned training, but there are also matters such as education material, the investigation of breaches of the code where some of the matters of salaries might come in, answering inquiries, protecting and educating consumers and preparing advice. It is not just a simple matter of legal fees. There are other very important aspects which we should also be covering in this matter.

We have endeavoured to pay out money. One of the reasons that there is $57,000 in the fund is that I have been knocked back by an organisation, as I mentioned before, to which I was prepared to make funds available.

We are not talking about large sums of money, but we are talking about matters other than those listed in the Bill. It was put into a clause such as this one. As I mentioned before, I have foreshadowed another amendment which, if this amendment is defeated, could be put in its place such that in any financial year there must be no more than 30 per cent of the highest balance of the fund made available for the purposes covered under subclause (2)(c). I am restricting it further, but the honourable member does not appear to want to accept that, which is her right. That would then allow us to cover the other matters which I referred to.

It is not simply a matter of legal fees. It would allow us to cover educational material. Perhaps it would cover some of the salaries incurred in investigating breaches, answering queries, protecting consumers and so on, in addition to the costs of education and preparing advices. We included the word "training" because that is one of the things which we believe to be a worthwhile exercise. Instead of trying to spell out these matters, we put them into this one subclause. We are not trying to spend it all—far from it. As I said, I foreshadow an amendment which would limit that expenditure to 30 per cent, which is very reasonable and shows the intent of the Government in relation to this matter, whilst at the same time ensuring that the majority of the funds are available for these other purposes.

Mr J. H. SULLIVAN: Briefly, I seek a point of clarification from the Minister. I thought I heard the Minister say that he would use some of these funds to cover the salaries of people investigating breaches. Is it possible that people in inspectorates could be paid from money out of this fund?

Mr Beanland: Yes.

Mr J. H. SULLIVAN: I am not sure that I am happy about that. Nevertheless, I thank the Minister for that clarification.

Ms SPENCE: I wish to raise a point that the Minister has mentioned on a number of occasions in the debate tonight. I refer to the fact that some of the groups offered money out of the Consumer Credit Fund in the last round did not take up that offer. I have spoken to a number of those groups. As the Minister rightly said, they did not take up that offer of funding from the credit fund because they were receiving sufficient Federal funding at the moment. Most of the groups in Queensland have in the past and are at present relying on Federal Government funds for their funding.

Mr Beanland interjected.

Ms SPENCE: Exactly. I think the Minister is misrepresenting these groups. The Minister is making them out to be quite foolish because they have knocked back funds.

Mr Beanland: You're attacking me about it.

Ms SPENCE: I am not attacking the Minister. I am just asking the Minister not to present these groups as being foolish because they have knocked back funds. It is a sign of their integrity and lack of greed that they have been mature enough to say, "At the moment, we are doing very well. We have triennial Federal Government funding that is serving us well, and we do not at the moment need funds from the Consumer Credit Fund." However, these groups would also tell the Minister that the funding they received from the previous Federal Labor Government for the first time was adequate to meet their needs. They are not as optimistic that the current Federal Government will be so generous when next year's Budget comes down. As we all know, everyone had to take cuts in this year's Federal Budget. We expect that people will have to take cuts in next year's Federal Budget, and they expect that somewhere down the track they will have to take cuts in the level of funding they are receiving from the Federal Government. Therefore, they see this fund as a very important source for their future needs.

Mr T. B. Sullivan: If they have cut housing, if they have cut jobs programs—all of those things—they are going to cut things like this.

Ms SPENCE: The consumer groups are expecting cuts in the light of the Federal Government's previous actions. As I said, they will be relying on this fund. We would hope that they would not have to rely on receiving too much money from this fund, because there is not a lot of money in it, as we have demonstrated.

Mr Beanland: I hope it increases.

Ms SPENCE: I hope it increases and that the Minister's investigators do a wonderful job, raise a lot more money and prosecute a lot more of the nasty people out there who are doing the wrong thing by consumers.

That is the first point I would like to address, that is, the fact that just because groups have knocked back funding in the past does not mean that they will want to do so in the future. Secondly, the Minister has just detailed how he is going to spend the money on the salaries of his staff and, for example, on things such as answering consumer inquiries, educational materials and investigating breaches. These are the types of activities that officers of the Consumers Affairs Office have always carried out. The Minister is not going to introduce any new roles or duties for those officers because he is suddenly taking money from this fund to pay their salaries. The Minister is admitting that he is basically going to pay his staff out of this fund for the duties that they have always performed. One must ask why the Minister feels the need to do that. Is this Government such a bad financial manager that it has to take money from a very small consumer fund such as this one? The Opposition cannot

accept that the Minister could rob the fund in this manner.

Mr BEANLAND: Clearly, providing financial counselling services to consumers is the first item listed. Obviously, it is a priority of the Government, otherwise I would not have placed providing financial counselling services to consumers as the first item on the list of expenditures.

There is going to be considerably more work to do in relation to the Consumer Credit Code. If the member thinks that the Consumer Credit Code which will apply as of tomorrow will be like the old Consumer Credit Code, she does not appreciate what is in it. It will be very extensive and will require considerably more work from inspectoral and other staff within Consumer Affairs. If the fund remains at $57,000 or thereabouts, there will not be a cracker in the fund for any of those other areas. In fact, one would be lucky to find money in the fund to cover legal fees. By the time a few dollars are paid out to the counselling services around the State, there will not be sufficient funds to cover the legal fees. Even that would be inappropriate.

Ms Spence interjected.

Mr BEANLAND: I understand there is every chance that the fund will increase considerably once these new laws crank up. A heck of a lot more work will be involved, but additional funds should come in. I was purely providing information to the member for Mount Gravatt, who wants to attack me on the point about financial counselling services, to show that we are prepared to make funds available. I indicated to the member—she did not indicate this to me—that those groups were getting funds from the Federal Government. In addition to financial counselling services, the money will be spent on giving legal advice, improving knowledge about consumer credit and then there is the last item, (2)(c), which relates to this area.

The amendment which I propose to move should the honourable member's amendment not be successful will limit the expenditure to 30 per cent of the maximum balance. I think the honourable member will see that we are fairly genuine about keeping down any other expenditure from the fund that might occur. Such expenditure would occur if the fund suddenly came into a great amount of cash. That cash certainly is not there at the moment and may never be—one cannot tell what will happen. There will certainly be a lot more work involved in this area. It will become far more intensive right across-the-board. We want to make sure that the consumers of this State benefit at the end of the day.

Ms SPENCE: I wish to make one final point about the amendment being moved by the Minister tonight. The Minister has gone from saying that he is going to use the fund to pay the salaries of the officers of his department to saying that he is only going to use 30 per cent of the fund to do so. I would expect that anyone listening to the debate tonight would think that the Minister is a reasonable man, that he has listened to what the Opposition and consumer groups have had to say and that he has gone some way to meeting our concerns. However, that is not true. The Minister is moving this amendment on behalf of the Government because the member for Gladstone was concerned about and was prepared to vote with the Labor Party on this issue. This is a concession that the Minister has given the member for Gladstone so that she will vote with the Government on this issue tonight. I do not have a problem with that. I know that the Minister has to bow down and accommodate the member for Gladstone. In this instance, we are probably going to get a better result than we otherwise would have. But it is not accurate for the Minister to take the kudos for the amendment that he is proposing tonight. We do not find the amendment to 30 per cent satisfactory, and we will be opposing that as well.

Amendment negatived.

Mr BEANLAND: I move the following amendment—

"At page 32, after line 26—

insert—

'(3) However, the total of all payments approved under subsection (2)(c) for a financial year must not be more than 30% of the highest balance of the fund for the financial year.'."

Amendment agreed to.

Ms SPENCE: I move the following amendment—

"At page 34, line 25, after 'an'—

insert—

'appropriately qualified'."

This amendment concerns inserting the words "appropriately qualified" after "an officer". We all indulged in quite a bit of debate on this topic during the second-reading stage of the debate.

Mr Beanland: I will accept it.

Ms SPENCE: I am pleased that the Minister is going to accept the amendment.

We should all acknowledge that the Scrutiny of Legislation Committee is an all-party committee.

Mr Beanland: It doesn't mean anything.

Ms SPENCE: It does not mean anything? The committee does not mean anything?

Mr Beanland: Didn't you hear what I said before?

Ms SPENCE: I heard what the Minister said before, but he is now accepting it. I would just like to point out—and the Minister can listen for another couple of minutes—that the Scrutiny of Legislation Committee is an all-party committee. It has recommended this on numerous occasions. We as the Legislature need to take note of the committee's constant recommendations. I am very pleased that the Minister is supporting the Labor amendment on this occasion.

Mr J. H. SULLIVAN: I find myself provoked by the Attorney's interjection that "it doesn't mean anything".

Mr FitzGerald: We may change our mind.

Mr J. H. SULLIVAN: I shall not make the Government change its mind. In the first instance, I am going to indicate that I feel fully qualified to be a Minister for Public Works and Housing in respect of the issue of private dwellings. I thank the Minister for pointing out how silly it was of me to miss that provision a bare couple of centimetres away from where I was reading earlier. So I feel that I could fill that chair quite adequately.

The Minister says that "appropriately qualified" means nothing.

Mr Grice interjected.

Mr J. H. SULLIVAN: Mr Grice is right. The issue is one of long standing. I refer the Attorney to a fairly decent piece of legislation in this State called the Legislative Standards Act. What does the Legislative Standards Act say? It says that legislation should only allow delegation in appropriate cases to appropriate persons. The Attorney believes that that means something but that "appropriately qualified" does not.

The issue simply is this: I refer the Attorney-General to Alert Digest No. 4 of 1996, pages 2 to 4, where the policy of the committee is spelt out in full. It is not spelt out in every instance, but it was spelt out at that time. I think that there is something in that. Earlier the Attorney referred to the prospect of discussing another form of words that may be acceptable. I think that that would be a fairly useful thing to do.

Finally, before I sit down and let the amendment be inserted into the legislation, I would say again that the Minister for Emergency Services deserves great credit for the way in which he handled the delegation power in the legislation that passed before this Parliament a short time ago. What the Minister did in that case, whether he felt it was meaningless or not, was the right thing, and the right thing should be done until such time as it becomes the wrong thing.

Amendment agreed to.

Clause 18, as amended, agreed to.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

CREDIT (RURAL FINANCE) BILL

Second Reading

Debate resumed from 7 August (see p. 2111).

Ms SPENCE (Mount Gravatt) (9.07 p.m.): The Opposition supports the Credit (Rural Finance) Bill, which essentially gives individual farmers threatened with repossession of their machinery or vehicles some protection during times of need. It should be noted that Queensland is the only State to have legislation such as this, and we would not have this kind of Bill before the House if it had not been for the commitment of former Consumer Affairs Minister Tom Burns, who announced his intention to formulate this legislation in 1994. He saw, and I am sure all members would agree, that there are strong humanitarian grounds and there are good financial reasons for giving farmers a bit of protection against greedy creditors—for example, in grain-growing areas where farm machinery is needed at critical times to harvest crops which can often result in debts being repaid.

Legislation of this type has formerly been contained in section 116 of the Credit Act 1987, which in effect allows a court to order a moratorium of up to 12 months before farm machinery can be repossessed by a mortgagee. The rural community would have lost this section and this protection with the enactment of the new Consumer Credit Code which, as the Minister mentioned earlier,

becomes formally adopted tomorrow. Therefore, it is appropriate that the Parliament pass this legislation today to ensure that farmers remain protected. The Opposition notes the level of consultation that the department has undergone in formulating this legislation and the level of support for this level of protection to continue for our farmers.

It should be noted that the court is bound to consider a number of factors, including whether the mortgagor has a reasonable prospect of remedying a default within a year and how necessary the equipment is to the mortgagor in carrying on the farming business, before making the decision to give the mortgagor a relieving order preventing the mortgagee taking possession of the equipment. The Opposition considers it is reasonable and appropriate that courts should determine these matters.

I would like to talk about rural borrowing and lending. I wish to quote the director-general of one of our rural departments down south who said—

> "The truth about rural borrowing and lending was stated before the outbreak of World War II, by Louis Tardy . . . when he presented his report on Systems of Agricultural Credit and Insurance to the League of Nations which had appointed him."

He also said—

> "At the heart of their problem is the refusal to challenge the financial interest which is determined to achieve its ends regardless of the destruction which excessive interest rates inflict on both primary and secondary industry.
>
> How is it possible for farmers to pay 14%-15%—in interest rates plus charges—imposed on them in the name of orthodox economics?"

I am sure that all Queenslanders appreciate the fact that the outlook is still bleak for farmers in this State. I know that the Labor Party has strong ties in rural Queensland and we appreciate how already debt burdened the farm sector is in this State. I know that the rural community is looking askance at this National Party Government. They feel they have been let down in so many instances by the Government that purports to represent them.

I would like to give the House one example of how this Government is neglecting the rural community. Last week, Mr Palaszczuk, Mr Mackenroth and myself had the opportunity of attending the Rural Women's Awards in Brisbane. These awards were established two or three years ago by the ABC with sponsorship from Qantas and the Canegrowers Association. They were also generously supported by the Labor State Government, which funded them $10,000 a year for the awards. Madam Deputy Speaker, you can imagine how astonished we were in attending these awards that not one Government member saw fit to attend the important occasion of the presentation of the finalists for the rural women's award.

Mr Pearce: Because they took the $10,000 off them.

Ms SPENCE: Maybe they were embarrassed. Not only did not one Government Minister show up, they could not even send a backbencher along to represent them at these awards. The Governor, Mrs Leneen Forde, was even in attendance as a special guest, yet this Government could not send a representative there. I was embarrassed for them, as I am sure were many who attended those awards.

These awards are very important for rural women. It is an opportunity for them to receive recognition for their great efforts. The awards offer financial incentives, seminars, leadership training and training and management skills for rural women. The awards are not only about a prize or recognition but also about a chance for rural women who enter those awards to network and to gain some skills along the way. In fact, the national final for those awards is being announced tonight in Canberra. I would like to wish our Queensland contestant good luck in winning that national final.

Mr Campbell: If you were there, she would win.

Ms SPENCE: I thank the honourable member. Not only was the Government not represented at this important occasion, it does not even consider the award important enough to continue its funding. This Government has taken away the funding that the Labor Government——

Mr Pearce: A lousy $10,000.

Ms SPENCE: The Government took away the lousy $10,000 that the Labor Government contributed to these awards. Qantas and the Canegrowers Association consider these awards important enough to contribute money, but this National Party/Liberal Party Government does not see these Rural Women's Awards as important enough to give them $10,000. I think it is greatly disappointing because the ABC, which

has also been a major sponsor and which organised these awards and promoted them very successfully throughout Queensland——

Mr Pearce: Excellent in central Queensland.

Ms SPENCE: Yes, excellent—may not be able to sponsor it and put the same effort into it next year because, of course, they have undergone their own funding cuts.

In many rural sectors we see long-term decline because rural towns are losing residents who move to urban areas because they give up on the land. Economists are very mixed in their predictions about rural activity in the next decade. The latest forecast from the Queensland University Technology Economic Forecast and Business Review Centre stated that—

> ". . . the much-predicted lift in activity, prices and incomes in the rural sector as the drought ended had not eventuated.
>
> . . .
>
> 'In order to finance increases in productivity, the farm sector has increased its capital equipment financed by debt' . . ."

That is precisely what we are debating tonight, that is, a piece of legislation which is going to make it a little easier for the rural community to extend their loans in times of hardships. Everyone knows that the prices of these products go up and down, that they cannot predict what kind of profit they will make from one year to the next and that it is very difficult when they have borrowed money to make repayments in the lean years. This legislation ensures that farmers and farm producers will not have their equipment taken from them by the banks or other lenders during the lean years, at a time when they are most in need.

The legislation is very fair in that the farmer concerned would have to go to a court and convince a magistrate that he or she does have the potential to repay the debt at some stage in the future. Under this legislation, both parties of this contract will be protected in their borrowing and lending deals. This is an important piece of legislation and the Opposition is pleased to support it.

Mr PEARCE (Fitzroy) (9.18 p.m.): I would like to make a few brief comments supporting the legislation.

Mr Baumann interjected.

Mr PEARCE: The member should not keep it up; I still have those jokes I want to tell. The member should give me a break.

Mr Woolmer interjected.

Mr PEARCE: My mate Frank, the member for Mundingburra, has been in the Army, so he should know about all the Army jokes.

As I said, I would like to make a few brief comments in support of this legislation because I have a large rural electorate and because I have seen good operators go down the drain, forced off their properties because they have had bad seasons and low commodity prices have been working against them. We have to think about giving those people a fair go. When they cannot pay the bills and they cannot pay back loans, they are put in a very difficult financial situation. In many cases, all they really need is a little bit of luck where the rain falls at the right time, the crops come through, the cattle get fattened and they go through the saleyards, the grain is sold and they can get back on their feet. However, if their machinery and their transporters are taken away from them, they cannot survive. This legislation is good because it gives those people the opportunity to struggle on and to hopefully make it. I am sure that every Queenslander, every Australian, would like to see every farmer and every producer given that opportunity to make it.

The Bill allows for a relieving order which prevents the mortgagee from taking possession of or selling the farm equipment for a period of up to 12 months. If the mortgagee already has the equipment, the court can order that it be returned to the mortgagor. I think that is necessary because some of these people move in very quickly. Sometimes they move in overnight. They are there at the front gate, waiting for the farmer to unlock it in the morning; then they are in and they have taken over. If equipment has been taken and the rural producer can go to the court to have that equipment returned to him or her, those producers are certainly going to be in a better position.

Section 116 of the Credit Act allows farmers to apply to the court for a moratorium of up to 12 months against the repossession of farm machinery by a mortgagee under mortgage regulation by the Act. There are many, many stories across rural Queensland about credit providers and their attitude once they have made up their minds that they are going to close down producers who are in desperate financial trouble.

Ms Spence: Can you tell us one?

Mr PEARCE: I could mention quite a few, but I do not really want to do that tonight.

Farmers have been able to get around threatened repossession by the financier by invoking the provisions of section 116. In his second-reading speech, the Minister said—

> "However, once the Consumer Credit (Queensland) Code commences on 1 November, farmers entering into new credit contracts for the purchase of farming equipment will not come within the ambit of the code.
>
> Farming these days is a business, and as the code will only apply to credit provided for a personal, domestic or household purpose, credit extended to a farmer for the purchase of farming equipment will be outside its scope. Without specific legislation, an increasing number of farmers will not be able to apply to a court for a moratorium against the repossession of their farming equipment."

This legislation ensures that farmers will be able to continue as they have done in the past.

I support anything that can be done to help struggling producers. They have had a tough time in recent years. Even without drought, there are many factors that could cause a producer to get into financial difficulty. Being a rural producer is a business that requires people of courage and commitment. Believe me, they are out there. They deserve recognition. To be quite honest, I dip my hat to them, because they really are a special breed of people who deserve every chance to be given a fair go.

As I said, I support the Bill. However, in doing so, I urge all those people who will gain an advantage from the laws that are now in place to use it wisely and honestly. There are many hardworking, decent families on the land who could lose a necessary process of significant benefit if it were to be abused. Members who have been around the bush long enough would know that there are people out there who will abuse things that have been set up to help people when they are in trouble.

Mr T. B. Sullivan: You could probably tell us some good stories about that, too.

Mr PEARCE: No, not those ones. I want the good farmer—the good producer—to stay on the land, doing what he or she can do best, that is, produce food for export and for Australians.

I have one concern about the legislation which I would like the Minister to clear up for me. I have already spoken to his advisers about this. Can the Minister do anything to assist the many people whom I believe have been forgotten in this legislation—or it appears that they may have been forgotten? I refer to the contractors—the people who own headers and buy trucks to carry grain. They are part of a team. They usually move from northern or central Queensland, and they go south harvesting crops, particularly in the wheat season. There are trucks for grain carrying. There are also trucks for carrying cattle and heavy machinery. Those people rely on rural producers having a successful financial year. So if crops fail, rural producers fail, and contractors and other people fail.

It is not clear in the Act whether those people will actually benefit from the same provisions as those that have been made available for the farmers. I know that we have to draw the line somewhere, but it really breaks my heart to see those poor devils lose everything simply because of a drought, crop failures or an industry downturn. In common with farmers, who are defined in the Act, with a bit of luck those people could also trade their way out of trouble if they had the vehicles and machinery to do so. As I said, one must draw the line somewhere. I have raised this with the Minister's advisers, and I would like him to have a talk to them about it.

In relation to farming businesses—I know that I have to be careful how I do this, because I probably should be doing this at the Committee stage, but I ask the Minister to clear up the issue of farming businesses. In the "Dictionary" section of the Bill, "farming business" means, under part (b)—

> ". . . another business that involves cultivating the soil, gathering crops or rearing livestock."

I would like to think that the people about whom I am talking would fit into this category. However, I do not believe that it is clear enough. The Minister might like some time to look at it and study it a little more closely so that he has got it right. I would appreciate it if he could read into *Hansard* some recognition of what I am saying and, if possible, give some commitment to those people so that they have the very same protection. Without them, we cannot always have a successful harvest or the successful transportation of livestock. I believe that the Bill is excellent. It is great. It is what we need for country people, and I support it.

Mr DOLLIN (Maryborough) (9.27 p.m.): It is with pleasure that I rise tonight to support this Credit (Rural Finance) Bill 1996. The purpose of the Bill is to provide some protection to farming families, but not corporate farmers, against the repossession of their farm equipment by mortgagees such as banks and other money lenders, many of whom pounced on struggling farmers and seized their farm equipment on the eve of a harvest, when the need for that farmer's equipment was absolutely essential for his economic survival. Too many credit providers took advantage of this sort of situation. Acting like vultures, they sold off the very machinery needed, in many cases, to harvest an excellent crop that would have allowed the farmers to maintain their mortgage repayments if they were allowed to harvest the crop and sell it.

Until now, farmers have been able to stave off repossessions by financiers by invoking the provisions of section 116 of the Credit Act, which allows farmers to apply to a court for a moratorium of 12 months against the repossession of their farming machinery. This allowed farmers time to harvest and sell their crops. However, once the Consumer Credit (Queensland) Code takes effect from tomorrow, 1 November, farmers entering into new credit contracts for the purchase of equipment will not have the protection of this code. That is why it is essential that this legislation is dealt with today—to maintain the protection that farmers have had under the existing legislation.

It should be noted that Queensland is the only State in the Commonwealth that enjoys legislation such as this. We would not have this kind of legislation before this House tonight if it had not been for the commitment of the farmer's friend, Tom Burns, the former Consumer Affairs Minister. Tom did a tremendous amount of work formulating this legislation in 1994. Tom saw the need to give farmers battling to survive droughts and poor prices some protection from greedy banks and financiers. I will quote what he had to say in 1994, because I think he probably said it better than I can. An article in the *Courier-Mail* of 29 July 1994 stated—

> "Deputy Premier Tom Burns yesterday described the performance of major trading banks in country areas as 'disgraceful'.
>
> 'Some of the stories about the way people have been treated by the banks make you sick in the guts,' Mr Burns said."

The article continued—

> " 'Their performance has been beyond the pale.'
>
> Speaking before opening the first meeting of the State Government's Rural Regions Advisory Council, Mr Burns said Banks had grown fat during the good times and were now walking away from rural areas.
>
> 'They are not concerned. It's just disgraceful,' he said.
>
> Mr Burns said the Westpac bank was referred to in the bush as 'Expac'. Westpac had closed several country branches around Queensland—including Boulia, Cunnamulla, Dimbulah, Georgetown, Hughenden, Julia Creek, McKinlay, Millmerran, Miriam Vale, Monto, Proston, Tara, Texas and Yarraman—in the past two years.
>
> Mr Burns said rural communities were being made to pay for the bad lending practices by the banks during the 1980s.
>
> 'Country people shouldn't have to pay for the Bonds and the Skases,' he said. Banks were waiting 'like vultures' to sell up rural properties as soon as the drought broke, he said."

I could not agree more with Tom. I am sure that hundreds of farmers have been bushwhacked by banks and other creditors. Many of them have been bankrupted. I am sure that they would also agree.

As I said earlier tonight, the legislation is essential if farmers are to have a fair go. Can honourable members imagine how farmers must feel when they have worked and saved to produce a crop into which they have invested their last penny only to be deprived of the harvest that would put them back on their feet by an uncaring, greedy, opportunistic financier repossessing their harvest equipment on the eve of the harvest?

I have noted the level of consultation that the department has undergone in formulating this legislation and the level of support for this level of protection to continue for our farmers. It should be noted that the court is bound to consider a number of factors, including whether the farmer has a reasonable prospect of remedying a default within a year and how necessary the equipment is to that farmer in carrying on the farming business, before making the decision to give the farmer a relieving order preventing the mortgagee from taking possession of the equipment. The legislation is even-handed in dealing with both

farmer and financier. I think that all members of this House would agree that farmers need all the assistance that they can get. I have pleasure in supporting the Bill.

Mr CAMPBELL (Bundaberg) (9.33 p.m.): I have much pleasure in joining the debate on the Credit (Rural Finance) Bill. I believe that we should really be discussing rural credit. Rural credit is only provided because of debt. According to a report of the Bureau of Agricultural and Resource Economics, national farm debt ballooned to a record $17.9 billion in 1995. That report showed that that debt had increased and more than doubled in the past decade, jumping $875m a year.

If farmers in Australia are increasing their debt by $875m a year, they have to be provided with credit. I am concerned that a lot of the credit that they are receiving is credit that will not allow them to meet their repayments in a way that suits their income. If honourable members consider the circumstances of graingrowers, who have had no income for several years, they will appreciate that, although their debt has increased, they do not have the income to meet their credit.

Mr Pearce: Twelve growing seasons, some of them.

Mr CAMPBELL: In some instances some graingrowers have not received an income for 12 years——

Mr Pearce: Twelve growing seasons.

Mr CAMPBELL: In other words, that may be six years, accounting for a summer crop and winter crop.

Perhaps we need to examine this issue in more detail. Should those primary producers be attempting to grow crops in those areas if they cannot produce a crop in 12 growing seasons?

A Government member interjected.

Mr CAMPBELL: An honourable member just mentioned rabbits. I do not believe that rabbits have a great influence on cropping. I have heard that emus and kangaroos do.

An Opposition member: Galahs.

Mr CAMPBELL: Galahs do, but it is not the galahs on the other side of the Chamber that have a big impact on the grain-growing industries.

Mr Palaszczuk: Six rabbits consume as much foliage as one sheep.

Mr CAMPBELL: Being an agricultural scientist, I did not appreciate that six rabbits eat as much foliage as one sheep, as the shadow Minister for Natural Resources points out.

Mr Pearce: They are big rabbits.

Mr CAMPBELL: I believe that big debts are the problem with this legislation, not big rabbits.

A recent study of farm debt levels indicated that from 1991 to 1994 cotton producers had the highest average borrowings of $1m. The cotton industry is increasing its debt and I am concerned that when it suffers a plague the producers will not be able to meet their repayments. That is when this credit legislation becomes very important. I do not have a lot of time for cotton growers in many areas, such as when they were trying to grow cotton in the Cooper, because I do not believe that they should be out there. I am concerned that we will be considering providing more credit for industries—not just for the cotton industry; this applies to any industry that irrigates—that will become more greedy. I have never known an industry that relies on irrigation not to demand more and more and more water. That concerns me greatly, because it is a limited resource. We should take a stand and say that any industry that relies on irrigation has to put up a case as to why we should keep on providing more water. Better use needs to be made of water.

The Australian Bureau of Agricultural and Resource Economics stated that the high level of rural debt was partially a legacy of the financial sector deregulation in the 1980s, which made financial packages more freely available. That is a concern. One of the reasons why farmers have increased their level of debt and why they have not been able to meet their credit obligations is that credit has become more freely available. I believe that we have to examine the reasons why we have allowed farmers to become more indebted. That is an important issue to consider when examining not only credit and people's repayments but also why the present Government assistance programs are making the problem even worse.

In relation to farm credit, the information that is received from farm councils is important. I am very concerned that we are actually reducing the number of financial counsellors who are being provided to farmers. I think that it is important that we provide those facilities and services to make certain that people, especially farmers, do not get into difficult situations.

When we talk about credit, we are talking about something that affects farmers. The member for Fitzroy has spoken about the impact that debt has on a farm—when farmers receive a letter or notice that they are in debt, that they have not met their repayments and that they could lose their farm. Foreclosing on a farm is one thing, but many farmers are in such a difficult situation with creditors that they will lose their assets and equipment which allow them to make an income to meet other repayments.

Mrs Sheldon, the Treasurer, was reported in an article by Peter Morley titled "Farm debt reaches $4.07b" as saying—

> "10 per cent are experiencing debt servicing difficulties and a deteriorating debt situation but will continue to receive support from their lenders."

In many cases, the only way in which lenders will be able to continue to give support to people in these very difficult situations is through legislation such as this Bill. I think that it is very important that we appreciate what we are doing in that regard.

Another point that is often forgotten in relation to legislation such as this Bill—and the member for Fitzroy has raised this very important issue—is that rural industry comprises more than farmers; it includes contractors and other small-business people who service those country areas. I believe that the Attorney-General, who is in charge of this legislation, should seriously consider the points that have been made in this regard and ensure that those contractors who provide very necessary operations such as harvesting and clearing are provided with the same level of support.

Mr Palaszczuk: Would you also include roo shooters in that because they have just had to upgrade all their equipment. It is about an extra $3,000 to get their car outfitted with the necessary stainless steel tray backs and so on.

Mr CAMPBELL: I will take that interjection from the shadow Minister for Natural Resources in regard to roo shooters. I know that they have had great increases in their levels of indebtedness. Perhaps they should be considered part of the rural industry. In actual fact, the shadow Minister makes a very good point in that often we have forgotten the traditional aspects of agriculture. I believe an important and new industry is wildlife harvesting. We talk about grain growing, but I think industries that are equally important are kangaroo harvesting, emu harvesting and galah harvesting.

Mr Schwarten: Galah harvesting? Good heavens!

Mr Pearce: I think you've caught him on the hop.

Mr CAMPBELL: I have not caught him on the hop; I have caught him on the wing. I think that we are going down the wrong track. We now have legislation for wildlife management. We are going to have wildlife officers going around trying to get all of those people who are illegally trapping birds and everything else. I believe that we should make an industry out of that practice. We should licence those trappers because if they want to be able to sell those things—and the Government will get its fair share; I am talking about a fair share of 20 per cent or 30 per cent of those incomes gained through the sale of our wildlife—they will ensure that there is more wildlife tomorrow, next year and the year after. I am saying that, if we want more of something, we should farm it. If we want to make sure that fewer of them exist, we do not farm them. I do not mind standing up in this place tonight in this jovial atmosphere and saying that we should be looking——

Mr Grice interjected.

Mr CAMPBELL: I will sorry, I am not going to the Phantom; I saw it in Sydney. In many cases we do not regard such industries as viable industries. I believe that those industries are probably very important to the people out west who can investigate ways of utilising them and profiting from them. We should be trying to cultivate that industry. We are not doing that.

Over the last 100 years in this country, Europeans have made a lot of mistakes. If we in this place have the temerity to say that we have not made a lot of mistakes in the agriculture and pastoral areas, then we do not know and understand what is happening out there. It is about time that we started to accept that we should understand the environment better and cultivate and harvest wildlife so that we can make a profit out of those animals.

Mr Woolmer: South Africa has tried to do that very much with its wildlife.

Mr CAMPBELL: In many cases, South Africa has been proven right. It is a pity that the Department of Environment, at both national and State levels, has not learned from that country.

Tonight, we have talked about rural debt. One aspect that we have not touched in

relation to that matter is finance brokers. I have tried to do something about this matter. At least 10 farmers in my area have tried to obtain borrowings of $500,000, $1m, or $2m through finance brokers who have asked for up-front fees. Those brokers have taken advantage of those farmers. They have not provided them with any finance and instead have taken up to $100,000 from them. I can tell members about people in Monto and Kilkivan who have lost their farms simply because of con men and sharks who have said, "I am a finance broker, provide me with my commission up front and I will get you the loan that you cannot get from anywhere else." I tried to do something about this matter when the Labor Party was in Government. After five or six years, I was winning in an effort to get something done. However, something happened and my party is no longer in Government. I think that we should still do something about that matter.

I place on record the work that the late Roy Deicke did for the QIDC. Roy Deicke was a director of Bundaberg Sugar. He did a great job in turning the QIDC into a formidable financial institution. The QIDC is now going to be part of this megabank that is going to cost everybody a lot of money. However, I want to place on record my acknowledgment of the good job that Roy Deicke did.

Anther matter in relation to rural credit about which I want to make mention is the RAS initiative. RAS is providing credit to farmers. Any scheme that does not allow for the repayment of debt before the next expected drought is doing a disservice to farmers.

There is no use in providing credit to farmers and pastoralists and giving them a repayment period which expires after the next expected drought. The restructuring of debt is one thing, but to extend credit through the RAS scheme and give a period of repayment that is longer than the next expected drought is doing a disservice to rural industries. Until we get those types of principles into the thinking processes and policies of RAS and other schemes, we are not doing farmers a service.

If Government schemes allow for policies that actually lead to the degradation of our natural resources, they are of disservice to the State. I will take on any rural industry organisation which asks for an extension of policies which lead to further degradation of this land, because it is a disservice perpetrated by the Parliament.

For example, there have been cases where Government policies for drought feeding have actually led to further degradation of the land. We should not be following those kinds of policies. They have been wrong in the past and, unless we have policies under RAS or any other Government credit scheme which ensure that proper land management and land care principles are followed, those policies will be a disservice to our State and to our country in the long term. It is important that we act in the interests of the State and the farmers. Anything we do in terms of rural credit must be in the interests of the farmers and the State as a whole.

Mr SCHWARTEN (Rockhampton) (9.52 p.m.): I join other speakers and the shadow Minister in congratulating the Minister on following through on what was a sensible policy developed by our Government. I believe that that shows that the business of this place proceeds, to a great extent, with the goodwill of both sides of the House when there is a change of Government. I think that a lot of people in "voter land" think that there is an enormous shredder at the end of an election and that we all start with a clean sheet.

I remember the beginnings of this Bill. I ask for the indulgence of the House to outline how the Bill came to pass, because it gives a fairly important insight into how the policy which arrives in this place is made. Many people go to universities and get PhDs in public policy, and they believe that public policy is created through the mechanism of the Public Service which puts its feelers out, finds information, pushes it to the Minister and then the Minister makes a decision on it. However, I have always believed that a lot of public policy is made on the way to work. I believe that the shape of Stop signs and things of that nature are decided on the basis of what people have seen and think would be a good idea, simply because it has caught their eye. I know that a lot of public policy is made around the kitchen table. For example, a previous Minister used to get advice from his good spouse about wildlife protection and the need to create a public policy on that issue.

That is the very same Minister whom I want to give credit to tonight—Tom Burns. A lot of harsh things have been said about our Government in terms of its rural conscience. I have to hand it to the Government: it did a pretty good job of convincing people that we did not give a tinker's cuss about the people of the bush. In reality, I think that we have a fairly good record in that regard.

Mr Palaszczuk: Now they're in big strife.

Mr SCHWARTEN: They are in big strife. A benchmark of rural concerns was established under our Government. We set up the first Office of Rural Communities and, as a result, policies were formed. This Bill is actually one of the by-products of that initiative.

At that stage, the Department of Consumer Affairs was looking at the need to protect farmers who, owing to the harshness of drought, were unable to meet the repayments on their machinery. I remember well that the former Deputy Premier and I travelled from Brisbane to Charleville, down to Blackall, up to Normanton and across to Weipa in one day, and we talked to rural groups. The next day, we came back via Doomadgee, Burketown, Longreach, Bedourie and Thargomindah.

Mr Palaszczuk interjected.

Mr SCHWARTEN: Yes, it has a bit going for it, I suppose. If it rained out there it might not be too bad.

Mr Palaszczuk: They just got an extra four houses there.

Mr SCHWARTEN: Mrs Smith still has the pub there, I suppose—the dear old soul that she is. I do not know where the honourable member for Gregory is, but he might be able to advise the House on how Mrs Smith is going. She is an old and good friend of mine.

I digress——

Mr Palaszczuk: She has a bit of competition.

Mr SCHWARTEN: I ask the honourable member to please desist. I am trying to talk about a matter that is very dear to my heart!

On our trip we came across a number of people who were doing it very tough. In Thargomindah we spoke with a property owner who was about to lose the dozer he was using to push scrub down to feed his cattle. It was quite a pitiful scene. I am sure that a lot of members opposite have seen such situations first-hand. Anybody who has seen the despair on people's faces in those situations would have to be pretty hard-hearted not to be sympathetic to their plight.

I have seen some pretty dreadful situations. People talk about billionaire cockies, but I have seen some pretty broken farmers. I have been to properties where the owners really do not have enough money to purchase essentials for their kids. In one case at Richmond, a woman pulled us aside and told us that her husband was far too proud to admit that he could not buy a pair of boots for himself, even though he was walking around with cardboard inside his shoes.

Those sorts of cases really ought to unite this House in an endeavour to do something about the situation, and that is exactly what this Bill is about. As a result of the Richmond experience, we developed a policy which provided counsellors and cash to help the people who were really too proud to ask for help themselves. Up until that point, drought relief had always been focused on animals and suchlike. Nobody had thought that the families who depended on the land also needed assistance.

In that regard, I believe that our efforts were very much undersold by the Government. While politically they cannot, privately they must agree that we did a pretty good job of addressing those sorts of family issues for families on the land. I pay tribute to Tom Burns for travelling through the bush and talking to people on their properties. Tom's little trick was to send me into kitchen to get a drink of water and to see what was in the fridge. He would say, "See, I told you, digger, they were poor." In a lot of cases, there was not much in the fridge at all, and that was certainly not what I and most members in this place would be used to seeing.

I remember how the counselling policy was developed. A young lad from Richmond had to be brought home from boarding school. He could not cope and committed suicide. A week later, his mate did the same thing. We realised that those sorts of issues require there to be some sort of focus on people. That is how this Bill came to pass. Although the department and the Office of Rural Communities deserve credit for this piece of legislation, I also believe that it was due to the fact that Tom Burns was able to get out on the ground and have his staff meet with people and groups associated with the drought. The name of the gentleman from Toowoomba escapes me——

Mr Cooper: The grain grower?

Mr SCHWARTEN: No. His name was Reverend——

Mr Cooper: Park.

Mr Springborg: Noel Park.

Mr SCHWARTEN: Noel Park; that was his name. He had open access to Tom's office, and we regularly spoke with him. We went to Charleville with him. He set about putting in place assistance for families.

This legislation is based on commonsense. How can we expect people to

make a go of the land and at least try to pay back some of their debt when their means of doing that are taken away? How can anyone say to a farmer with a crop in the ground, "We're going to take the harvester off you"? That is the very means by which that farmer keeps himself and his family on the land without the assistance of RAS and so on. This legislation is so simple that we wonder why someone did not think of it before. The Minister can correct me if I am wrong, but I think this legislation is leading edge stuff in the nation.

The other issue highlighted is the lack of concern and consideration that the banks and other financial institutions have for people on the land who face grim situations. And the banks take that dim view not only of the people on the land. However, it is even harder in the case of a farmer who is working for himself on the land when the only product he can grow depends on how much rain falls from the sky. The banks just hover around like vultures in some cases, in my view, until there is a crop in the ground so that they can recoup something. The banks then went in and took control of things, in many cases by taking control of the machinery. The banks then took the crop and foreclosed on the property. There are too many instances of that happening to argue otherwise.

I have a deep concern about the loss of the QIDC. I have heard all of the arguments, and I do not think we need to revisit them. I know there is still grave and ongoing concern in rural Queensland that they are going to lose the QIDC. The focus of rural Queensland has always been on the QIDC. They believed that they got a more——

Mr De Lacy: The QIDC is dead now.

Mr SCHWARTEN: I understand that they have butchered it. The sympathetic ear that people were used to having wherever they were in rural Queensland has gone.

Mr De Lacy: The lender to the rural sector.

Mr SCHWARTEN: As the former Treasurer rightly points out, it was the lender to the rural sector par excellence in this State. Something that came home clearly to me when I worked with Tom travelling around the State was that, when no-one else would go near farmers, their one great hope was the QIDC. In many cases, that great old Australian bank the Commonwealth Bank was sending a nylon-shirted manager out to hover around places like a vulture. The Westpac Bank was sending some hobbling half-geriatric——

Mr J. H. Sullivan: I'll not have you talk about my father like that!

Mr SCHWARTEN: I suppose mine is one, too, to some extent. Some bank manager who came from Sydney was sent to swoop on the regional manager and say, "Get out there to Roma and foreclose on that property." That sort of pressure was not brought to bear on the QIDC. I really believe that, at the end of the day, rural Queensland's worst fears are going to be realised as a result of that merger. I honestly do not know why members opposite went down that path, given that the QIDC has that degree of support and sympathy amongst their own people.

The irony of all of this is that whatever we did in the bush was never going to get us any votes. In fact, I think we ended up with fewer votes in places such as Barcaldine. We really got behind. However, it is pleasing to see that Government members are also experiencing that; the vote went down at the home of the Workers Heritage Centre.

Mr Pearce: Except in some electorates where they did vote for the Labor member.

Mr SCHWARTEN: Of course.

Mr Pearce: You know—in some of those booths where we picked up some votes.

Mr SCHWARTEN: I must say that that is due to my good——

Ms Spence: If they ever have a Labor member, they would realise how hardworking they are.

Mr SCHWARTEN: Absolutely. I could not concur more with my learned colleagues. I must say of my good and honourable neighbour the member for Fitzroy that nobody serves the bush better than he does. They do not talk about Vince. Vince left the bush; he is down by the seaside near me. He is a seaside dweller. But the old bushie——

Mr Elliott: He enjoys it, too.

Mr SCHWARTEN: Why wouldn't he?

Ms Spence interjected.

Mr SCHWARTEN: They find that, when they have tied that bit of angle iron to their arm and got that biro wrapped around the finger and they have got somebody to put the mark beside the Labor candidate, they can then take the angle iron off; they then know what really good representation is, and that we in the Labor Party are really all heart and all soul.

Ms Spence: Full of hard work.

Mr SCHWARTEN: And full of hard work.

Mr De Lacy: We care about the rural people.

Mr SCHWARTEN: The warm-hearted former Treasurer, ever a quip and a jest upon his lip, ever a bag of sympathy; he was open to any backbencher who turned up at his door looking to fund some project, and always offered a welcoming smile. I no doubt see some smiles opposite. It seems that there must be something about sitting in the Treasurer's place in the Chamber that turns members into a scrooge. Suddenly, we see that they have a tiny purse with a zipper on it.

Mrs Edmond: Not the public purse.

Mr SCHWARTEN: I am pleased that the member mentioned the public purse. What a wonderful arrangement the public purse is and what a foreign object it must look like after all the snouts and hands have been in it and people have trampled all over it! It is an extraordinary instrument. I challenge any members opposite to try to find it. I asked the former Treasurer to produce the public purse—but, no, he never found it. If somebody opposite has seen it, I invite that person to hold it up in this place and produce the evidence of the public purse. I asked Bill Gunn where the public purse was. He had never seen it. I have asked Federal Treasurer Willis where the public purse was. He said that he has never seen it.

Mrs Edmond: The member for Mansfield looks as if he's swallowed it.

Mr SCHWARTEN: Ah, so the whereabouts of the public purse has been divulged! The reason the member does not smile very often is that in fact he has engorged himself on the public purse, and that is the reason that Queensland is in the predicament it is in today.

Mr Davidson: Tell me about the Masters Games.

Mr SCHWARTEN: I am pleased the honourable member raised that issue. It is an issue that is very hot on my lips. I am pleased to see that the member reads the questions on notice. I hope that the Minister will be able to oblige us with them in Rockhampton next year. I am sure that I have the support of the members for Keppel and Fitzroy. We do need to have the Masters in Rockhampton next year and to host all of the wonderful people whom the Sports Minister described.

Ms Spence interjected.

Mr SCHWARTEN: It is about time we got back to the essence of the Bill, which is rural matters.

Mr Davidson: Will you promise to compete in the Masters Games if you get them in Rockhampton?

Mr SCHWARTEN: It depends on what the nature of the sport is.

Mr Cooper: Marbles.

Mr SCHWARTEN: I could play marbles.

Mr Robertson: Would you be involved in any wind-related instruments?

Mr SCHWARTEN: No. I once did a bit of sailing, but the Fitzroy River is not one that lends itself to sailing to any great extent. There are other instruments that people play with wind.

A Government member interjected.

Mr SCHWARTEN: That is one of our main attractions—"Beat the Rocky Croc". The Minister has picked up on it very well. That is a secret weapon. I wish the Minister had not divulged it here. The media will get hold of that great attraction—that huge crocodile in the river. Being present in the Chamber, I am sure that the Environment Minister will want to take an active interest in that matter.

Mr Pearce: You may wish to enter the mutton bird shooting comp.

Mr SCHWARTEN: Certainly not! What is the member referring to?

This has almost dissolved into some form of cabaret atmosphere, which belies the seriousness of the debate before the House. It really is a serious debate. I endorse this legislation. I reiterate my congratulations to the Minister on bringing forward this Bill, which had its formulation under the former Deputy Premier and the former Labor Government in this State.

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (10.12 p.m.), in reply: I thank the Opposition for its support for this legislation. We certainly have talked about a lot of other legislation during this debate, but I do thank members opposite for supporting this particular legislation.

I will just make a couple of points. The first relates to the origins of this legislation. It flows from section 116 of the Credit Act 1987. I am not saying that the former Government did not do some work in relation to it, nevertheless it does flow from the Credit Act 1987 in which there were similar provisions to the ones being brought forward into this new legislation.

The member for Fitzroy raised a couple of points for which he sought a response. I will endeavour to do so. He referred to the

definition of "farmer" and "farming business". I refer him to the dictionary on pages 13 and 14 of the legislation. A contract harvester probably would be covered if that person's sole or principal business is cultivating the soil, even though it is other farmers' soil. Nevertheless, it would appear that such a person is covered. However, someone who transports livestock—a truckie—is not covered because the person must be in a farming business, which is a business involving cultivating the soil, gathering crops or rearing livestock. The definition does not cover carting livestock around the country. However, because what some of these people do varies from person to person and operator to operator, I suggest that they would need to seek legal advice in relation to their particular operation and their particular occupation. If they do that, it would make the matter far clearer. I hope that answers the question raised by the member for Fitzroy. It would appear that that is the position.

Although a number of other matters were covered during the debate, they certainly do not relate to this particular legislation. Nevertheless, I thank the Opposition for its support.

Motion agreed to.

Committee

Hon. D. E. Beanland (Indooroopilly—Attorney-General and Minister for Justice) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr BEANLAND (10.15 p.m.): I move the following amendment—

"At page 4, line 6—

omit, insert—

'2. This Act commences when the Consumer Credit (Queensland) Act 1994, section 4 commences.'."

This is a technical amendment to overcome the need for a proclamation to ensure that this particular piece of legislation comes into operation on the same date—1 November—as the Credit Code. This is put forward by the Parliamentary Counsel's office as a simplified method by which to achieve this. I will not take up the time of the Committee further unless members opposite wish me to. It is a straightforward technical amendment.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3, as read, agreed to.

Clause 4—

Mrs BIRD (10.17 p.m.): I refer to clause 4(2)(b). It has been suggested to me that allowing one year for the payment of a default is not long enough and that there may need to be an extension. I wonder whether the Minister considered a longer period. In some of these places they have not had a crop for some years—6 to 12 crops. Allowing only a year to remedy the default simply does not seem to be long enough, because in many cases that may be just one or two crops. I ask the Minister to give consideration to an extension of that period.

Mr BEANLAND: I thank the member for the question. Consideration was given to a longer period, but we also have to take into account the credit providers. I understand that the one-year period is provided for in the current legislation. That is the reason it was taken up into this legislation—to follow it through. As I said before, this legislation flows from the 1987 Credit Act, and we are continuing on. It was 12 months under that Act. But I take the point that the member makes. If we extend it to two years, people still might have trouble. There has to be a time factor. It was decided to continue with the 12-month period.

Clause 4, as read, agreed to.

Clauses 5 to 23 and Schedule, as read, agreed to.

Bill reported, with amendment.

Third Reading

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

JUSTICES OF THE PEACE AND COMMISSIONERS FOR DECLARATIONS LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 4 September (see p. 2424).

Hon. M. J. FOLEY (Yeronga) (10.20 p.m.): The Opposition does not oppose this Bill, but it does express its concern over the lack of Government commitment to training of properly qualified justices of the peace, particularly in remote areas.

The Labor Government introduced reforms to the role, status and training of justices of the peace. These reforms were

designed to enhance citizens' participation in the administration of justice. The office of JP is an ancient one. It does, however, continue to play a vital role in protecting civil liberties and preventing a police State. It does so because the exercise of certain great powers depends upon obtaining a warrant from a justice of the peace. So it is that if a police officer wishes to obtain a warrant to search a citizen's home or to obtain a warrant to arrest a citizen, then such a warrant has to be subject to the scrutiny of an independent officer namely, a justice of the peace.

The role is an ancient one, but it has a plain relevance to modern times, and that is why the previous Government devoted effort and energy to achieving these reforms. However, reform depends not only upon the passage of legislation in the Parliament but also upon a significant training effort in the field. The Labor Government put in place a significant training effort. The Explanatory Notes to this Bill foreshadow a reduction in training effort. The Explanatory Notes state—

> "The amendments will have a positive budgetary impact. They will reduce the need for JP training and the administrative burden of processing applications and gazettal."

That reference in the Explanatory Notes was confirmed in the Budget where we saw a significant reduction in training effort to the particular detriment of remote Aboriginal and Islander communities.

During the time that I held the office as Minister for Training in this State, I became aware of the great need in this area and accordingly the State training profile included provision for the training of persons pursuant to the reforms in the justices of the peace legislation. It is a sad thing that the current Government is showing a decided lack of commitment to this training effort, for whatever the laws are that we pass in this Chamber, the future administration of justice depends upon proper and adequate training being made available to those persons who are civic minded enough to give of their time to serve in the role of justice of the peace. It is a role without remuneration but a role very vital to the carrying out of important aspects of the administration of justice. That role is important whether it is simply the witnessing of a formal document, whether it involves the issuing of a warrant or whether, in the case of Justices of the Peace (Magistrates Court) constituting a Magistrates Court.

One of the particularly disappointing aspects of the Government's lack of commitment in the training area concerns the position of Aboriginal and Torres Strait Islander communities, particularly those in remote areas. It has to be said that the role of Justices of the Peace (Magistrates Court) can enhance the opportunity for indigenous participation in the administration of justice. It is fundamental to ensuring a better indigenous participation in the administration of justice that we should have available for interested Aboriginal and Islander persons the opportunity to engage in training.

I well recall last year having the honour of visiting the Torres Strait islands, in company with the Chief Stipendiary Magistrate and with the President of the Justices of the Peace Council, to be present at the swearing-in by the Chief Stipendiary Magistrate of a number of senior Torres Strait Islander leaders who had undergone a period of training in order to qualify themselves. The importance of this cannot be overstated. Consider the position of a Torres Strait island community; if it can deal with matters requiring a Magistrates Court on its own island, then justice can be administered swiftly. If, on the other hand, the matter needs to be referred to a Magistrates Court, for example at Thursday Island, then the difficulties of time, distance and logistics mean that justice cannot be as swift.

Moreover, the willingness of Torres Strait island leadership to participate in this project I think was an enormous vote of confidence by those people in the system of justice and it is disappointing that the Government has been winding back its commitment to the training effort. Indeed, it is ironic that, on the one hand, the Minister for Families, Youth and Community Care argues the case around the State for greater indigenous participation in the administration of justice yet, on the other hand, we see budget cuts to the necessary training. Indeed, in the Explanatory Notes to this Bill, the Attorney-General seeks to make a virtue out of the positive budgetary impact of the changes. That is disappointing. Whatever may be the outcome of the deliberations of the Law Reform Commission, I urge the Attorney-General, and through him the Government as a whole, to reconsider its position with respect to the provision of funds for training, particularly for Aboriginal and Islander communities in remote areas and indeed for other communities in remote areas.

In the course of the Minister's second-reading speech, reference was made to the number of persons who are currently JPs who would become justices of the peace (Commissioners for Declarations) upon the

deadline as it was under the previous legislation, and this legislation has the effect of extending that deadline considerably. It is of great importance that the extension of time be not simply used as a case of weakening the effort for reform. I respectfully urge the Government to use the extra time that this Bill gives it to redouble its efforts in the training area.

I should say that I was accompanied on that trip to the Torres Strait by Mr Michael Bertram, the President of the Justices of the Peace Council. That body is to be replaced with an advisory council to be established by the Minister under the Act. I should like to take this opportunity to thank Mr Bertram and his colleagues who have served on the JP Council for their fine contribution to the JP reform process.

I recall in my years of practise as a barrister that, on occasion, I would have to cross-examine justices of the peace who had issued search warrants. In those days, I am sad to say that there were some who were ill trained and who had little conception of the fact that they were exercising an independent discretion and who saw their function in some ways as signing machines or rubber stamps for warrant forms that were placed in front of them. That is not good for the administration of justice, it is not good for the Police Service and it is not good for the citizens of the State. We need to have a system whereby the office of justice of the peace commands confidence and is respected. That is what the point of the reforms introduced by the Labor Government was all about, and I strongly urge the Government to reconsider its training effort and to make sure that further funds are put into that training effort for the better administration of justice in Queensland.

Mr PEARCE (Fitzroy) (10.30 p.m.): Even though it is late in the night, I wish to make a contribution to this legislation because I have a lot of JPs in my electorate who are concerned about some aspects of it. I will be supporting the Bill. However, I would like to say a few things.

Firstly, I would like to thank the many thousands of justices of the peace and commissioners for declarations for their tireless and selfless efforts on behalf of the people of this State. There is little doubt that Queensland JPs make a tremendous contribution to our local communities by providing a vital link in the legal system chain. My constituents are lucky to be able to call on the services of more than 600 commissioners for declarations and justices of the peace. It is in electorates such as Fitzroy, which are made up of small rural and isolated communities, where the services of JPs have often proved most valuable. Those who live in small centres often do not have access to the services of solicitors or magistrates, and the duties performed by local JPs are therefore crucial.

Turning now to the legislation before us—I note that the Minister spoke of problems which have arisen as a result of the 1991 changes to the justice of the peace structure in Queensland. I feel that these changes from a single stratum of JPs to a three-tiered structure have only made the system stronger. I am definitely not disputing that there have been problems. My office has encountered quite a few of them, but they have mainly been of an administrative nature, for example, the length of time taken to process applications. I can honestly say that, since the changes were introduced, my office has been inundated with applications from constituents wishing to become JPs (Qualified) or commissioners for declarations. New applicants have certainly embraced the changes. Although some existing JPs have not been happy, there are many who have made the effort to transfer to the new JP (Qualified) level. I feel that those who have sat the exam and/or undertaken the training have benefited from the experience, as it has given them an opportunity to refresh their knowledge and understanding of JP matters.

With respect to the amendments before us today—I note the extension of the transition period for JPs appointed under the pre-1991 system to allow them to transfer to the three-tiered structure. It is disappointing that such a lengthy extension to the transition period has been proposed. The department has had five years in which to implement the new justice of the peace structure, yet it has apparently failed to do so. I can only assume that there has been a distinct lack of commitment combined with a lack of funding on the part of the department to implement these reforms. I trust that the department will now commit itself fully to implementing the reform process so that we will not hear calls for another extension to the transition period in the year 2000.

Although this extension is of concern, I am supportive of those amendments which will provide for justices of the peace and commissioners for declarations to be identified as such on Queensland's electoral rolls. Electoral rolls provide an excellent means by which members of the public can locate and contact JPs in their local communities. The

rolls are constantly updated, and this should remove problems which arise when a JP passes away. For example, I recently requested a print-out of all JPs within the town of Mount Morgan. Unfortunately, the list contained the name of a prominent JP who had passed away some months earlier.

Although I support this amendment, I fear that its benefits may be diminished unless all JPs are identified by their correct justice of the peace designation. Steps must be taken to identify those on the roll who are Justices of the Peace (Qualified) and those who are JPs under the old system. There are already documents in circulation which require the signature of a Justice of the Peace (Qualified) rather than an old system JP or a commissioner for declarations. It will therefore be just as important in the year 2000 for Queenslanders to know which JPs are recently trained, that is, Justices of the Peace (Qualified), and those who were appointed under the old system.

I turn now to those amendments which will allow for procedural changes to supposedly increase efficiency and reduce costs and confusion for the public. Section 27 of the current legislation requires the return of the certificate of registration and seal of office in a number of instances. The amendments before us today provide that a JP's certificate and seal need not be returned in instances where a JP is transferring from one level to another. It seems simple enough that this amendment will allow for greater efficiency within the department in the processing of applications. However, I feel that little consideration has been given to the very real problems which could arise if JPs do not return their certificates and seals.

Allowing JPs to keep their seals of office, which have been issued to them for a previously held office, offers enormous potential for confusion within the wider community. There is a distinct possibility that we could be faced with the scenario in which a JP accidentally signs a document using his or her old seal of office. Of course, the document would be invalidated and the whole procedure that the document supported could then be challenged in a court. Is it really worth potentially choking up our court system in order to save a few dollars on a simple administrative matter which involves keeping account of returned seals of office and certificates? I ask honourable members to imagine the significance of such a simple error if the document signed was of particular importance, such as a search warrant or a title transfer. It is therefore imperative that seals of office, which are legal marks, together with certificates be returned to the department once a person is no longer entitled to legally hold them. I know that many members here today would suggest that long-serving JPs should be entitled to keep their old certificates for sentimental reasons. Obviously, they are not aware that the department has always had a system in place which allowed for the return of these certificates—once they have been cancelled—to those JPs who have requested same.

I turn now to those amendments which will impact on the justice of the peace status of magistrates, judges, solicitors and barristers. I see no problems with those changes which will allow magistrates and judges to remain JPs for life. However, I am concerned that the legislation will permit solicitors to be appointed as Justices of the Peace (Magistrates Court) without the need to undertake further training. Such a move is particularly worrying for small rural communities where there obviously could be many opportunities for conflict of interest. Justices of the Peace (Magistrates Court) are required to undertake intensive training before being appointed to this level. Is it fair that solicitors, who have not necessarily had either experience or training in this area, should automatically be appointed to such a level? To me, this move smacks of elitism. Are we creating a class system in which only those who can afford to attend university to become solicitors will automatically be appointed to this level?

There is no question that solicitors need to have a wide-ranging understanding of the law in order to perform their duties, but this does not necessarily mean that they will automatically have an understanding of the provisions of the sentencing legislation or, in fact, are well suited to handling the often sensitive and difficult decisions made by a magistrate or a judge. My concern is that, by automatically appointing solicitors to the JP (Magistrates Court) level without the need for further training, we are taking the JP system out of the hands of the community.

I am aware of a large number of JPs (Qualified) in my electorate who are keen to upgrade to the JP (Magistrates Court) level. By automatically appointing solicitors and barristers to this position, the State will no doubt be flooded with such appointees. Given that appointments to this level were originally to be made on a needs basis only, I have grave concerns that the move to automatically appoint solicitors and barristers will prevent

others from seeking appointment as a JP (Magistrates Court). I fear that this amendment is merely a cost-saving device and that the department will now turn around and deny those who wish to seek appointment to this level in order to save the costs involved in training them. Such an inequitable and elitist system surely slams the door in the face of community justice.

The issue of automatic appointment for solicitors to JP (Magistrates Court) level also raises a number of other interesting questions. My understanding of community justice was that it was put in place to assist in preventing corruption within the Police Service and the legal system. Are we again turning back the clock to the Dark Ages? What safeguards will be established to stop collusion between the Police Service and JP appointed lawyers? Will barristers and solicitors be prepared to carry out their full duties as a JP without seeking remuneration? How many solicitors are going to be prepared to be dragged out of bed at 2 a.m. to authorise a police search warrant knowing that they will not be financially reimbursed for their efforts? Those and many more questions are yet to be answered by the Minister and the legislation before us today clarifies nothing in that regard.

I have further serious reservations in relation to the changes being proposed in this legislation. In particular, I wish to voice my concerns with respect to the replacement of the existing Justice of the Peace Council with an advisory council. I refer to the actual wording of the amending clause, which states—

> "The Minister may establish an advisory council to advise the Minister . . ."

Honourable members should note the word "may". The Minister is not obliged to establish that advisory council, and there is every concern that he will not. Why would he wish to do so, when he has never made any attempt to utilise the knowledge and expertise of the existing JP Council? I am advised that the Minister has in fact never met with the current JP Council since his appointment to the front bench. If this is true, the Minister should hang his head in shame.

During its term, the JP Council has consulted with thousands of active justices of the peace from throughout the State. It is worrying indeed that the Minister has failed to consult the very body that represents, and has at heart, the interests of the main stakeholders in this legislation, that is, Queensland's thousands of justices of the peace and commissioners for declarations.

I am also greatly concerned about the potential make-up of that new advisory council. The Justices of the Peace and Commissioners for Declarations Act 1991 sets out in some detail the parameters of the current JP Council. Unfortunately, the legislation before us today fails to do so for the new advisory council. No information has been supplied with respect to how many members are to be appointed to the council, if it is in fact ever established. No details are provided as to how those members will be selected and how the council will actually operate. I believe that the independence of the new advisory council could already be called into question before it has even been established, as the legislation before us clearly states—

> "The advisory council is to meet at the times and conduct its proceedings in the way directed by the Minister."

There is no scope to allow the advisory council to provide the Minister with independent advice on and/or assessment of issues that it considers to be of concern to justices of the peace. The advisory council will therefore be able to deal only with those issues which the Minister bothers to place before it. I do not think that that is a very satisfactory system.

This legislation proposes the establishment of a Clayton's advisory council, which will be allowed to meet only if and when the Minister directs it and to discuss only those issues that he proposes. The Minister is controlling the system. It is interesting to note that under the previous Labor administration the current JP Council was required to meet every six to eight weeks and had the scope to investigate any and all problems that it believed impacted on the role of Queensland's justices of the peace.

I am reliably informed that the council has presented the Minister with a large number of recommendations on issues of deep concern to JPs. Unfortunately, the Minister has not had the courtesy to respond to those recommendations. I find it difficult to understand why the Minister has not responded. Does he have something to hide? The council has also worked hard on a number of amendments to the existing justice of the peace legislation to which, once again, the Minister has failed to respond. Why is that happening? Interestingly enough, none of the amendments developed by the JP Council has been incorporated in the legislation before us today. That makes it clear to me that the

Minister wants total control. The amendments that are proposed in this legislation have neither been suggested nor recommended by the current JP Council. That begs the question: how much consultation took place before the preparation of this legislation?

As a member representing a large rural-based electorate, I am also particularly concerned as to whether the new advisory council will be truly representative of the interests of all JPs in this State. I note that, when appointing members to the council, the Minister—

> ". . . must have regard to the special interest, knowledge or experience a person may bring to the council."

The examples given include the needs of rural and remote areas of the State and the needs of Aboriginal and Torres Strait Islander communities. Although I appreciate that concession, the legislation does not compel the Minister to appoint a geographically represented and well-balanced council. Once again, we are seeing a body that does not have fair representation from the people who are providing services. The council will make policy and expect those people to implement it. It is important that the needs of regional, rural and remote Queensland are represented and that they are not merely paid lip-service. I need not remind the Minister that it is the remote, rural and isolated parts of this great State in which our justices of the peace play an integral and vital role in their local communities.

Mr Johnson: The real parts of the State.

Mr PEARCE: The real parts of the State. I am glad that the Minister is supporting me. He knows where my heart is. We need to have the Liberal Party thinking as the National Party thinks about rural Queensland. To fail to represent the interests of such people is a slap in the face to rural and regional Queensland. I will await the Minister's selection of his advisory council with bated breath.

On the subject of training, I am interested to know how this legislation will impact on the continuation of training programs throughout the State. My constituents have been lucky to have benefited from the services of Ipswich firm Walker Pender, which has provided excellent training programs for JPs throughout central Queensland. I have received an excellent response to that. The response from my electorate has probably been one of the best in the State. Those courses have proven to be enormously successful, and it is therefore disappointing to learn that funding for future courses may not be forthcoming. That would be a great shame. I believe also that no more funding is to be made available for TAFE-run JP courses. That will upset a lot of people. Perhaps the Minister can confirm the rumour that some $1m of Federal funding for JP (Magistrates Court) training in Queensland, which had virtually been approved, was recently rejected out of hand by his department. Was that funding returned? If it was, that is a crying shame.

I am concerned that vital training programs appear to now be in jeopardy and I seek the Minister's advice with respect to what arrangements have been made for ongoing training. My understanding of the JP reform program was that training was a vital component of its success. Without such training, the whole system is likely to collapse, and I urge the Minister to supply my constituents with answers to these questions.

In conclusion, it is interesting to note that the Minister has referred the issue of the future of this State's justices of the peace to the Queensland Law Reform Commission for consideration. I am sure that many hardworking and long-serving JPs in this State would be horrified to know that the Minister has been heard to say on a number of occasions that he intends to wind back the Justice of the Peace Program. I am told that he intends to do away with justices of the peace altogether. The question that rests uneasily in my mind is this: has the Queensland Law Reform Commission been given ministerial instructions to come back with a recommendation to scrap our justices of the peace? It would be devastating indeed if that were the case.

To my mind, justices of the peace have always been the protective barrier between police, the courts and the personal freedom of each and every Queenslander. To take that out of the hands of community-minded people and place it back in the hands of lawyers and police is to turn back the clock in this State. It would appear that lawyers have always held a strong dislike for justices of the peace who perform so many worthwhile duties free of charge for the people of this State. It is interesting that the Government would allow the future of Queensland's JP system to be decided by those who have a vested interest in seeing it scrapped. I will certainly await with interest the Law Reform Commission's final recommendations. Whatever the commission recommends, I remind the Minister that

Queensland's justices of the peace—all 65,000 of them—are eligible to vote.

Mr ARDILL (Archerfield) (10.50 p.m.): The position of justice of the peace has a very long historical record of service to the British justice system and to the population at large. I believe that it goes back to the days of Edward III. In many cases, justices of the peace were established in rural areas of England and, in those areas, were the only people who could mete out justice to the population. In many cases, some aristocratic families developed from that position. They were empowered by being appointed justices of the peace by various monarchs. Eventually, as the population grew and counties in some rural areas were established, those justices of the peace became the leaders of the local community. In some cases, they proceeded from the yeomanry right through the transition from being in control of county affairs to becoming aristocratic families and having seats in the House of Lords.

Mr Schwarten: They didn't do too bad out of it, then, some of them.

Mr ARDILL: No, some of them did extremely well out of it.

Mr Schwarten: It wasn't a bottom tier organisation for the good of all.

Mr ARDILL: According to the written history of England, some of them certainly meted out a strange form of justice. In general, they served the purpose of controlling what would otherwise be unlawful activities and keeping the King's peace, as the journals of the day put it.

Mr Schwarten: The earliest of community justice programs.

Mr ARDILL: That is right. That was the community justice program at very little cost, except perhaps to the people who were incarcerated as a result of some of the funny decisions that were made by them. In Queensland in days gone by some justices of the peace also brought down some very strange decisions. Unfortunately, I had experience of some of those decisions. For that reason, I was one member of Parliament among a number of others from both sides of the Chamber—and I refer to when the Labor Party was in Opposition previously—who pressed very heavily for a separation of the positions of qualified JPs and commissioners for declarations. That eventually came about. I remember having discussions with National Party Government Ministers for Justice. At that stage, there was strong support for a better system.

The present Minister for Justice and Attorney-General seems to hark back to the bad old days when some untrained JPs in this State issued warrants for the arrest of people on very flimsy grounds. I had the nasty experience of one JP in particular who issued a warrant for an arrest and the victim was placed in the watch-house overnight. The following morning, the magistrate threw out the case in very short order because there was absolutely no justification for the issue of that warrant. The magistrate was very critical of it.

Mr Schwarten: The names were in all police stations—ring these fellows and you'll get a warrant.

Mr ARDILL: That particular JP perhaps had a bit more nous than knowledge of the law. From that day on, the victim of that JP's activities proceeded to victimise him. That went on for a very long time and the JP complained continually to me about the fact that he was being harassed. The police complained to me about the fact that the JP was harassing them for not doing something about it. It was a very unsatisfactory state of affairs. When I started to investigate the matter, I found that there were many such instances. In those days, in many cases justices of the peace—and members should remember these were the days of the "joke"—signed warrants and also signed rights of entry for police to walk into people's property without taking any notice of the property upon which the warrant was to be issued. In some cases, JPs signed a blank warrant. In that situation, there was no end of problems. For that reason, I and many other members of Parliament pressed very strongly for the compulsory training of JPs.

I can see the need for a system of commissioner for declarations having a very rudimentary knowledge of the law in being able to witness a simple document and to be a reliable witness—a person whom the courts can regard as being a reliable witness and who put his or her name to that particular document. However, if JPs are to have the power to issue a warrant for arrest or to enable police to walk into a citizen's property in the middle of the night, it is necessary that they have a greater understanding of the issues so that they will stand up to the police and say, "No, I am not issuing that warrant. I need evidence. I need some indication that this is necessary." In many cases, particularly during the days of the "joke", the bricking and the verballing, that was not done.

Dr Watson: Yes, but also you need to put out some guidelines on what needs to be

there. That was recommended by the Parliamentary Criminal Justice Committee in the last Parliament and nothing has been acted on.

Mr ARDILL: It is necessary.

Dr Watson: That needs to be well laid out; I totally agree with you.

Mr ARDILL: In recent times, most justices of the peace who have been appointed have at least had some knowledge. Justices of the peace should not be people who just learn parrot fashion what is involved in being a justice of the peace but who are incapable of understanding it. They really should have a fair understanding of what their powers are and what their procedures should be.

Dr Watson: And laid out.

Mr ARDILL: That is right. That is what the system, which the present Minister is superseding, provided. There was a phasing-in period.

Dr Watson: You need to address it in the kind of requirements that have to be met in terms of the evidence that is required and things like that. That needs to be cleared up in the Criminal Code.

Mr ARDILL: There are certainly many additional safeguards that could be put into place and there are procedures that should be upgraded. However, we have a vastly superior system now to what we had prior to 1991. I do not think that anyone who is involved with justices of the peace would not agree with that.

Mr Schwarten: What about as a member of Parliament? Have you ever been perplexed by the question of endorsing somebody who presents himself at your office and wants an endorsement? He doesn't fill in the necessary form but asks for your endorsement. I am talking about the previous system.

Mr ARDILL: Yes, I have had that sort of situation.

Mr Schwarten: Have you knocked any back?

Mr ARDILL: Yes, I have. The situation arises all the time. In the past, I have also knocked back people without any sort of qualifications who wanted to become a JP . A member of Parliament has that right—or had that right. Now, it is much simpler. One can now say, "I do not know this person but I have no knowledge or reason to not approve it." That has taken quite a load off my shoulders, because I was determined not to sign documents for people whom I knew very well to be unsuitable. Over the years, I have refused a number of people on the basis that their reputations in the community would not enable them to carry out the duties of a JP.

Mrs McCauley: I had exactly that situation and Mr Wells went ahead and made him a JP anyway.

Mr ARDILL: Yes, particularly in the past, many members simply signed the documents without knowing anything about the applicant. At least now members can state that the person is not known to them. These days, I do not know the majority of people who come into my electorate office asking to become JPs. They have no standing whatsoever in their community, but they——

Dr Watson: They are your constituents.

Mr ARDILL: Yes, but I am not able to sign warrants and such things because I am a member of the community. In England, under the old system, JPs were people of some standing and authority in the community.

I believe that the criteria are too loose and that there are far too many JPs in Queensland. There are 63,000 in Queensland, which has a population of about 3 million. Great Britain has a population of 50 million but has fewer JPs than Queensland. Admittedly, the electorate of Fitzroy and other far-flung areas of Queensland need every JP they can get. However, in the Brisbane area particularly, and probably in most provincial cities, there far too many JPs.

Despite this, many JPs are simply not available at all times. Many people contact my office to ask for the names of JPs. We ask the person where they are located and we look up the nearest JP. People come back to us and say, "They're not available." Many people take on the role of JP but are not really fit for the job because they are not available to the community that they are supposed to be serving. In many cases in the Brisbane area, unfortunately, some people—although not the majority—put "JP" after their name only to give themselves some credence or for self-aggrandisement. The majority of JPs have the interests of the community at heart. Naturally, I do not know all JPs, but, from reports that I have received, I know that to be true.

Many problems need to be addressed, and I do not believe that the Minister is addressing them. For a start, the Minister is abolishing the council which investigates complaints about JPs, offers advice to the Attorney-General and provides some form of protection. The Minister should not have the

right to appoint an advisory council, as it is now dubbed, at his whim. The council should be permanent; its membership may change, but the council should remain as a permanent body.

Separating the system of JPs and commissioners for declarations was a great idea. That was the intent of the previous National Party Minister, although he did not get around to doing it. On attaining Government, the Labor Party did just that, with very good results. Perhaps an extension of time is needed to allow everybody who wants to obtain the necessary qualifications to do so. It is unnecessary to extend the period for the next five years, because it continues to allow people who are unqualified, and who in many cases would not have had much experience because they are simply not available to their community, to continue to have the letters "JP" after their names and to continue to issue search warrants and warrants for arrest.

The Attorney-General's decision not to maintain TAFE funding—a system introduced by the Labor Government—is another example of a very serious dereliction of his duty. As the member for Fitzroy enumerated, most country training is done by private firms. In the city area, that training has been done by TAFE. In fact, as far as I know, training has always been available through the Mount Gravatt TAFE and, I believe, the Yeronga TAFE, and it has been extended to many TAFE colleges throughout Brisbane. I urge the Minister to maintain this system, because there is no other way for the majority of people to obtain the necessary qualifications. I cannot understand why that system is being downgraded or abolished.

It is very necessary that the system is maintained, because it provides some degree of training and gives members the assurance that, when we put our signatures on documents which recommend people for the position of JP, those applicants have received some form of training. I would be very reluctant to sign a document which recommended that anyone have the power of issuing an arrest warrant or a search warrant if that person had no training. I would think very carefully before I would be willing to do that. In the old days before this system came in, if I received an application I had to delay the matter while I made inquiries of the people who were recommending the person to see whether they were able to carry out the duties of a qualified JP. In many cases, I then had to investigate the referees because they were not known to anyone in the local community either. That was a long and involved process. It is much simpler now and I appreciate that.

I believe that many people who have become or are becoming JPs should be encouraged to become commissioners for declarations. There is not enough emphasis and education about the position of a commissioner for declarations, which is a very important one. In fact, when most people approach their members, they are not really looking for a qualified JP; they are looking for a commissioner for declarations. There should be many more CDs and fewer JPs.

It should be much simpler to become a commissioner for declarations and people other than members of Parliament should be authorised to recommend them, for example, people in the legal fraternity and commercial sections of the community. That power is available to certain bank personnel, but, if I remember correctly, it is not available to the personnel of building societies or insurance offices. If other people were given the ability to authorise recommendations, I believe that would encourage more people to become commissioners for declarations with the simple requirement that they read the manual and are able to understand it. The Attorney-General should look at the possibility of giving personnel from building societies and legal offices the right to recommend people for the position of commissioner for declarations so that people do not need to approach members of Parliament.

I have spoken about a number of JPs who have not provided good service to the community. However, I do praise the great number who provide the best possible service to the community.

Time expired.

Mr J. H. SULLIVAN (Caboolture) (11.10 p.m.): As our spokesman said, we support the Bill. However, in my case, I advise the Parliament that my support is grudging; I am not a wholehearted supporter of some of the changes being made, although in some senses I can see that some consideration is necessary. With respect to other points in this legislation, I will admit that the changes are fairly useful. I congratulate the member for Fitzroy on what I think was an excellent contribution to this debate. It was certainly one that he has thought about at great length. I wish to speak about the JP Council for the moment, which is a matter of some concern to me.

Mr Ardill interjected.

Mr J. H. SULLIVAN: It is also a matter of some concern to the member for Archerfield. The Justices of the Peace Council was an advisory body set up, amongst other things, to give advice to the Attorney-General. From the Explanatory Notes to this Bill, we see that the consultation process in relation to these changes has omitted consultation with the JP Council. I thought it would have been fairly central to any sense of fair play, let alone justice, that, if we are going to abolish a body such as the JP Council and replace it with some form of advisory council, which in the Minister's second-reading speech we were told will have much wider powers and will be far more representative—and I am not sure of that; we may visit that later—we would have undertaken some discussion at least with the JP Council in relation to an intention to annihilate it. It seems to me that this move is not as it is being presented to us. I am at a loss to understand particularly what it might be. However, I do not think it is a move from which the Attorney-General can derive any credit.

The JP Council has been a support for justices of the peace in my area. I know that there have been tensions amongst groups purporting to represent justices of the peace. However, there is nothing that I could see, say or have heard which is to the detriment of the JP Council. I take this opportunity to thank the council president, Mr Bertram, and all members of the council for the sterling job they have done in the time since the legislation was brought into being in 1991. If the Attorney-General is a man of any stature at all, he, too, will express the appreciation of this Parliament of that group of individuals when he sums up in this debate.

The second issue which concerns me does so because it perpetuates a myth. On page 2 of the Explanatory Notes, quite near the top, we see these words—

> "During these five years, JPs have been allowed to retain their old powers and to transfer to the new categories by taking training courses, if they so wished."

Let me assure the Parliament for the umpteenth time that that is a falsehood. There has been no requirement for people seeking a warrant as a Justice of the Peace (Qualified) in the time that the legislation has been in operation to undertake a training course.

Mr Ardill: There has been in my office.

Mr J. H. SULLIVAN: I take the point that the honourable member for Archerfield is a self-admitted hard taskmaster for people wishing to become JPs (Qualified). However, the point really is that in order to meet the qualifying requirement in relation to knowledge of the law and the duties of a Justice of the Peace (Qualified), all that has been required is the successful completion of an assessment item. A number of people have had some difficulty with that. I know of one example in my electorate of a fellow who had to sit for the assessment item three times before he was able to qualify. This was a fellow who previously held a warrant as a justice of the peace under the old system. That is a bit frightening.

Mr Schwarten: Was he an old bloke?

Mr J. H. SULLIVAN: He had held that warrant for a considerable number of years. I do not wish to identify him, and nor would I. He was not old. He would be early to mid fifties.

Mrs Gamin: He is not old.

Mr J. H. SULLIVAN: I accept the advice of the member.

Mrs Gamin: Definitely not old.

Mr J. H. SULLIVAN: He is definitely not old. The point is that what is frightening is that this person, in order to meet the knowledge requirement for appointment as a JP (Qualified), had to sit an open-book examination three times to obtain the mark required to enable him to be assessed as passing the requirements to receive his warrant.

Mrs Gamin: I have had a couple who have had to sit it twice.

Mr J. H. SULLIVAN: That is also frightening. What it is telling us is that we have a number of JPs out there who have the inclination to perform the duties of JPs (Qualified), not to simply retain the duties of the witnessing function, who do not have the knowledge now that they should have to exercise the warrant that they already hold. That is the problem. The new system was designed to ensure that the people who were exercising these powers had the knowledge required to enable them to exercise their powers correctly. I spoke about the gentleman who had to sit the assessment item three times before he was successful and able to obtain an appointment.

I will cite another frightening instance which members on this side of the House will find somewhat amusing. It occurred at a meeting of justices of the peace in my electorate which was called shortly after the passage of the legislation by the

Attorney-General, who at that time was the Honourable Dean Wells. He was quite pro-active in promoting these changes amongst justices of the peace. The meeting took place at the old RSL at Caboolture—God rest its soul. We now have a magnificent RSL club. We had to find extra chairs, such was the number of justices of the peace who turned up to the meeting. At that meeting, one fellow admitted to the assembled gathering that he had never applied to become a justice of the peace; his appointment arrived in the mailbox one day. I can understand that.

Honourable members should remember that it was not that long ago that Caboolture was a small country town. In Caboolture at that time it may well have been determined that there were not enough justices of the peace in the community. That is the sort of problem that the member for Fitzroy spoke about. And so the Government of the day probably set about doing something to remedy the situation. As it would happen, this gentleman was of a family that had standing in the community. It was the type of family that the member for Archerfield would approve of. He was involved in community activities and so on. He happened to come from the town's most prominent Labor family, yet the National Party of the day appointed him as a justice of the peace without his making an application. Despite his standing, and despite his obvious good character in being from a Labor family, I wonder whether this man actually had the knowledge that was required to exercise the duties that he was being given the power to exercise.

The third instance that I wanted to talk about——

Mr Ardill: Before you do—can I draw your attention to the fact that members of Parliament, up until about 10 years or so ago, had a quota that they could not go beyond.

Mr J. H. SULLIVAN: That is about as silly as a quota for the number of *Hansards* that members can send out to their constituents. I am not real big on quotas, I have to say.

Mr Schwarten: The egg quota wasn't too bad.

Mr J. H. SULLIVAN: I have to retreat very quickly: milk quotas are not a bad thing, either.

Dr Watson: I thought you supported a quota of 35 per cent of women in the ALP.

Ms Bligh: That one's all right, Jon.

Mr J. H. SULLIVAN: I take advice from my learned colleague. That one is all right.

Dr Watson: The woman on your right.

Mr J. H. SULLIVAN: The woman on my right. The member has another quota that she feels is fine.

The third instance I wanted to talk about was the fellow who came into my office who was a justice of the peace under the old system and who did a lot of work as a justice of the peace under the old system. He was very keen to transfer to the new system. He was a fairly elderly fellow. He called into my office one Thursday. It was an appropriate day for him to call into my office because—and, no, it wasn't pension day—Thursday was the day that he would go to the Caboolture Police Station and sign all their warrants for them. They used to leave them on the counter for the fellow to come in and sign them. They never bothered to go and chase the JP to get the thing signed. I explained to him that he probably could get a warrant as a Justice of the Peace (Qualified), but it was the kind of excess that he was engaged in that the new system was designed to stamp out. I am not sure whether he and I parted friends. Certainly, all of these problems probably existed and do exist in areas all over the State, just as they existed and exist in my area.

This new system was designed with the actuality of the situation in mind. We read from either the second-reading speech or the Explanatory Notes that 38,000 JPs who held warrants prior to 1991 have not transferred to the new system. It is not hard to understand why. As Mr Ardill said, most of the people looking for a JP are looking for someone to perform the witnessing function, and most of the people applying to become a JP are applying to be able to undertake the witnessing function. I have discovered a new reason for becoming a JP in recent weeks.

Mrs Bird: Keep your job.

Mr J. H. SULLIVAN: Not to keep one's job; it is a much more interesting reason than that. JP courses are being offered at TAFE colleges and the like, but this seems to be happening particularly at TAFE colleges. There are a lot of people who, having completed one phase of their life, are looking for something else to do. They say, "Maybe I will do some adult education." They open up a book of the course offerings at the local TAFE college and see the Justice of the Peace (Qualified) course. They say, "Now, that sounds interesting. I'll give that a go." Those people

are coming through now to be appointed as justices of the peace—and, I might say, with excellent marks from the examination—having undertaken this process as part of adult education. When they get their JP warrant——

Mr McGrady: How about ballroom dancing?

Mr J. H. SULLIVAN: I do not think that that is necessary. Having undertaken the examination, their warrant becomes their certificate, in the same way that somebody who goes to a tertiary institution and gets a diploma or a degree gets a certificate. Those people are expressing an interest to me in going on to study to become a JP (Magistrates Court). My area is not one of those in which JPs (Magistrates Court) are necessarily required, because we have a Magistrates Court in town and a very good courthouse built by the Labor Government. But it seems to me that there is this educational/entertainment aspect coming into it. It will be interesting to see what happens once the system is in full swing—which now looks to be going to be delayed—and these people get onto a roster and the police have to come and knock on their door at 3 o'clock in the morning to get a warrant signed. I can see them dragging themselves out wondering whether or not they might maintain their warrant.

I turn briefly to the provisions of the Bill relating to the appointment of certain people who are currently excluded from appointment as a JP. In this instance we are talking about barristers, solicitors, magistrates and the like—although I believe that magistrates have an appointment already. The Minister has made it plain in his second-reading speech that section 16(2) will be amended to allow for the appointment of a barrister or solicitor as a JP (Qualified) or a JP (Magistrates Court) without requiring them to complete an approved training course. Of course, nobody is required to complete an approved training course. The local greengrocer, if he wants to become a JP (Qualified), is not required to complete an approved training course. He is required to undertake an assessment—to sit for the examination, if we want to talk about it in the terms that I am used to.

It is interesting that the Attorney considers that these people ought not necessarily put themselves out for the hour or so to sit for the course. I note that Mr Carroll, the member for Mansfield, is shaking his head on that point. I acknowledge his status as a legally trained person and one who operated in that profession. It is important for us to remember that one of the important warrants in the Terry Lewis case was issued by a magistrate and subsequently ruled invalid by the courts. Magistrates, barristers and solicitors are not infallible simply because they have some training. My understanding—and I say it is my understanding because it is information I have been told rather than information I have gone out and ensured is correct—is that there are no parts of any of the law courses available in this State which deal with the duties or functions of commissioners for declarations or justices of the peace.

I do not think it is a great inconvenience to ask anybody who wants to become a Justice of the Peace (Qualified) or a Justice of the Peace (Magistrates Court) to actually undertake the assessment item. If barristers and solicitors are so well trained, they may be able to leave the books at home and they may be able to get the 96 per cent and 97 per cent result in the assessment item that constituents of mine are achieving and feeling very pleased with themselves for doing so.

Mr Ardill: It is a problem where the solicitors are conveyancers because now they won't sign as a witness. They should be looking at becoming commissioners for declarations.

Mr J. H. SULLIVAN: That is quite true. As we say, there are other problems—for example, the sorts of problems that Mr Ardill talked about. What about a solicitor or barrister employed by the Police Service? That person is eligible to become a JP (Magistrates Court) or a JP (Qualified). He could sign the warrants for the Police Service. There are just too many——

Mr Elliott: You have talked for 20 minutes at 11.30 at night. Do you think that's responsible?

Mr J. H. SULLIVAN: I think it is important that people understand that I have not been able to talk for 20 minutes because the member just took 20 seconds of my time to entertain the Chamber with that inane interjection, which is not the point. The issue is this: some of the changes, as they are to facilitate ease of administration, are good. I am very reluctant to support the dismembering and the dismantling of the JP Council without any consultation, and I am not at all sure about the provisions where lawyers are able to once again become JPs——

Time expired.

Mr SCHWARTEN (Rockhampton) (11.31 p.m.): I am delighted to enter this debate. I have listened to the contributions

made by other members of this side of the House and they have encouraged me to participate in this debate. I am reminded of the importance of this issue by what was a frivolous interjection by a member opposite who said that we were wasting time at 11.30 at night. May I remind the honourable member that this is a very ancient order, in fact it is one of the most ancient offices of justice in the British Westminster system.

Mr Welford: Almost as ancient as you.

Mr SCHWARTEN: I would remind the honourable member who interjects from a standing position that he should dignify this place with some——

Mr Welford interjected.

Mr DEPUTY SPEAKER (Mr Goss): Order! There is too much chat across the Chamber.

Mr SCHWARTEN: Mr Deputy Speaker, I thank you very much for your protection. I respect the dignity of your office and I encourage members on this side of the House to do likewise.

The legislation before this House tonight is of great concern to people such as the member for Fitzroy. More importantly, I think the issue raised by the shadow Minister about the reduction of funding for training, which was addressed during the Estimates debate, needs to be addressed. I am fully aware of the situation in the Torres Strait. I know that the previous Labor Minister encouraged funding to train people on those remote places in these various courses, and I note that there is a cutback in the budget in that regard. As a result, the price of justice for the people in the Torres Strait is going to be increasingly beyond their reach. It will do this Government no honour to continue down that path.

I encourage the Government to listen to the arguments that have been put forward about the need to continue with that training. I know that my colleague, the member for Fitzroy, has put a lot of effort into promoting courses for justices of the peace in his electorate and I know that that has met with a lot of success. In fact, people ring my electorate office in Rockhampton asking me why I am not promoting them similarly and helping them get to Westwood and Gogango and those sorts of suburbs of Rockhampton to do the course.

Mr McGrady: How do you respond when they ask you that question?

Mr SCHWARTEN: I say that I will assist them in every way that I can to access those good courses.

Mr Welford: What a rare experience for them!

Mr SCHWARTEN: The law is a wonderful thing. The honourable lawyer who has just interjected is a great indication of why we need more justices of the peace from the ordinary rank and file and fewer lawyers. What inane interjections come from them. I am fully supportive of more and more funding for those training programs. It is an old adage that the law sharpens the mind by narrowing it. Of course, evidence of that came from that ridiculous interjection from my colleague.

I also want to mention the very serious role that JPs play that used to be taken as part and parcel of their job. When the police turned up at the trusty JP's residence, the JP felt obliged to sign the warrant, and in many cases that is exactly what occurred. The member for Caboolture highlighted one matter which featured in the infamous Lewis case. I cannot help but refer to a story when, 30-odd years ago, a couple of police constables turned up at my family home to ask my father to sign a warrant. When my father asked certain questions about the warrant, I remember the police constable saying to him, "If you don't sign it, you'll end up down in the peter as well."

Mr Johnson: Did he sign it?

Mr SCHWARTEN: No, he do not sign it, and he did not end up in the peter, either. The honourable member knows my father and he knows damned well that my father would not sign something with which he did not necessarily agree. I think that some people were intimidated by certain members of the constabulary who had the list of local JPs on the wall. As they got a refusal, they crossed that JP off the list and made their way down the list. In some cases, the JPs were spouses of police officers on whom they knew they could rely. Thankfully, the reforms that were made by the Labor Government addressed those issues, that is, the need for training people, but also taking cognisance of the fact that most JPs simply wanted to witness a document and in most cases there was no expectation that anything other than that would be done.

When I was in the Teachers Union—and the honourable member for Gregory might recall this case—I remember that, in a small town in his electorate, the schoolteacher was asked to sit on the Bench.

Mrs Gamin interjected.

Mr SCHWARTEN: I only come good at midnight. It is very important that we talk about this.

Mr Elliott: You want to watch out for your glass slippers.

Mr SCHWARTEN: I can assure the honourable member that if anyone is to turn into a pumpkin, he will be the one. He is already there. I have never been in fear of the great hour of 12 o'clock. In many ways I am nocturnal by nature and I am a very early riser. I do not need a lot of sleep.

I will go back to the story I was relating in which the member for Gregory was so interested. I am sure he knows of it. On a Saturday night, the local schoolteacher was put on the Bench. There were two JPs in the town, one of whom was the schoolteacher, and he ended up on the Bench. A shearer had got himself into a spot of bother in the town and he ended up with the maximum sentence, which was about four and a half years, for his offence. I can remember it very vividly. There was a lot of anxiety in the community because this bloke was a bit of a local folk hero who had got himself a little bit tired and emotional and a bit careless with his actions and had ended up on the wrong side of the law. The old school master was a pedantic sort of fellow who read the maximum sentence and thought that it was appropriate and he did not bother to refer the matter to another court. I know that in the Magistrates Court in the area there was hell to pay as a result of it. I can see the honourable member for Gregory smiling; he remembers it well, too.

That story highlights the need that the Labor Government saw. To be fair, I remember speaking on similar legislation when it came before the Parliament. Over a long period, many contributions have been made in this place about those sorts of anecdotes and of people witnessing documents the significance of which they did not know and that highlighted their lack of training.

I believe that the two-tiered system is standing us in fairly good stead. There are people who simply want to witness documents. I have to say that the majority of people who come into my electorate office and want to be involved in this program simply want to do that. In many cases, it is in connection with their employment. In banks, legal firms and so on there is a requirement for a JP. I cannot help thinking that there is a growth industry out there somewhere. Perhaps they know something that I do not. There has been a flurry of them through my doors in recent times. Of course, that is associated with the number of people who are volunteering to do the course. It is great that there are community-spirited people who are interested in this particular program and in performing their duties as they see them in the community. I believe that, down the track, there will be a greater emphasis on these sorts of JPs.

I believe that we will go the full circle back in time as the price of justice goes further and further from people's reach. Believe it or not, that is what is happening. The cost of justice to ordinary citizens in Australia—and everywhere else in the world for that matter—is getting further and further away from them. As all members would know, our gaols are full of people who say that they are innocent. I understand that.

Mr J. H. Sullivan: They are.

Mr SCHWARTEN: Just ask them, they will tell you! There are many people who, if they cannot get some form of legal aid, simply have to defend themselves—or whatever the case may be. I am particularly impressed with the community justice programs, which really are not about finding fault but——

Mr FitzGerald interjected.

Mr SCHWARTEN: I will keep talking now. I was not going to, but as the member has been very rude to me tonight, I will keep going.

Mr FitzGerald: I haven't been helpful to you all day, have I?

Mr SCHWARTEN: No, the member has not. And I do not intend to be very helpful to him, either.

Mr Ardill: You would have to agree, though, that the standard has improved under our system.

Mr SCHWARTEN: It could not help but improve, could it?

Mr Ardill: I worked for a JP. He was a big fellow. He used to have to be carried out to his car every night from the pub five nights a week and placed in his car to drive home, and the following morning he would be on the bench booking drunk drivers.

Mr SCHWARTEN: What was he carried out for? Was it because of his obesity, or some other problem? There are magistrates whom some people say are related to me who are guilty of the same sort of offences. I am not sure whether that is true. However, I remember going to Innisfail once and being cautioned by a gentleman in the town. He told me that my late relative who was a magistrate was guilty of a similar offence. But I find that somewhat apocryphal, being a Schwarten of temperate behaviour. I find that very hard to believe. I note that the Opposition

spokesperson has indicated that the Opposition supports this Bill, with a few reservations. I commend his sentiments to the House.

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (11.44 p.m.), in reply: I thank Opposition members for their support for this legislation. A number of members raised various issues. The issue of the amount of training was raised by several members. Some 297 JPs (Magistrates Court) have been appointed. Of those, 16 were appointed under the former Labor Government and 281 have been appointed under this Government. I say that because I believe that that shows the amount of training, work and effort put into the system by this particular Government, not by the former Government. The majority of those appointees are in the Aboriginal or Torres Strait Islands area. It is quite clear that, with this amount of work having been done, we do have a very strong commitment to this whole program.

The member for Fitzroy mentioned electoral rolls and differentiating between JPs (Qualified) and JPs (Magistrates Court) on electoral rolls. Unfortunately, because of technical reasons, I am advised that this is impossible on a computer roll. They are able to put only two initials on the roll: either "JP" or "CD". I am not happy with that. Nevertheless, because of the arrangements with the Commonwealth Government over the joint roll, that is as far as the names can be extended on the current system.

Mention has been made of training. Once we train people in these matters, they stay trained. Nevertheless, there is an ongoing training program for which money has been allocated this year. TAFE programs are being undertaken. A firm of solicitors was mentioned. I believe that it is undertaking one of the TAFE training programs. Money is still being expended in relation to the Cape York area—Aboriginals and Torres Strait Islanders. There is only one community yet to complete training. They are on track to be completed. As I said, once those people are trained, they stay trained. One would expect that, after they are trained, some of the funding to that sector would decrease. However, where there is a need to continue training people, we certainly will be doing that.

In a number of areas, particularly the country and far-western areas, there is still a grave shortage of people who are trained as JPs (Magistrates Court) or JPs (Qualified). I am concerned about that. There is no lack of training effort. The member for Yeronga raised this point also. Because of this, there will be some savings in the actual JP branch area because less stress will be placed on the resources within that section of the department. But that does not mean to say that there is not a need for continued training. As I have already pointed out, some of the technical amendments within this legislation will alleviate some of the pressures on the department. We have made every effort and endeavour to speed up the processing of these applications. I know that once a person makes an application, members are keen to have that application processed as quickly as possible.

The member for Fitzroy suggested that there could be a real conflict if lawyers are JPs. He seemed to suggest that this is something new. However, that was the situation prior to 1991, when solicitors and barristers were JPs.

Mention has been made about the reference to the Queensland Law Reform Commission. The reference is to review the role of justices of the peace in Queensland, in particular the desirability of maintaining that office in light of changing society. No doubt the Law Reform Commission will look at a range of issues in relation to this matter. It is not designed to get rid of JPs—as one Opposition member suggested a few moments ago—but it will consider a whole range of issues, including whether we need more education programs and training for justices of the peace, particularly those who take positions on the Bench. Another member raised the issue of JPs (Qualified). That issue needs to be considered, too.

The amendments will allow some 38,000 JPs to retain their powers while the program is under way. However, I do not foresee any extension of that time. The Queensland Law Reform Commission will have a good look at the role of JPs. We will examine its findings and not dillydally. Those who do not want to change over simply do not have to change over. I am sure that quite a number of those people who have not changed over will, for their own good reasons, not change over to the higher classification. Many of the reasons raised by the member for Archerfield were reasons why we have now referred this matter to the Law Reform Commission. We will certainly be maintaining the system of JP qualifications. I want to emphasise that, because it was suggested that somehow we were going to downgrade that role.

The member for Fitzroy raised the issue of the JP advisory council and went into that in

great detail, as did one or two other members. Giving the council more flexibility is one of the reasons that we are going down this track. Recommendations by the current council have been considered in relation to a number of these amendments. However, we believe that there is a need for greater flexibility in that sector. Consequently, we are considering more flexibility for the JP advisory council. The range of issues that need to be taken into account by the proposed advisory council are much broader than under the current council system. The current council includes quite a number of public servants. I hope that the advisory council will include more members of the community. We certainly have every intention of establishing that council, and with more members of the community.

Mr Pearce: Country people?

Mr BEANLAND: Yes, the honourable member will notice that the guidelines provide for country people. The current council guidelines do not contain that provision. The desire is to have more country people involved in the operation of that council. I hope that that can be achieved.

The member for Fitzroy mentioned the former JP council being required to meet every six or eight weeks. That was not the case. The procedure for calling meetings was in the hands of the council itself. That was covered in section 10. The former provision restricted the functions the council could undertake. As I said in my second-reading speech, the amendment will clarify the role of the council and give it greater scope to advise the Minister in the administration of justice.

The member for Caboolture mentioned the need for training. I think he addressed some aspects of training of both JPs (Magistrates Court) and JPs (Qualified). A person wishing to become a JP (Magistrates Court) must train and must sit an exam, whereas technically, under the regulation, to become a JP (Qualified) a person needs to only sit for the exam. People do not have to do training beforehand.

I think that answers most of the queries that have been raised by members. I again thank the Opposition for its support. I take the opportunity to thank members who have served on the current ministerial council. Many of their recommendations have been taken into account. I understand that they wrote to previous Ministers and said that there were more holes in the legislation than Swiss cheese, to use their terminology. They believed that, in some aspects, the legislation was almost impossible to enforce. I agree with that. The current council believed that the legislation required extensive amendment. We have endeavoured to pick up many of those proposed changes. We are going into this matter quite extensively, and we hope that that will improve the standard of JPs in Queensland.

Motion agreed to.

Committee

Hon. D. E. Beanland (Indooroopilly—Attorney General and Minister for Justice) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr FOLEY (11.54 p.m.): I draw the attention of the Committee to the provisions of clause 4, which establishes a new section 4 for an advisory council to advise the Minister in the administration of the Act. The provisions of that clause are in very broad terms. I ask the Minister to advise the Committee what he would propose to have by way of the number of persons in the council and, importantly, what resources would be available to that council to carry out its work.

Mr BEANLAND: The numbers will probably be similar to the numbers currently, but without public servants. I would not see that occurring. I think that was a problem of the current council. I think we ought to be able to have more community members. I hope that will include people from across Queensland—north Queensland, central Queensland and country areas as well as south-east Queensland. As to resources—I am not sure to what exactly the member is referring. Obviously, to function effectively and properly, the council will need secretarial assistance. The council may wish to refer matters to me or it may need some research work conducted from time to time. No doubt we will be able to make staff available for secretarial assistance to the JP branches. Material can be made available. I am not sure what the member for Yeronga is referring to. I envisage the resources that it requires being made available, because that advisory council has to function. It has to be effective. I hope that it can get on with the job and represent all—and I emphasise "all" because I am aware of the arguments that have ensued with the previous ministerial council; I hope that we can overcome some of those—the various JP groups in Queensland.

Mr FOLEY: The provisions of proposed new section 4(3)(b)(ii) provide for regard to be

had by the Minister to the needs of Aboriginal and Torres Strait Islander communities to be served by justices and the special needs of justices servicing the communities. Will the Minister ensure that proper liaison takes place with the committee monitoring the implementation of the recommendations of the royal commission into aboriginal deaths in custody so as to ensure that the thrust of those recommendations, which provide for indigenous participation in the administration of justice, will be respected?

Mr BEANLAND: I am happy to answer that: yes. I also hope that we can have an Aboriginal person on that council. I think that is very important. I do not think that the council can effectively function in those areas without that representation.

Clause 4, as read, agreed to.

Clauses 5 to 11, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

TRANSPORT OPERATIONS (PASSENGER TRANSPORT) AMENDMENT BILL

Second Reading

Debate resumed from 10 October (see p. 3257).

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (11.59 p.m.): The Opposition will be supporting this Bill. It would be a brave Opposition that opposed either of the objectives of this piece of legislation as outlined by the Minister. Nevertheless, it is appropriate to look at the legislation in detail to ensure that it lives up to the Minister's stated objectives and that it does not contain any other unintended or unseen adverse consequences.

The two issues that this legislation seeks to address were identified during my short time as Minister for Transport in the previous Government. During that time, the preparatory work was done and, no doubt, that work played a part in the development of this legislation. The taxi fare options paper was prepared and it was used as the basis for public consultation. The three options contained in that paper were total fare deregulation by abolishing maximum fare schedules altogether, continuing fare regulation for standard taxi fares and fare deregulation for non-standard services, or retention of total fare regulation for all taxis except for luxury taxis. The Bill embodies the second option. That is a course of action that I support.

Of course, the Bill does more than that—it removes the requirement for the maximum fare to be established in legislation. That will now be an administrative responsibility of the Chief Executive of the Department of Transport. I am not sure that the users of taxis would be keen to accept that making it easier and quicker to increase taxi fares is a good thing. It will now be incumbent upon the Minister of the day to be vigilant in watching over the department to ensure that the decision-making processes for the approval of fare increases do not simply become a rubber stamp for industry demands. I say to the Minister that he will need to monitor that closely and be diligent in that monitoring. It is one thing to give people flexibility, particularly administrative flexibility, to change fares; it is another thing to bow to industry demands when a competitive industry—an industry looking for growth in terms of its take from taxis, an industry that would be out looking for fare increases—comes to talk to the Minister about that measure. I suggest that the Minister would have to monitor that closely and, in doing so, ensure that the flexibility of licensing does not give him another headache in terms of disadvantaging the users of taxis in this State—the people of Queensland—who are ultimately the clients.

The Minister informed us in his second-reading speech that this legislation will lead to greater flexibility and also certainty for the industry to facilitate long-term planning. Although I am not convinced about the second argument, there is no doubt that the changes contained in this Bill will encourage new and, I suspect, innovative services for the users of taxis. That will be good for the industry and it will be good for taxi users.

In the case of the stated objective of providing certainty and confidence for bus operators, although we are going through a process of implementing a new system of service contracts, even during my time as Minister for Transport, the need for some change was evident. The former Labor Government launched the major and necessary reform of passenger transport services. Essentially, urban bus services in Queensland needed to be changed and the former Labor Government did that with the advent of the Transport Operations (Passenger Transport) Act 1994. Those

reforms were very wide ranging and were based, as were all the former Labor Government's passenger transport reforms, on a tripartite approach with the industry. They were based on including the interests of the Government, the service providers and the passengers in determining policy.

I might say that the idea of considering the passengers in policy making for passenger transport was a revolutionary one in Queensland. Previously, as the Minister knows, services had grown in a very hotchpotch manner. Once a service had commenced, the principal aim of the Government's policy seemed to be to ensure that the service provider's profitability was maintained. That was often achieved by merely increasing the levels of Government subsidy. Rarely, if ever, were the needs of the passengers considered. Consequently, in many areas of Queensland the levels of service provision were appalling. In some areas of the State, particularly in the urban areas of the State—and many members would be aware of this because it impacted on people in their electorates—services did not commence until 9 a.m. and, in many cases, they were finished before 5 p.m. That made it extremely difficult for people to commute to and from work. With very few exceptions—and I say only a very few exceptions—night-time and weekend services were virtually nonexistent. They just were not there.

At the time, the average age of some of the urban bus fleets—and there is still this problem to a degree—was more than 20 years. In this day and age when we are looking to provide a passenger transport system that is effective, efficient and works to the benefit of passengers, that is just unacceptable.

When the Labor Party first came to Government and looked at this matter, the legislation was out of date. It was also too restrictive on business and it was designed more to stop or to inhibit the development of new services rather than to encourage innovative or greater flexibility in service delivery. At that time, the Act regulated almost every section of the industry. The streets that the buses could use were regulated, where buses could stop was regulated and the routes upon which the buses could travel were regulated.

It always intrigues me that, although members of the National/Liberal Parties talk about the regulation on business and the red tape and how it stifles innovation, how it stifles industry, how it stifles the growth of new industries and how it stifles competitiveness in industry and in Government, they are some of the biggest regulators going. The previous legislation was a good example of that. That legislation, which covered the delivery and the provision of these services, was highly regulated—down to the length of skirt, shorts and socks that the drivers could wear. That is how highly regulated this industry was. Time and time again it surprises me to hear the members across the Chamber criticise the former Labor Party Government for the micro-economic reform that it put in place, particularly in the area of passenger transport as well as other areas, when, in Government, their efforts have been quite the opposite. They have been highly regulatory. In fact, had it not been for the initiatives of the Goss Government, had it not been for the Goss Government realising that there needed to be major changes—significant changes; dynamic changes—in this sector and taking that on board, there would have been no micro-economic reform, there would have been no benefiting the people of Queensland and there would have been no satisfying the people of Queensland in the area of public transport. The previous legislation was just a relic of a bygone era. It was just typical of how the former National Party Government had allowed services to run down and it was just typical of how it closed them in, controlled them and regulated them.

The fact of the matter was that Labor was determined that user needs should be the primary determinant of the type, nature and frequency of services and infrastructure to be provided. In short, the passenger transport industry would be a professionally managed industry with a consumer and commercial focus. That is what the former Labor Government set out to achieve, that was the mechanism and the prerequisites that were used, and that is actually what was put in place.

After decades of torpor in the bus industry, it was an ambitious program. Over the last two years, we have learned much about the industry and the difficulties of this brave new era. As I said earlier, in Government, Labor identified the need for changes to this legislation. It is disappointing that the changes proposed today address only a very narrow range of concerns. Nevertheless, I acknowledge that the advice provided to me by the department suggests that further finetuning of the reforms will be forthcoming in the not-too-distant future. Let me make no mistake, Labor welcomes the Government's commitment to continuing the

industry reforms which it initiated. They are well-regarded reforms and well worth continuing. Quite simply, if members looked at the various areas where bus contracts have been let across the State, regardless of some of the teething problems, they would see where there have been advantages to the local communities. If members looked at the new bus timetabling in Cairns, they would see that it is now a bus service that meets the needs of Cairns City and the surrounding districts. It also meets the needs of what is a very important tourism sector in Cairns.

Mr Ardill: It would be the first time.

Mr ELDER: Very much so. I take that interjection. It is the first time. The former Labor Government received criticism for that. Members would recall the criticism from the member for Mulgrave and the member for Barron River about the introduction of these services and how they were not meeting the needs of the community. The reality is that I have heard very little since they have been in Government, because they have realised that it was a very innovative and necessary move not only to assist people who live in their electorates and in the inner city of Cairns but also, as I said earlier, to actually deal with the dynamic and ever-growing tourism requirement in Cairns. Now every 15 minutes one can get buses into the centre of Cairns. Regular services run early in the mornings for those who commute to work and late at nights for those who use the busses for social and tourist activity.

Mr De Lacy: I even take the bus myself these days.

Mr ELDER: Mr De Lacy not only supported the initiatives of this Government but also continually showed his acceptance and support of those initiatives in a practical manner. That is a good example.

The member for Cairns is so right; for the first time he can actually take a bus to work. That was never the case under the administration of the previous National Party Government. It was not the case until these reforms were introduced. Yes, there are some teething problems in Townsville and other areas. However, as the Minister knows, in the longer term the services in places such as Townsville and Rockhampton—the areas where the Government has been critical of the introduction of those particular contracts—will bear fruit and provide necessary and much-needed services for these major cities.

For the Government to be critical of them now, as it was in Opposition, will be to cut off its nose to spite its face. Since the change in Government, I have heard very little criticism except, of course, from the member for Albert. However, if the member for Albert had some courage, he would go to his Minister and talk about the concerns that he has with Clarks Transport, rather than try to create a political beat-up to score some brownie points. The member for Albert has to realise that he is now in Government. I know that he, in particular, will only be there for a short time, but he is in Government and he should stop making excuses. He should see his Minister about the changes that are necessary. If he believes that there are gaps in the system, he should talk to his Minister about that because they have a contractual obligation. The member for Albert has very little understanding, which is a pity and a shame. If he had some understanding, he would realise that he is the member for Albert and that he is in Government; he has the capacity to create change through his Minister. All he has to do is to actually see the Minister and ensure that the changes take place. It is as simple as that.

Mr Baumann: They will be fixed—no doubt.

Mr ELDER: They will be fixed?

Mr Baumann: Yes, we will fix the problems that you left.

Mr ELDER: They weren't the problems that were left; they were within the contract that was negotiated. All that has to be done is to resolve the contract. The member is full of wind and water.

The changes are imperative, and I know that. However, I do not want to see a change to the tripartite approach of ensuring that the needs of passengers are included in the policy considerations, because that was the hallmark of the reforms that we put in place. I said that I would highlight some of my concerns with the legislation and my first concern is that there not be a move away from the tripartite approach.

I am also concerned about the changes to the funding arrangements. I welcome the funding arrangements, which are designed to encourage the operators to enter new contracts. However, in my view, they do not go far enough to allay some of the industry's concerns. There is a growing belief in some sections of the industry that the funding provisions in the new contracts that are reinforced in this Bill may not be sufficient to encourage operators to enter into the new commercial service contracts, particularly in areas where patronage increases are doubtful.

This is a vital area of policy resolution that the Minister has to address urgently, because these concerns are coming from industry. I accept that this legislation provides a start, but I still have some concerns.

Under no circumstances should we ever go back to the days when passenger needs were always subjugated to the needs of the operators and, at some stages, were totally ignored by the operators and by Government. The Minister should be under no allusions that some sections of this industry, as he well knows, will hanker for what I will call the "bad old days". He will come under some significant pressure and I hope that he resists that pressure.

I acknowledge the difficulties associated with litigation over compensation payments between new operators and their predecessors in many of the areas where the contracts have already been let. Undoubtedly, some of those problems were unavoidable. Nevertheless, the Government has a role to play in solving the problems in some areas.

A classic concern of the industry, which has been raised with me, involves Coachtrans. The industry is concerned that the new owner of Coachtrans was sold a pig in a poke by the former owner. This case has been raised and the Minister has a role in resolving the problem. The Minister will come under great pressure to be seen to be resolving that particular issue evenhandedly and fairly. I expect that the Minister will do that and will not be seen to be fixing up a mess for a political mate.

Mr Johnson interjected.

Mr ELDER: The Minister knows that many people in the industry will be watching the developments on this issue, because they are anxious about the direction that will be followed. The sooner that the Minister lays down the direction clearly, backs the continuing reforms and gives a commitment to the needs of passengers, the better—the better for the industry and the better for all concerned. I understand that the Minister and the industry have established a timetable for addressing some of those areas of concern and I welcome that.

A number of concerns about this legislation have been raised by the Scrutiny of Legislation Committee. Although the concerns have not been met by the Government as I understand it, because there will be no amendments to the Bill—that is, the concerns raised by the committee have not been addressed in amendment form—I am satisfied with the information provided to me by the department. It seems to me that the Minister needs the transitional period. There are approximately 800 school contracts and a plethora of normal contracts to determine, and the Minister will need the extra time. I understand and appreciate the difficulties that the Minister has, as I had when I was the Minister, in trying to resolve the contractual arrangements, particularly the inequity for those who move into new contracts as against those who have older contracts that are better off in terms of the funding arrangement. I accept what is put forward because it will help to resolve that, and sufficient time will be needed to do that. Whilst the Scrutiny of Legislation Committee had concerns about the length of time, I accept the fact that that time will be needed.

Undoubtedly the road ahead will not be easy for the industry, and the Government faces many challenges. We will watch how the Government works through these changes. As I said earlier, I have some concerns that the Government has not gone far enough. The Opposition will be looking to see that those changes are made and that they do not erode the central planks of the reforms that we put in place when in Government. The Minister will need to be acutely aware of the needs of the bus industry throughout regional Queensland—which will also place some pressure on him in terms of competing interests—and the taxi industry. As the Minister will recall, flexibility in the fare arrangement will provide a better, more acceptable and fairer service for regional Queensland. Again, the Minister will come under significant pressure from various companies and sectors. I hope that he is strong enough to resist that pressure and ensure that these reforms continually come through the system.

I am also concerned about where the Government is heading with respect to contracts and the bus industry. It is one thing to put the contractual arrangements in place, but it is another thing to develop a real commitment to public transport. A side issue, but one which is close to my heart, is the Government's commitment to busways. It is one thing to get the bus contracts and service provision right. The other important thing which has to be put in place is the infrastructure. The infrastructure is desperately necessary.

It is not in the Government's interests to delay the Busways Project for another 12 months. The Government has committed $8m to the project in this Budget. Essentially, as

the Minister acknowledged in the Estimates committee hearing, all that funding allows for is the planning and the necessary paperwork. That money will not provide one brick or stretch of bitumen in the construction of that busway.

As I said, it is one thing to put in place the contractual arrangements and to have a system ready to roll, but if it is going to work efficiently for those people who live in the growth areas of Brisbane, and particularly in the outlying and fast-growing areas around Brisbane, the Government needs the busways and the infrastructure to be in place. As I see it, the Government is not committed to doing that—not in this year's Budget. The most worrying aspect for me concerns the Government's out-years funding, in that it will be dependent on funding from dividend returns or asset sales. That funding will not necessarily be allocated to the Budget through consolidated revenue. That is a concern.

Unless funds are dedicated to the development of a busway system that can provide efficient transport links between the outer areas of Brisbane, it will not matter what the Government does in respect of its contractual arrangements which require timetables to be met. Unless the Government provides the infrastructure, which was one of our commitments in Government, the system will always be flawed. The Government can get it to run efficiently; however, the flaw will be that there is insufficient busway infrastructure to make it work.

At the end of the day, it has to work. That is why we need the two components. The first component is to get the commercial operators' contractual and service provider arrangements in place. The other is to make sure that the infrastructure is built and that its funding is committed. I would like to see from this Government a commitment from consolidated revenue which is not based on asset sales. The fact that the Minister has walked away from our $20m annual commitment and has committed only $8m is a bit of a shame, and to me it demonstrates the Minister's complete lack of support for public transport and his complete lack of commitment.

Mr Hamill: The abandonment of the Busways Project is particularly worrying. Look at the Brisbane Busways Project.

Mr ELDER: Exactly; we have only to look at the Brisbane Busways Project.

Mr Hamill: It was $100m.

Mr ELDER: That is a very worrying development indeed.

The primary provision of services for passengers is what this Bill is about, as well as the encouragement of professionally managed and commercially focused outcomes for those in the industry. I hope that the Minister can maintain that. We will be watching to make sure that the changes which the Government puts in place are continued and that he does not walk away from the reforms that we have put in place.

Hon. V. G. JOHNSON (Gregory—Minister for Transport and Main Roads) (12.24 a.m.), in reply: I see my good friend sitting beside the Opposition spokesman. However, I will be fairly lenient with him tonight.

Mr Hamill interjected.

Mr JOHNSON: Does the honourable member want me to start up? I have about 10 pages of notes here.

I thank the honourable member for Capalaba, the Opposition Transport spokesman, for the support that he has shown tonight in debating this piece of legislation. It is a very important piece of legislation in so far as it will bring some commonsense back into the industry, especially the taxi industry. The member made reference to a few issues. Taxi fares have been the only public transport fares in Queensland specified in subordinate legislation. Thus, increases in taxi fares required the approval of the Governor in Council. What we are about is changing that. Over a period, this has caused a lot of disruption to industry and unnecessary cost. It has also resulted in increases in fares. The industry has endured a lot of disruption over some time, which is something that the industry did not need.

Taxi fare increases will be based on the cost index by KPMG independent consultants, and this index will be reviewed annually and updated quarterly. The chief executive will now have the power to do exactly that. Costs will be calculated on those items relevant to the motor vehicle operation; they will be mentioned quarterly by the director-general; and they will be granted on a yearly basis to iron out the irregular increase.

The Opposition spokesman has also made mention tonight of some of the issues in regard to which he is concerned that I might not follow through. He hopes that there is no hidden agenda. I assure the honourable member that there is no hidden agenda. This is an industry that I believe is very precious to the people of Queensland, who need very good passenger transport operations, whether it be taxis, buses or any other type of

passenger transport. There is no hidden agenda. Our intentions are to get it absolutely right. Whilst I recognise that the former Government did put in place the transition from the old Act to the new Act under the passenger transport operations legislation, it must be agreed that there are still a lot of flaws in the structure as such, and that is exactly what we are trying to iron out. With the close working cooperation that the Opposition has shown tonight, I believe that we can do that.

I do not think it is about criticising the industry. The industry has worked very closely with the Government. It has done so over the eight months that we have been in Government, especially the taxi and bus industries. I believe that we can resolve a lot of those anomalies. The Opposition spokesman said that this could be a short-term measure. It certainly is a short-term measure. We have a long way to go and we will certainly address those anomalies as we progress down the path to putting in place a remedy that will make all facets of the passenger transport industry the best in the Commonwealth. That is our agenda; it is the agenda that I have been given to proceed with.

The Opposition spokesman made mention of concerns about pricing contracts from the point of view of industry and passenger needs. The first thing that we have to consider are the needs of passengers. After all, passengers are what public transport is all about.

Mr Hamill: Hear, hear!

Mr JOHNSON: My good friend just spoke up. Somebody told me that he had choked in the bar, but he did not; he is back with us.

Mr Hamill: I beg your pardon?

Mr JOHNSON: Somebody told me that the member had choked, but he is back with us. Has the member had a couple of drinks?

Mr Hamill: No.

Mr JOHNSON: I will have a couple of drinks with the honourable member later.

Mr Hamill: You will have to shout.

Mr JOHNSON: I will do that for the honourable member.

However, the one thing that the honourable member did say was that he hopes that the bad old days will not return and that I will not yield under pressure. I can assure the honourable member that I will not yield under pressure. Although there are a lot of anomalies with some of the contracts currently in the bus industry, they will be resolved. I will make sure that they are resolved by working closely with industry and the people to whom those contracts apply. I will address the problems confronting both those people and my departmental officers. I assure the member that although there are still a lot of anomalies within the industry, we will resolve the problems.

In respect of the coach industry—the honourable member mentioned Cairns and the 15-minute service. It is all very well having those services every 15 minutes, but at the end of the day it is about the profitability of the people who are running those operations. The honourable member would have to agree with that. That is something that concerns us. Not only the operators of that service but also others down the coast are running at a big loss at the moment.

Mr Elder interjected.

Mr JOHNSON: I take the member's point. At the end of the day, I do not think anybody in this Chamber is in the business of seeing those operators going to the wall. We want to make sure that this legislation is going to be supportive of all facets of industry, whether it be the taxi industry, the bus industry or whatever.

The honourable member raised the issue of the tripartite approach and asked whether it will continue. Yes, it will continue, and passenger needs will be paramount. I have just addressed that. Industry absolutely and fully supports the transitional funding arrangements that the honourable member mentioned. Each contract has review mechanisms to look at performance and can consider funding issues. That all goes hand in hand with the industry.

As the hour is getting late, I do not intend to dwell too much longer on these matters. However, I will touch momentarily on the issue of the busways. The member said that there is only $8m in the Budget this year for busways. Busways are high on our agenda for public transport in the south-east corner. Members opposite were the masterminds of the early stages of the Integrated Regional Transport Plan. As the member would be well aware, the expressions of interest for the IRTP closed today, 31 October. From here on, I believe that the IRTP will have a great deal of input into how those busways are going to be constructed, where they will be constructed and how they will benefit the people in this part of the State, whether it be Brisbane, the Gold Coast, the near north coast or wherever.

Mr Hamill: You're at your most eloquent at half-past 12 in the morning.

Mr JOHNSON: Any hour of the day, I am ready. I take that interjection from the honourable member. He likes to be disruptive.

Mr Hamill: I just wanted to give you words of encouragement.

Mr JOHNSON: I thank the member very much. I know that he supports me. He does support me, doesn't he?

Mr Hamill: Absolutely.

Mr JOHNSON: Good on you!

Mr Hamill interjected.

Mr JOHNSON: I ask the member to listen for a minute.

I reiterate that busways are high on this Government's agenda. Public transport is high on our agenda. The member mentioned some of the anomalies. Those anomalies will be addressed by this Government. We will not be walking away from the hard issues.

The last point I will make before resuming my seat is that the people who are confronted with a lot of heartache due to problems with bus contracts and other contracts throughout this State can be assured that this Government will address those issues. The honourable member for Ipswich was the architect of this. He is the bloke who created this problem—I give him the mail. I have looked through my speech during the debate on the passenger transport legislation in 1994. Does the member want me to quote a few things from that speech? He would not listen to me then.

Mr Hamill interjected.

Mr JOHNSON: I will certainly take the grin off the member's face! It turns out that I was right after all. The then Minister would not listen to me. Listening is one of the virtues of life, and he ought to learn that. I reiterate that this Government will resolve some of these problems.

I thank the honourable member for Capalaba, the Opposition spokesman, for the support of the Opposition in bringing about the change that is needed to bring some sanity, some credibility and some profitability back into the passenger transport industry in this State.

Motion agreed to.

Committee

Hon. V. G. Johnson (Gregory—Minister for Transport and Main Roads) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr JOHNSON (12.35 a.m.): I move the following amendment—

"At page 4, line 6—

omit, insert—

'2. Sections 4 and 5 commence on a day to be fixed by proclamation.'."

Mr Elder: Where is it?

Mr JOHNSON: Does the member not have a copy of it? I apologise to the honourable member. I did not realise that he did not have a copy of the amendment. This amendment stipulates that sections 4 and 5 commence on a day to be fixed by proclamation. As it currently stands, clause 2 states that this Act commences on a day to be fixed by proclamation. So this amendment addresses clauses 4 and 5.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 15, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

GRIEVANCES

Carruthers Inquiry Enabling Bill

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (12.39 a.m.): I table for the House a draft private member's Bill titled the Carruthers Inquiry Enabling Bill 1996. Under the Standing Orders, it is not possible for me to formally introduce the Bill tonight. However, for the information and consideration of honourable members and the people of Queensland, I now table this draft Bill. It is my intention to formally introduce this measure when Parliament resumes on Tuesday, 12 November, and as this is a most urgent matter, I will seek leave to have the Bill passed through all stages on that day. The tabling tonight enables adequate public and parliamentary consideration.

I intend to discuss this draft with Mr Clair, the Chair of the Criminal Justice Commission, and invite public comment. Because of the importance of this Bill, the appropriate and proper thing to do is to table it in this House. Such communications with the CJC should be open and transparent and available to public scrutiny. To do otherwise would have the

communications open to misinterpretation. Yesterday I asked the Government to take action in relation to this matter, and it refused. As leader of a constructive Opposition, I am now acting on behalf of the people of Queensland.

In the public interest, this afternoon we took the initiative and approached the legal representatives of Mr Kenneth Carruthers, QC, with a draft Bill and this evening have, together with the shadow Attorney-General, Matt Foley, and the member for Murrumba, Dean Wells, conferred with them and received advice that the Bill will satisfactorily address the concern over independence raised by Mr Carruthers. I stress that neither Mr Carruthers nor his legal representatives initiated this matter. They were approached by the Opposition, and they merely responded to a draft Bill and our approach. Once I received that advice from Mr Carruthers' lawyers, I had an obligation to put this matter before the House, and I now do so.

Time expired.

Dental Health

Miss SIMPSON (Maroochydore) (12.41 a.m.): The coalition Government has received a ringing endorsement of its management of oral public health in this State. In the October issue of the Australian Dental Association newsletter, the Queensland President, Dr Ian Thompson, expressed his support for Health Minister Mike Horan's efforts to fund the services previously provided by the Commonwealth dental health program following the Federal Government's axing of it. Dr Thompson also noted the provision of $352,000 as additional funding for rural and remote incentive programs and $100,000 for investigations into the establishment of an oral health centre in Brisbane by Mr Horan and stated that, in relation to the Commonwealth dental health program replacement funding and these initiatives, the coalition Government should be applauded.

In addition, the coalition Government has also allocated $20,000 for minor capital works to aid the hospital flying dentist located in Longreach to service 18 towns in the Longreach area which had previously been unable to access dental services. Dr Thompson said—

> "Mr Horan is to be congratulated for his lobbying efforts as the allocation (in the State budget) did indeed contain provision for replacing Federal money ($10 million).
>
> . . .
>
> Mr Horan is the first Minister to make definite provision for an oral health centre rather than just providing verbal support."

Dr Thompson also expressed his optimism that Mr Horan's initiatives would attract dentists back to rural areas. The recognition of the coalition Government's achievements and continuing commitment to oral health in this State by this objective and distinguished authority, the State President of the Australian Dental Association, is a significant accolade.

In addition to Mike Horan's growing achievements in solving the problems of our public hospitals and other health services after the ruinous Labor years, he can add real progress in improving the oral health of the State to his list of accomplishments for the coalition. Members for Brisbane Central, Capalaba, Mount Coot-tha, Currumbin and their ilk should take note.

Time expired.

June Quarter Growth

Hon. D. J. HAMILL (Ipswich) (12.43 a.m.): Earlier this year, the Treasurer rushed to claim credit for favourable economic data which was collected during the term of the former State Labor Government. On 19 September, the Treasurer issued this statement, and I table it, welcoming June quarter growth and claiming that the coalition had kick-started the Queensland economy since February. However, the Treasurer is now not as enthusiastic about her Government's economic performance.

Last week, the Queensland State Accounts for the June quarter 1996 were released without the Treasurer's usual fanfare. A short perusal of this report explains why the Treasurer was strangely silent. In the first full quarter of the coalition's management of the State's economy, economic growth slumped. Queensland's quarterly real trend growth in gross state product fell from 1.1 per cent in the March quarter to only 0.4 per cent in the June quarter. The June quarter figures for the rest of Australia highlight Queensland's abysmal performance, with the rest of Australia recording economic growth at twice the rate occurring in Queensland.

Further evidence of the failure of this Government to deliver on economic growth can be seen in the alarming trend in the

State's unemployment rate, with a continuing upward trend in unemployment under the coalition Government. In trend terms, Queensland's unemployment rate has risen relentlessly since March when unemployment was running at 9.1 per cent. It was 9.2 per cent in May; 9.3 per cent in June; 9.4 per cent in August and 9.5 per cent in September.

This is the product of the Treasurer's capital works freeze. This is the product of this Government's scrapping of the Goss Government's accelerated capital works program. This is the product of this Government's talking down the State's economy.

Economic management is adrift under this Treasurer who is not up to the task. Furthermore, the bleak Budget forecast of unemployment running at 9.3 per cent reveals a State economy in the doldrums and unable to offer hope to those who are unemployed, and with few employment prospects for this year's school leavers who will soon flood the labour market.

What is more, the Treasurer's Budget has made the situation of our young people even worse by her attack on youth employment and training programs.

Time expired.

Corinda State High School Speech Night

Mr HARPER (Mount Ommaney) (12.45 a.m.): It is with pleasure that I stand to commend a group of fine young people. On Wednesday night, I had the pleasure of attending the 37th annual speech night of the Corinda State High School. I would particularly like to praise the staff, the principal, Bernadette O'Rourke, the deputy principals, Denise Pfuhl, John Cleeton and Russell Burguez, and all of the staff. The work they put into the school was well and truly on display on Wednesday night. They have built a strong school community and are to be praised for that.

The speech night was a credit to all of those involved. One part of the evening those attended were able to enjoy was the musical entertainment provided. I would particularly like to praise Earl Winterstein, the musical teacher, and the other teachers involved. The young musicians were all very professional and very entertaining. While not wanting to single out individuals, some praise has to be given to the singing of Vicki Chandler and Skye Parker and the piano performance of Adam Johns.

Another thing that stood out on the night was the way in which the young people ran the evening. They had organised it, and it ran very smoothly. Once again, I would like to mention a few of those people, particularly Lisa Armitage, Venessa Steele, Liam Tovey and Kathryn Potter. Also, the two students Ai Tran and Nam Tran, who were named dux of the school, were a credit to the school and their own families.

All the other students involved during the evening certainly showed that they are fine young people. I believe that the staff can be proud of their efforts and the results they have achieved. Also, the parents can be proud of their fine young children, and the fine group of young people there can certainly be proud of the efforts that they have obviously put in over their years of schooling and in the way they approached their speech night. Looking at those people, I can say that our State certainly has a bright future. I would like to add my congratulations to the students, staff and parents involved in that school and in their speech night.

Time expired.

Minister for Natural Resources

Mr DOLLIN (Maryborough) (12.47 a.m.): The Honourable Minister for Natural Resources is totally out of his depth not only with those interest groups which are in the unfortunate position of having to deal with him but also with rural resource producers, rural organisations, the timber industry and his own party.

I imagine Mr Hobbs must be getting sick of receiving motions of no confidence regarding the decisions he has made as a Minister of this Government. It would be interesting to note just how many faxes the Minister has received calling on him to get his act together or to get out. I would love to have been a fly on the wall at the Nationals in the North meeting, at which I understand the Minister was given an awful bagging by his own party members.

They do not love Mr Hobbs out in south-west Queensland, either. The Minister's inaction on the issue of cotton growing on the Cooper has not gone unnoticed by the cattle industry and he is still not trusted by them. The Transport Minister has had the intestinal fortitude to make his position plain on the matter, but what of the responsible Minister—nothing but humbug. His indecision was taken as support for the proposal, and what other inference could be taken? The

Minister should not hide behind this rubbish about departmental progress. The graziers want to know where he stands on this issue. His actions on this issue have not only been an embarrassment to his party but also show that he is out of touch with the bush, its properties and its people.

The Minister is obviously incapable of making a decision. This has been plain by his inaction on the 15 per cent retention of native forests existing in Queensland prior to 1750. Perhaps Mr Hobbs' attitude to forestry policy gives us an indication on what he is really thinking. Recently, the Minister made it clear to a meeting of key forestry industry leaders that he was wiping his hands of forestry policy in Queensland. He appears now not to be taking any further part in it. The Minister stated that he no longer cared whether or not Queensland achieved the Regional Forestry Agreement with the Commonwealth. He wants nothing more to do with it. Where does this leave the timber industry?

Time expired.

Synthetic Playing Surface, North Cairns Reserve

Ms WARWICK (Barron River) (12.49 a.m.): I would like to take this opportunity on behalf of myself and my colleague, the member for Mulgrave, to congratulate and to thank the Minister for Sport, Mick Veivers, for approving funding of $354,000 to the Cairns Hockey Association for the replacement of its synthetic playing surface at the North Cairns Reserve. The new surface with help ensure that hockey in Cairns continues to prosper and that the reserve will remain a world-class hockey venue.

The sport of hockey in far-north Queensland has blossomed since the installation of the synthetic playing surface in 1991 to a stage where it is now played all year round by more than 2,200 people of all ages. That represents a large number of the sports-playing community in the area. In addition, the Cairns Hockey Association has hosted three international tournaments in the last six years as well as 10 home games for the North Queensland Barras in their first three seasons in the national competition. I am pleased to say that the Minister and this Government have decided not to stand by and let the deterioration of the existing surface set the sport in Cairns back 10 years.

In spite of rhetoric perpetrated by the member for Cairns, this Government does not ignore the north. As we all know, the race is now well and truly on to attract international teams for pre-Olympic training. I understand that the Cairns Hockey Association already has nine expressions of interest from other countries. This will be a great boost to my area in terms of economic value. Far-north Queensland is perfectly placed to attract those international athletes and teams, and the new surface will certainly help attract hockey sides to Queensland for practice in the run-up to Sydney 2000. I place on record my congratulations to the Cairns Hockey Association members who have worked tirelessly in the past six years.

Time expired.

Workplace Reforms

Mr ROBERTS (Nudgee) (12.51 a.m.): Last week, the Minister for Training and Industrial Relations released his information paper "Directions for the Future", which outlined Queensland's proposed new industrial laws. And what a bleak future it outlines for Queensland workers. Members should make no mistake about it. What the coalition is all about is a deliberate strategy to weaken the bargaining power of ordinary workers. The Government will do this by weakening the role of the Industrial Relations Commission, weakening the award system, weakening the right to strike, weakening the role of trade unions and weakening the unfair dismissal laws to make it easier to sack workers. And out of all of this will come a strengthening of the bargaining power of employers.

The coalition talks about flexibility. The main form of flexibility that will flow from this legislation is the downwards flexibility of wages. This is the experience of other countries that have substantially deregulated their labour markets. Wage inequality will grow as the more vulnerable in the community are unable to secure fair wage bargains. What we are heading for in this country is the emergence of a new class of worker: the working poor. This is the experience in New Zealand, it is the experience in the United States and Britain, and this will be the experience for many Queensland workers as a result of the proposed legislation.

The certainty of this occurring is confirmed by the Minister's refusal to give the guarantee that no worker will be worse off as a result of his legislation. Why will he not give this guarantee? He will not, because he cannot, and, if he did, it would undermine the main objective of the legislation, which is to deliver

cheaper labour to the marketplace. The Minister claims that his proposals will lead to employment growth. The only employment growth that will come from this legislation will be in low-paid, low-skilled, temporary jobs with no future. The Government's new industrial laws are bad news for Queensland workers.

Children's Week

Mrs WILSON (Mulgrave) (12.54 a.m.): Children's Week, traditionally held at the end of October, was yet again an avenue for parents and children to interact at various activities held throughout the State. The theme for this year was "A Caring World Shares—in this the International Year of Eradication of Poverty". Although I do not believe that poverty will ever be eradicated, nevertheless, the theme was a good one.

This year, Children's Week celebrated its twenty-fifth year, and the week acknowledged a commitment to increased community awareness of the needs, interests and achievements of the younger generation. The Government supported—as it has done over the years—many community groups which provided common ground where parents and carers in day care centres or shopping centres or, indeed, people who just attended at centres or parks, met together. Displays featuring various child-care options, brochures on child abuse prevention, health, nutrition, domestic violence awareness and the like were set up in shopping centres to highlight the responsibility which all of the community has to ensure that all children have the opportunity to grow and learn in a happy and safe environment.

Universal Children's Day, held on the Wednesday of that week, focused on our global children and provided an opportunity for our young to identify with children of other countries to become aware of their culture and needs. National Playgroup Day fell during the week, too. That day saw clusters of playgroups throughout the State meeting together in halls, in homes or in parks for a day of celebration.

Children's Week always has been successful in the community because the community at large comes together to focus, parents find time to learn to play with their children, and children learn to interact with others. I commend Children's Week and look forward to next year's participation by all the various community groups and the continued support by our Government and the officers who spent a lot of time in supporting the groups within the community.

Time expired.

Merinda Meatworks, Bowen

Mrs BIRD (Whitsunday) (12.56 a.m.): The decision by Thomas Borthwicks to close the Merinda meatworks at Bowen shows that Nippon has no commitment to its employees or, indeed, any social or economic commitment to Bowen's economy. The threat that the meatworks will not reopen unless significant changes are made to production work practices is no way to achieve change. It is a bit hard for workers to commit to change when no commitment has been given by management to reopen the plant. It is a bit rich for employees to be accused of having inadequate work practices when successive plant owners at the Merinda plant have failed to inject major capital into the plant to make it a more productive and competitive plant. If the work practices and the awards are inadequate, then so are the management practices, and so is the plant.

Most companies establish good working relationships with their work forces and engage in good work practices by announcing what their short and long-term philosophies, goals and plans are. Without this information, workers cannot make constructive judgments about the long-term viability of the Bowen meatworks.

Thomas Borthwicks' management needs to be condemned for the way that they treated their permanent maintenance employees in the recent sackings. Those employees could have availed themselves of voluntary redundancy packages if they had been told that the plant was to close at the end of the 1996 kill season. Those employees were committed to entering into a new phase of change and were prepared to show their loyalty and commitment to Thomas Borthwicks by not availing themselves of the voluntary redundancy packages. Their reward for that commitment and loyalty was that, while discussions were taking place with union officials in Mackay about the future of the Bowen meatworks, management were in Bowen sacking their employees. Not only did they sack them without following the procedures laid down by the Queensland Engineering Award but their redundancy packages were significantly less than those that were offered to staff employees. I trust that, with the intervention of the State

commission, those workers will receive a fair remuneration.

Time expired.

Workers' Compensation

Mrs CUNNINGHAM (Gladstone) (12.58 a.m.): A matter that has been of concern to the community and to this Parliament for some time now—although a Bill has not yet been tabled—has been the matter of workers' compensation. After many hours of discussion with the Minister for Training and Industrial Relations, I have now advised him formally that I will not be supporting the call by Mr Carruthers for a 15 per cent ceiling on common law access. I also will not be supporting——

Mr Welford: Kennedy. You said "Carruthers".

Mrs CUNNINGHAM: I beg your pardon. I will not be supporting Mr Kennedy's recommendation for a 15 per cent ceiling on access to common law. I also will not be supporting the journey claims and the recess claims abolition. I also will not be supporting the 42 days irrevocable choice.

I believe that, with the many initiatives that have been taken within the workers' compensation proposals to sharpen up eligibility or to sharpen up the qualifications or the terminology for workers' compensation, full access to common law should be retained. In balance with the recommendations put forward by Labor, I believe that, on the advice that I have been given, there is a high probability or a high expectation that the fund will return to a very sound position. I advise the Parliament of my position on that prior to its becoming public knowledge.

Kangaroo Shooters

Mr PALASZCZUK (Inala) (12.59 a.m.): The extraordinary meeting of kangaroo shooters held in Charleville this week has the full support of the Labor Opposition. The meeting was necessary because of the wildly conflicting statements from the Minister for Environment. Some days he denied that there was going to be an increase, and other days he said that there would be a massive increase. There has been no consultation with the industry after weeks of uncertainty about the proposed increases. Apparently, kangaroo shooters do not rate highly with the National Party in Brisbane. The rural areas are recovering from years of drought and low commodity prices and require a fair go from the Government.

When Labor was in State Government, Treasury put this proposal up to the Goss Government. Honourable members opposite should listen to this: our Government had a process whereby every Cabinet submission had to have a rural impact assessment before it was passed. In that case, the rural assessment said that it was a nonsense to introduce that proposal for rural communities, so it was rejected. Unfortunately, National Party Ministers take rural areas for granted and think that they will wear any increases because people will vote for them anyway. One Minister, Mr Lingard, has spent $600,000 doing up his ministerial office. All the National Party Ministers simply want to do is enjoy their comfy offices in Brisbane and not get out and talk to the people. I would be happy to take any submissions to the floor of the Parliament on behalf of the roo shooters.

The action of the Government is hypocritical. On the one hand the Government has its begging bowl out in Canberra for an extra $100m for drought relief, while on the other hand it is secretly planning to tax struggling farmers through roo licence increases and oil and tyre taxes. Those planned fee increases show that the National Party heartland is not safe from this high-taxing, Borbidge/Sheldon Government, which shows time and time again that it is prepared to abandon the bush.

Visit to North-west Queensland

Mr MITCHELL (Charters Towers) (1.01 a.m.): Recently I completed a four-day visit to north-west Queensland with my parliamentary colleagues the Minister for Health, Mike Horan, and the member for Mirani, Ted Malone. Our visit took us to the north-west centres of Charters Towers, Hughenden, Richmond, Julia Creek, Cloncurry and Mount Isa. In each of those centres we inspected hospital and community health facilities. We also met with health staff and a number of community members.

On our trip we announced a number of new initiatives that will provide major improvements for health services in north-west Queensland. In Charters Towers we announced the additional allocation of $30,000 to upgrade a medical position at the hospital. That will make it possible for local women to have their babies in their own home town. Up until now the women of Charters Towers had to travel to Townsville to have their

babies. This caused considerable stress to mothers and a major upheaval for the families. Recruitment for that senior medical officer position can commence immediately. At Julia Creek we announced $25,000 for minor works at the hospital. At Cloncurry we announced $170,000 to upgrade the hospital emergency department and $140,000 to upgrade the medical clinic in town. In Mount Isa we announced a funding package of $450,000 for new anaesthetic equipment and improvements to medical and general accommodation.

It has been the coalition Government's goal to ensure that health services are given back to the bush. That did not happen over the past six years with the members opposite. The Borbidge/Sheldon Government has been swift to implement a number of key Statewide health policies, which will have a direct impact on improving health services in rural Queensland. The initiatives we were able to announce for north-west Queensland show clearly that the commitments we have made to the bush are being converted into action.

Ms P. Hanson

Hon. J. FOURAS (Ashgrove) (1.03 p.m.): Recently the Prime Minister blamed the media for promoting the racially prejudiced, ill-informed and intolerant views of Pauline Hanson. Tonight, I want to condemn the role of the National Party in aiding the promotion of Ms Hanson's unacceptable views. The National Party member who organised the trip to Bribie Island said on ABC radio that it is about time that the agenda was given to dinky-di Aussies, not to those ethnics.

Mr Veivers: What are you worried about?

Mr FOURAS: It is people such as the member for Southport and the member for Mansfield who have also played a role.

Mr VEIVERS: I rise to a point of order. I find those comments offensive and I ask that they be withdrawn.

Mr FOURAS: I withdraw.

Mr SPEAKER: Order! The honourable member has withdrawn.

Mr FOURAS: We have come to realise that, with regard to what is happening both in this country and outside, we are in serious trouble. It is about time that people such as the member for Southport accepted the reality that we can no longer have a view that allows racial prejudice. I think it is about time that the National Party through its branches and through its members in this House told Ms Hanson that she no longer has acceptable views to this country, and that our going down the intolerant road of Ms Hanson would lead to extreme social costs and very large economic costs to Australia. It is about time that people such as the member for Southport did not have five bob each way, decided to put their true position on the agenda and stopped playing a role in providing a venue for Pauline Hanson's extremist views.

Time expired.

Pandora Foundation

Mr TANTI (Mundingburra) (1.05 a.m.): The Pandora Foundation was established in Townsville by members of the Townsville business community to raise $2m to provide for completion of the retrieval and conservation of Pandora's contents between 1996 and 2001. The artefacts, including those already raised, will be displayed in a new wing of the Museum of Tropical Queensland—MTQ—in Townsville. The project also includes the relocation of the Queensland Museum's Maritime Archaeology Centre and the appointment of a materials scientist to the MTQ.

The Pandora Foundation was officially launched on 18 June 1996 at a private champagne reception at the Sheraton Breakwater Casino in Townsville. It was attended by the Premier of Queensland, Rob Borbidge. During the evening, Mr Borbidge, on behalf of the State Government, committed $17.5m to the new wing of the MTQ, which will display and house the Pandora collection, to be open by mid 2000. The success of the campaign launch and the Premier's commitment of the $17.5m addition to the MTQ were instrumental in setting the tone for the fund-raising campaign.

The Mayor of Townsville also announced a $500,000 contribution to the Pandora Foundation from the people of Townsville. Keith Brazier, campaign chairman stated—

> "The campaign has attracted significant interest and is gathering momentum. The City Councils of Townsville and Thuringowa, the State Government and statutory authorities are generously supporting this ambitious project. Thuringowa Council has pledged a $100,000 contribution over the next five years and the State Government will match the Pandora Foundation's funding with an additional $1 for every $2 raised."

As at 2 October 1996 over $1.8m has been raised, 84 per cent of the $2m that is required.

I would like to acknowledge some of the Pandora Foundation sponsors.

Time expired.

SPECIAL ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (1.07 a.m.): I move—

> "That the House, at its rising, do adjourn until 9.30 a.m. on Tuesday, 12 November 1996."

Motion agreed to.

The House adjourned at 1.07 a.m. (Friday).

QUESTIONS ON NOTICE

867.Public Housing, Inala Electorate

Mr PALASZCZUK asked the Minister for Public Works and Housing (11/9/96)—

With reference to the two very large vacant blocks of land situated at Biota Street, Inala and at Abelia Street, where the department has removed or demolished a number of existing dwellings to provide new pensioner accommodation, and medium density accommodation on the vacant sites—

(1) Will the new buildings be constructed; if so, when will construction commence?

(2) If not, what does the department intend to do with the vacant land?

Mr Connor (14/10/96): The Department is currently investigating the future use of the site.

879.Public Housing Rentals

Mr HOLLIS asked the Minister for Public Works and Housing (11/9/96)—

With reference to his Ministerial Statement of 5 September where he discussed varying private sector rents between areas and as the proposed public housing scheme devised by his Federal Liberal counterpart will remove competition in the rental area by the abolition of a public housing construction program—

Will he and his Government take steps to enforce rental price controls to protect the less fortunate in our community?

Mr Connor (14/10/96): Rent controls have not been considered by this Government.

887.Rural and Regional Development Initiatives

Mr MULHERIN asked the Premier (12/9/96)—

(1) Will he provide a summary of any rural and regional development initiatives which have been implemented by his Government since taking office, that is, those initiatives attributable to the Coalition Government which have funding allocations in place and those which have been fully operationalised?

(2) Will he provide a list of all proposed new rural and regional development initiatives which he intends to implement during this term and how much he estimates each initiative will cost?

(3) Will he give a commitment to compensate regional communities for some of the services to be lost as a result of the Howard Government's decision to close down the Regional Development Division; if so, which services will he be targeting as priority areas?

Mr Borbidge (14/10/96):

(1) At the time of the Government coming to office early in 1996, many programs targeted at rural and regional Queensland were in place. One of the first priorities for the Coalition Government was to reassess existing programs and determine those areas in need of urgent review. Consequently, programs targeted at rural and regional Queensland are now refocused on addressing priority needs of communities to maximise their opportunities for economic and social development. The response to Question 2 outlines some of the major initiatives included in the 1996/97 Budget which are targeted at rural and regional Queensland. These improved initiatives are more in tune with the Government's "back to basics" policy.

(2) This Government places a high priority on ensuring much needed services are provided to rural communities and to stimulating a rural resurgence through innovative regional development programs. The recent State Budget has been welcomed by primary producers and country business people alike. The following list from the Budget Papers gives an indication of some of the many programs and assistance packages initiated and implemented by this Government to assist in rural recovery and significantly enhance regional economic and social development:

- $41M for rail, road and water infrastructure to support development of a sugar industry on Atherton Tableland.
- $4M to upgrade and reopen Mareeba—Einasleigh railway line to promote tourism and serve rural communities.
- $1M for an Outreach Allied Health Services program to enhance health services in rural communities.
- $3.5M for North Queensland Campus of Queensland Police Academy.
- $1.8M to establish a private forestry plantation industry.
- $10.2M to drought response and post drought recovery.
- $2M to the Queensland Trade Assistance Scheme to assist small and medium sized Queensland businesses to participate in international trade.
- $2.8M for extension of the operations of Department of Economic Development and Trade to regional centres throughout Queensland.
- $1M annually to the Investment Attraction Program to seek out major new investments for Queensland.
- $5.3M for Regional Economic Development and Planning. A new Regional Development Scheme is to be prepared to integrate existing regional economic development and land use planning initiatives into one package.

The Enterprise Centre Network for regional business development is to be expanded to integrate services to facilitate employment creation.

Department of Economic Development and Trade has commissioned a report into the infrastructure requirements of Cloncurry Shire in the light of mining investment in North West Queensland.

Department of Primary Industries, Fisheries and Forestry has approved the appointment of a specialist to assist the deer industry to identify and solve industry development problems.

Two additional regional Development Officers at Gympie and Atherton for Farm Forestry development.

A further 3 Rural and Leadership and Business Development Programs across the State.

Office of Rural Communities will conduct Rural Enterprise Workshops in country areas to foster development of farm/home based cottage style small businesses.

Conduct a Rural Issues Research and Development Conference and associated seminars.

Conduct a Small Towns Study to determine a set of essential services necessary for social and economic development in small country towns where service gaps exist.

$50M for a Rural and Regional Housing Assistance Program.

$8.9M for Crisis Accommodation throughout the State.

(3) The Federal Government Regional Development Division did not provide direct services but rather provided funding for a range of development initiatives. Advice is that the Regional Development Program has been abolished in a move to eliminate duplication with State and local government programs. The Honourable Peter Costello MP, Treasurer, advises in his Meeting Our Commitments Statement that whilst the Howard Government has decided not to continue funding for regional development programs, it has still maintained a strong commitment to Regional Australia with some $80M allocated to meet existing regional development programs in the budget. Full commitments to Regional Australia are outlined in "Rebuilding Regional Australia" statement of 20 August 1996.

State Government funding will be provided in 1996/97 for regional planning initiatives. Under the Department of Local Government and Planning incorporating Office of Rural Communities these include:

$245,000—FNQ 2010 Regional Planning Project, a major exercise in cooperative planning between Government, key business, primary production, environmental and community groups.

$300,000—Cape York Peninsula Land Use Study (CYPLUS), to develop a set of principles to guide future decision making on Cape York; a set of integrated strategies to address key economic, social and environmental issues; recommendations for implementation; and complete a comprehensive public consultation and participation program.

$190,000—Townsville/Thuringowa Strategy Plan, will provide a comprehensive plan to more effectively service future urban growth and position Townsville to capitalise on future economic development opportunities.

$5,000—Gulf Local Authorities Development Association (GLADA), continued State Government support despite Commonwealth funding withdrawal.

$490,000—Wide Bay Burnett Regional Planning Project, the primary aim being to create a Regional Growth Management Framework which focuses on providing the region with urban and rural planning coordination at all levels; coordinated approach to regional development issues; integrated policies to support regional economic growth; development of a preferred regional infrastructure program and creating information systems to support planning and decision making.

$240,000—SEQ 2001 Key Centres Project, to identify key growth centres for development assistance in preparing Centre Development Plans to enhance economic and employment opportunities in the region.

The Business Advisors for Rural Areas (BARA) Program. Commonwealth BARA funding has been withdrawn for 8 BARA positions in this financial year. Funding for the remaining 9 Commonwealth funded positions will continue to 30 June 1997.

As the Department of Tourism, Small Business and Industry (TSBI) along with the Office of Rural Communities consider the BARA program to be one of the most cost effective advice programs available to small business in rural and remote areas, TSBI plans to pick up the $350,000 funding shortfall for this financial year to enable a consolidated BARA delivery program.

888.Public Housing, Maryborough

Mr DOLLIN asked the Minister for Public Works and Housing (12/9/96)—

With reference to the former Labor Government's planned refurbishment and re-development of small units in Jupiter Street, Maryborough into larger more suitable accommodation and the construction of units on a site already cleared and ready for development on the corner of Sussex and Tooley Streets and as these new units would assist in reducing the already long waiting list for public housing in Maryborough—

Will the Coalition Government carry on the redevelopment of the units in Jupiter Street, and the construction of units on the site on the corner of Sussex and Tooley Streets as planned by the previous Labor Government?

Mr Connor (14/10/96): The project at 150 Jupiter Street Maryborough is budgeted to have an expenditure of $250,000 towards the refurbishment of these units this financial year.

The site at Sussex and Tooley Streets Maryborough is scheduled on the 1996/97 Capital Works Program for the construction of a duplex comprising 1 x 2 bedroom dwelling and 1 x 3 bedroom dwelling.

894.Public Housing, Townsville

Mr SMITH asked the Minister for Public Works and Housing (12/9/96)—

With reference to his statement that a record number of housing units will be constructed in 1996 and also

to the residential/urban renewal project presently being undertaken in the Townsville suburb of Garbutt and also proposed at Gulliver—

(1) Does he intend to continue and complete this excellent project in Townsville commenced by the Goss Government; if so, what funds are allocated to the project in the 1996-97 Budget?

(2) How many dwelling units does he expect to be completed in Garbutt in 1996-97?

Mr Connor (14/10/96):

(1) Construction of new public housing at Garbutt and Gulliver is continuing. It is proposed that in 1996/97 approximately $2.775M will be committed to new construction.

(2) In Garbutt, 21 dwellings will be commenced during 1996/97. It is anticipated that the majority of these projects will be completed within the 1996/97 financial year.

903.Public Housing, Bulimba Electorate

Mr PURCELL asked the Minister for Public Works and Housing (12/9/96)—

(1) When will the construction of departmental units at 14 Lytton Road Bulimba commence?

(2) How many and what type of units will be constructed on this site?

(3) When is it anticipated that the work will be completed?

(4) If there is no plan to commence building in the foreseeable future, what plans does his department have for this site?

(5) Is he aware that adjoining Oxford Street is currently being enhanced by the Brisbane City Council under the Suburban Centre Improvement Centre Project and they wish to ensure that these proposed units are taken into account with their planning?

Mr Connor (14/10/96):

(1) The project is not currently included in the 1996-97 Capital Works Program. It will be considered on its merits for the following year.

(2) The mix of units will reflect the minimum wait times in Bulimba.

(3) The completion time will depend on the start time.

(4) The project is still under consideration.

(5) My Department is aware of the work being undertaken by the Council in Oxford Street.

905.Public Housing, Sandgate

Mr NUTTALL asked the Minister for Public Works and Housing (12/9/96)—

Will he advise (a) the type of Public Housing to be built in 4th Avenue Sandgate, (b) the number of units to be built and (c) expected completion date of the project?

Mr Connor (14/10/96):

(1) Two bedroom public rental accommodation.

(2) The project comprises 4 attached houses.

(3) The expected completion date is 16 January 1997.

912.Public Housing, Mount Gravatt Electorate

Ms SPENCE asked the Minister for Public Works and Housing (12/9/96)—

What is the location, type and cost of the new public housing to be constructed in the Mount Gravatt electorate in 1996-97?

Mr Connor (14/10/96): It is proposed that 42 dwellings be constructed in Mount Gravatt Electorate in 1996/97.

The types of dwellings are as follows:

4 attached houses

4 cluster houses

12 senior units

22 apartments

These dwellings are to be constructed at Craddock Street, Holland Park, costing an estimated $2.7 million. Eight of these dwellings will be used to house persons with a disability.

916.QTTC; Sunlover Holidays

Mr FOURAS asked the Minister for Tourism, Small Business and Industry (12/9/96)—

With reference to the growing state of confusion and uncertainty in the tourist industry resulting from extra charges, board changes and review of the operation of the QTTC and Sunlover Holidays—

How can he justify the broken promise by the Government to lift tourism funding by $10m?

Mr Davidson (14/10/96): After years of leading the nation Queensland's tourism performance in recent years under the previous State Government has fallen behind in some key areas. This government in its first budget has committed to addressing this challenge by increasing the budget for the QTTC by $1.9m from $27,985,000 in 1995/96 to $29,885,000 in 1996/97. The QEC budget has also received an increase in funding of $714,000 to $2,434,000.

Funding of $3,211,000 has been provided for the establishment of the Office of Tourism and there is a total increase of over $8m in funding for tourism in Queensland before taking into account any special funding.

In only its first budget this government has kept its commitment to fostering the growth of the tourism industry in Queensland.

919.Development, North-West Queensland

Mr McGRADY asked the Deputy Premier, Treasurer and Minister for The Arts (13/9/96)—

With reference to the development taking place in the North West of our State and the massive financial benefits that the Queensland economy will receive—

What did her Budget do for the people and industry of the North West?

Mrs Sheldon (14/10/96): The 1996-97 Budget provides a vast range of benefits to the people and industries in the North West of Queensland. Major initiatives include:

the completion and commissioning of the North West Queensland water pipeline that will run for 113 kilometres from the Julius Dam to the Ernest Henry mine;

$5 million for widening and rehabilitation works on the Barkly Highway between Cloncurry and the Northern Territory border;

deepening of the entrance channel to the Karumba port; and

commencement of construction of a 220 kV power line from the Mica Creek Power Station to proposed mines at Ernest Henry and Cannington.

Full details of all the initiatives and commitments contained in the 1996-97 Budget for the people and industries in North West Queensland will need to be sought from individual Ministers.

921.Woodchip Export Industry

Mr PEARCE asked the Premier (13/9/96)—

With reference to the support his Ministers for Natural Resources and Primary Industries have given Queensland Hardwood Resources application for an export license for native hardwood woodchips from Queensland—

Did he give the environment movement a commitment prior to the Mundingburra by-election that the Coalition would not support a woodchip industry based on native forests in Queensland nor would it support an export woodchip industry based on native forest; if so, does he intend to honour this commitment, overrule his two Ministers, and oppose the application by Queensland Hardwood Resources?

Mr Borbidge (14/10/96): The Honourable Ministers for Natural Resources and Primary Industries advise that they have not provided support to the application of Queensland Hardwood Resources to the Federal Government for an export license for native hardwood woodchips from Queensland.

925.State Government Land, Cannon Hill

Mr PURCELL asked the Minister for Public Works and Housing (13/9/96)—

(1) What plans does his department have for the site owned by his department, originally designated as a proposed school site on Richmond Road, Cannon Hill?

(2) Is this site still being considered for a joint housing development as was originally announced in 1992?

(3) Will he give an assurance that no action will be taken, including the selling off of this site, without prior consultation with myself and local residents?

Mr Connor (15/10/96):

(1) Future action in respect of the former school site at Richmond Road, Cannon Hill has not yet been determined.

(2) Future action has not been determined yet.

(3) Should the land be sold and therefore rezoned, the public, including yourself, will have the opportunity to provide input in the normal way.

929.Land Tax Assessments

Mr J. H. SULLIVAN asked the Deputy Premier, Treasurer and Minister for The Arts (13/9/96)—

With reference to projected Land Tax receipts for 1996-97 ($220m), a decline of 2.8 per cent on 1995-96 receipts, which is explained in Budget Paper No 2 as "primarily due to a reduction in assessments outstanding as at the end of 1995-96"—

What was the level of outstanding assessments at the end of (a) 1990-91, (b) 1991-92, (c) 1992-93, (d) 1993-94, (e) 1994-95 and (f) 1995-96?

Mrs Sheldon (14/10/96): Details of outstanding Land Tax assessments at the end of 1993-94, 1994-95 and 1995-96 were 7,043 (15.1%), 2,222 (4.8%), and 807 (1.7%) respectively. Details of the number of outstanding Land Tax assessments prior to 1993-94 are not available.

932.Public Housing, Sandgate

Mr NUTTALL asked the Minister for Public Works and Housing (13/9/96)—

Have tenders been called for the public housing project planned for 7th Avenue Sandgate; if so, has a successful tenderer been approved and what is the completion date for the project?

Mr Connor (15/10/96): No.

935.Public Housing, Gladstone Electorate

Mrs CUNNINGHAM asked the Minister for Public Works and Housing (13/9/96)—

In spite of new arrangements with the Commonwealth, what plans are in place in 1996-97 for the electorate of Gladstone in relation to (a) the number of houses to be built, (b) the number of pensioner units proposed and (c) the number of flats or other housing facilities?

Mr Connor (15/10/96):

(1) The 1996/97 Capital Works Program makes provision for eight dwellings to be constructed or purchased in the Gladstone electorate. Five three-bedroom detached houses will be provided at Boyne Island/Tannum Sands and one five-bedroom detached house in Gladstone, while another two two-bedroom duplex units have been purchased at Boyne Island. Three of the detached houses for Boyne Island will be constructed by local apprentices under the Housing Industry Trade Training Scheme. The five bedroom house will be provided to house persons with a disability.

(2) There are no additional pensioner (seniors) units to be provided in the Gladstone electorate in 1996/97. Eight units from the 1995/96 program were completed in September 1996 and, with the addition of the two two-bedroom duplex units mentioned above, wait times have been reduced to between 13 and 20 months.

(3) Current wait times for other categories of housing are:

1 bedroom (non-seniors)—13-21 months

2 bedrooms—5-38 months

3 bedrooms—3-51 months

4 bedrooms—12-24 months

greater than 4 bedrooms—14-24 months

Wait times are used to determine the allocation of Capital Works projects to particular locations. My policy has been to target households waiting 42 months or more. This criterion has been applied in determining the 1996/97 Capital Works program for the Gladstone electorate.

In addition to the above, the States $110.5 million Community Housing Program, including $93.6 million for the building of 992 additional homes, has the potential to provide additional housing.

937.Public Service Bill

Ms BLIGH asked the Premier (13/9/96)—

With reference to recent debate about the drafting of the Public Service Bill—

(1) Was a consultant contracted to draft any versions, or any part of the Bill; if so, how much was paid for these consultancy services?

(2) How many versions of this Bill were drafted by the consultant?

(3) At what point was the Draft Bill forwarded to the Office of the Parliamentary Counsel?

Mr Borbidge (14/10/96):

(1) A consultant was contracted to prepare a discussion draft of the Bill. The amount paid was $9,000.

(2) 4.

(3) The Discussion Draft was forwarded on 16 April 1996.

943.State Purchasing Council

Mr McELLIGOTT asked the Minister for Public Works and Housing (13/9/96)—

With reference to the State Purchasing Council which faced a very hostile business sector in Townsville on 12 September where tempers flared because there is no representation from Townsville on the council and because this Government is selecting large overseas companies to supply goods ahead of local suppliers—

(1) Will he move immediately to appoint someone from Australia's largest city in the tropics to the council and thus end his perceived prejudice against Townsville?

(2) Is he prepared to reaffirm his earlier commitment that 90 per cent of the sub-contract work on the Deeragun and Willows schools will go to local companies?

Mr Connor (15/10/96):

(1) Representation on the State Purchasing council currently reflects the recommendations of member organisations to the Minister.

(2) We have urged contractors to use local suppliers and subcontractors wherever possible.

944.Mr A. Callaghan

Mr WELLS asked the Deputy Premier, Treasurer and Minister for The Arts (13/9/96)—

With reference to the opinion of Mr Morris QC relating to the appointment of Mr Callaghan to the Library Board, which was dated 3 days after the Government Gazette announcing the appointment and to the fact that she has tabled this ex post facto opinion—

(1) Did she receive advice from Crown Law prior to the appointment?

(2) Did she receive advice from any other legal source of any kind or nature whatever; if not, why not?

(3) If so, will she table all the advice she received including that received before the appointment, just as she has tabled the opinion she received after the appointment?

Mrs Sheldon (14/10/96): All advice I sought and received concerning the appointment of Mr Callaghan was either tabled (as acknowledged by Mr Wells) or outlined in hansard in response to an earlier Question on Notice directed to me by Mr Foley MLA.

946.Reef Tax

Mrs BIRD asked the Minister for Tourism, Small Business and Industry (13/9/96)—

With reference to Federal Government's Reef Tax—

(1) When did he first speak to Federal Ministers Hill and Moore about the implications on Queensland tourism operators?

(2) What date did he send his letter of complaint?

(3) What were the Ministers' responses?

Mr Davidson (14/10/96): My Ministerial staff first spoke to Ministers Hill and Moore regarding the planned increase in the Environmental Management Charge on 21 August and I wrote to those Ministers on this subject on 30 August.

The letters which I read in Parliament to Ministers Hill and Moore were sent on 30 August.

No written response has yet been received.

947.Post-Natal Clinic, Ipswich

Mr LIVINGSTONE asked the Deputy Premier, Treasurer and Minister for The Arts (13/9/96)—

With reference to a story in the Queensland Times on 13 September in relation to the pending closure of a post-natal clinic in Ipswich and as she is the Minister responsible for women's affairs and Treasurer with the biggest slush fund in the history of Queensland ($259m)—

Will she direct Treasury to urgently allocate funds for this very worthy cause?

Mrs Sheldon (14/10/96): Funding decisions within Queensland Health are the prerogative of my colleague, the Honourable Mike Horan, Minister for Health. However, I am pleased to inform you that the Day Stay Centre at the Ipswich Community Health Centre will continue to operate on a full-time basis. Following the receipt of a one-off grant to conduct this service as a pilot project in 1995-96, the service was evaluated and found to be effective in meeting a strong need for assistance with post-natal difficulties.

949.Kennedy Inquiry

Mr PURCELL asked the Minister for Training and Industrial Relations (8/10/96)—

(1) Did the Kennedy Inquiry not address the total cost of workplace injuries to the Queensland community which he now concedes at $3.5 billion per annum?

(2) Why is the Government attacking the rights of the victims rather than the injuries themselves and the reckless employers who cause them?

(3) Were statistics like 132 employers (out of a total of 189,000) being responsible for 30 per cent of the common law claims not disclosed by the Workers' Compensation Board until the end of the inquiry?

(4) Did the Kennedy Inquiry not address this issue that a small number of employers are responsible for a huge proportion of claims?

(5) Did Mr Kennedy acknowledge that the terms of reference of his inquiry were not wide enough to investigate the real cause of the problem namely why accident and injuries occur in the first place?

(6) How many injury claims were there in Queensland in 1994-95 and 1995-96?

(7) As to each period, what percentage of employers (compared to the total number of Queensland employers) were responsible for those claims?

Mr Santoro (16/10/96):

(1) The $3.5 billion figure which was estimated by the Industry Commission includes not only the direct costs of workplace injury but other indirect costs such as staff replacement costs, loss of skilled staff and productivity decreases. The direct costs are met by the premiums paid by Queensland employers of approximately $0.5 billion annually.

Mr Kennedy's recommendations to address the direct costs of workers' compensation by returning the scheme to full funding will flow on to reducing the indirect costs to the Queensland community. Insurance arrangement changes and workplace rehabilitation requirements will ensure employers, especially, become committed to reducing workplace injury and implementing appropriate risk/injury management procedures. Prevention of fraud, which was also a strong focus in the Report, will also reduce the cost of workplace injury.

(2) The burden of achieving a fully funded workers' compensation scheme is to be shared by all stakeholders. There will be incentives for employers to reduce workplace injury. Employers whose workers are injured will be financially motivated by the introduction of new claims experience based insurance products. Legislation will also require employers to implement Workplace Rehabilitation programs to assist injured workers to return to meaningful work.

Mr Kennedy also made many references to the Division of Workplace Health and Safety and the need to dramatically strengthen emphasis on targeting, inspecting and prosecuting employers with poor safety records. This government has approved a review of the Division with Terms of Reference calling for recommendations on how to improve compliance with workplace health and safety legislation and standards.

(3) No. Statistics on all workers' compensation claims and injuries are readily available from the Board or the Government Statistician.

As you have previously been advised, the figure quoted relates to statutory claims and not common law claims. WCBQ statistics show that in 1994/95, 132 Queensland employers were responsible for approximately 30% of all statutory claims and approximately 27% of all common law claims. It must be noted that these 132 employers comprise some of the largest employers in Queensland, and contributed approximately 30% of workers' compensation premium for the corresponding period. Thus their claims performance is commensurate with their premium contributions.

(4) Mr Kennedy makes reference in the report to a number of Queensland employers who have unsatisfactory workplace health and safety records and makes recommendations for change. However, these are not the same 132 employers referred to in (3).

(5) No. Mr Kennedy said (page 3) "The Inquiry's terms of reference presented an opportunity to review the entire process from accident prevention in the workplace, through to rehabilitation and compensation of injured workers." Term of Reference 4(b) asks the Inquiry to report on whether there is adequate incentive to encourage safety in industry. Chapter 11 of Mr Kennedy's report is devoted to Workplace Health and Safety for which he recommends several changes dealing with the prevention of accidents and injury. It is anticipated that the review into workplace health and safety will addresses these issues in detail.

(6) There were 100,530 statutory workers' compensation claims lodged in 1994/95 and 93,008 in 1995/96.

(7) Of all employers, 11% were responsible for claims in 1994/95 and 10% in 1995/96.

950.Hospital Budgets

Mrs EDMOND asked the Minister for Health (8/10/96)—

For all key public hospitals in Brisbane and regional Queensland (a) what was the estimated budget for 1995-96, (b) the actual expenditure for 1995-96 and (c) what is the estimated budget for 1996-97?

Mr Horan (31/10/96): It is surprising that in Opposition, the Member for Mount Coot-tha seems to have become obsessed with hospital budgets and Health expenditure, as when they were in government, she and her party showed little evidence of concern for them and left the incoming government with a two year legacy of budget overruns.

In regard to the details of the question:

(a) and (b)

See attached Table for hospital budget and expenditure for 1995-96.

(c) Information on estimated hospital budgets for 1996-97 is not available until the 1996-97 budget process has been completed. Extensive processes have to be undertaken before 1996-97 hospital budgets will be able to be comparable to or be representative of final/estimated 1996-97 budgets. The following budget processes need to occur before advice can be provided on estimated 1996-97 hospital budgets:

(i) Corporate Office updates 1996-97 interim District budgets after negotiations have been undertaken with various units of the Commonwealth Department of Health and Family Services to finalise Commonwealth Budget allocations (October);

(ii) Throughout the year, Corporate Office assesses distribution of unallocated funds/initiatives (eg waiting list incentives) based on agreed performance targets, etc (October-June);

(iii) Districts, using their global budgeting position, assess funds provided by Corporate Office and allocate 1996-97 interim budgets to facilities including hospitals (late September/October);

(iv) Hospitals and other major facilities, using their global budgeting position, assess funds provided by their District and allocate budgets to divisions/cost centres (October);

(v) Throughout the year, Districts (and facilities including hospitals via Districts) advise Corporate Office of claims on funds held by Corporate Office or funds to be obtained from Queensland Treasury (eg budget offsets), Commonwealth or other sources (October-June);

(vi) Monthly claims are made by Districts, where appropriate, to access Hospital Access Bonus Pool funds (October-June);

(vii) Throughout the year, Corporate Office allocates minor remaining funds, obtained during the year by Corporate Office, to Districts (October-June); and

(viii) Year ends and 1996-97 position finalised (30 June).

As I detailed to the Estimates Committee G, 1996-97 hospital/facility budgets are not provided or maintained by Corporate Office, but by District Managers. Most District Managers, as individually detailed in the Answer to Question on Notice No 2 taken during the Estimates Committee G hearing, have approved and distributed 1996-97 interim budgets to their hospitals/facilities. However, these 1996-97 interim budgets are far from finalised as not all the processes outlined above have been completed (i.e. current interim budgets are not reflective of final budgets).

Even when budgets are first provided by District Managers to facilities/hospitals, these 1996-97 interim budgets cannot be validly compared with the previous year's expenditure or budget because:

there has been a substantial reorganisation within Queensland Health, moving from Regions to Districts, which has lead to associated funding adjustments; and

there is approximately 100 million dollars in funding yet to be distributed by Corporate Office to Districts (eg waiting list incentives, Commonwealth funds, etc) and subsequently from Districts to hospitals/facilities.

(Note: It is not cost effective for Corporate Office to maintain lower level budgets (eg at hospital or lower level) and District Managers have the capacity to distribute funds on priorities assessed at the local level for budget base allocated funds whilst special allocations such as Mental Health funding is restricted to be spent on that purpose.)

Districts (and facilities/hospitals within Districts) are currently in the process of analysing budget details provided to them by Corporate Office. Estimated facility/hospital budgets cannot be determined until after such reviews are completed and negotiations with the Director-General on issues such as performance targets are concluded.

953. Strategic Plan, Redland Shire Council

Mr MACKENROTH asked the Minister for Local Government and Planning (8/10/96)—

With reference to the proposed new strategic plan for the Shire of Redlands—

(1) Will she allow the council to change the zoning on certain lands within the Bayview Country Club Estate from 6000m^2 allotments to 600m^2 allotments?

(2) Is she aware that this is in breach of the deed of agreement between the council and the developer?

(3) Will the proposed change in this zoning be in contravention of the State planning policy for the Koala Coast?

Mrs McCauley (16/10/96):

(1) It is understood the Redland Shire Council is currently negotiating with the developer changes to the Deed of Agreement associated with the Bayview development. At this point in time there has been no application lodged with my Department for a change in the zoning of the subject land. If and when a rezoning application is lodged with my Department, I will consider the proposal in accordance with my responsibilities under the Local Government (Planning and Environment) Act 1990 prior to taking a recommendation to the Governor in Council. It would be inappropriate for me to comment on any

proposed changes to the Bayview development until a rezoning (if required) is received and assessed, amongst other things, in light of any objections received and the Council's planning scheme.

Since there is no rezoning proposal before me at this time there is no basis for me to allow or not to allow any proposed change in zoning associated with the Bayview development.

(2) As already stated, since there is no rezoning application before me which provides the basis of any change in zoning for this site, it is inappropriate for me to comment. You can be assured however, that if or when an application to change the zoning of the subject land is received, it will be assessed by officers of my Department for compliance with Council's planning scheme prior to my taking a recommendation to the Governor in Council.

(3) Bayview Country Club Estate is located within the Koala Conservation Area, identified by the State Planning Policy 1/95 (SPP1/95). As you would know, SPP1/95 contains provisions which recognise existing development commitments to ensure the policy principles are not applied retrospectively.

Notwithstanding this, should a rezoning application be received from Redland Shire Council, I will consider the proposal in accordance with the principles of the State Planning Policy and any other relevant matters prior to taking a recommendation to the Governor in Council.

954.Wooroora Dam; Koombooloomba Dam

Mr MILLINER asked the Minister for Mines and Energy (8/10/96)—

With reference to his alternative plan for the ill-conceived Tully Millstream project—

(1) On what watercourse will the Wooroora Dam be built?

(2) What area of land and habitat types will be inundated by the Wooroora Dam?

(3) What will be the capacity when full?

(4) Will an environmental impact study be undertaken for the dam?

(5) How much of the 16 km underground pipeline to Koombooloomba Dam will traverse the Wet Tropics World Heritage area?

(6) Will any of the power lines from the 300mw peak load power station traverse the World Heritage area; if so, have corridors yet been identified?

Mr Gilmore (1/11/96):

(1) There is no current proposal to supply an existing or future hydro electric power station in the Wet Tropics World Heritage Area from a proposed Wooroora Dam. Some information on the original proposal is available from the September 1988 Environmental Audit Report prepared for the Tully Millstream Hydro Electric Scheme Feasibility Investigation. In that 1988 proposal, the Tully Millstream Project proposed to construct the Wooroora Dam on Blunder Creek approximately 0.5 km downstream of the Oaky Creek junction.

(2) In the 1988 proposal, the Wooroora Dam was planned to have a spillway level at EL 704.5 and at the full level would cover 2,400 hectares. The Audit Report indicated the proposed area of inundation comprised approximately 35% tall open forest, 50% open woodland and 15% grassland. Approximately half of the tall open forest area had been previously cleared and had regrown. All of the area had been subject to logging and is predominantly cleared grazing land.

(3) The water storage corresponding to a spillway level of EL704.5 would be 430,000 megalitres. The gross storage volume of a proposed Wooroora dam would be determined during a feasibility study.

(4) The matter of an environmental impact study would be determined by the Minister for Natural Resources as any such proposed dam construction is not within the jurisdiction of the Mines and Energy portfolio.

(5) In the 1988 proposal, the transfer of water from Wooroora Dam for hydro electric purposes was to be via an underground tunnel. Approximately 8 to 10 km of the tunnel would have passed under the Wet Tropics World Heritage Area. If the Wooroora Dam was constructed and a proposal to supply water for hydro electric generation was developed, the tunnel route and length would depend on the size of the dam and the location of the power station would be subject to further investigation.

(6) If it becomes necessary to construct new powerlines through the World Heritage Area, existing cleared transmission corridors would be used.

955.Commonwealth Dental Health Program

Mr NUNN asked the Minister for Health (8/10/96)—

With reference to the cessation of the Commonwealth Dental Health Program referred to in the State Health Budget Papers—

(1) What amount was lost from the Commonwealth?

(2) How many staff, both part-time and full-time will be lost as a result?

(3) What are the current waiting lists for the Gold Coast, Sunshine Coast, Brisbane metropolitan, Maryborough, Bundaberg, Gladstone, Rockhampton, Mackay, Townsville, Cairns and western health districts of Queensland?

(4) When will funding allocated in this State Budget of $10m and remaining Federal monies of $9.9m be totally expended?

Mr Horan (31/10/96):

(1) For 1996-97, the total amount lost through cessation of the Commonwealth Dental Health Program is $10 million.

(2) It is estimated that up to 25% of the total workforce of 1,200 could have been lost through cessation of Commonwealth Dental Health Program without supplementation. However, the State Government in the 1996/97 Budget has provided such supplementation in the amount of $9.9million

which will preclude any staff losses in 1996/97 from lack of funding.

(3) The current waiting lists are outlined in Attachment 1.

(4) The total monies available for 1996-97 will be expended by 30 June 1997.

ATTACHMENT 1

Waiting Times

Queensland Oral Health Services

Area	Weeks	
	General Services	Prosthetic Services
Brisbane Metropolitan	41	27.5
Bundaberg/Maryborough	44	35.5
Cairns	11	16.5
Darling Downs	17	19
Gladstone/Rockhampton	68.5	59
Mackay	5.5	15.5
South Coast	64.5	71.5
Sunshine Coast	92.5	61.5
Townsville	54	35
West Moreton	32.5	11.5
Western Queensland	12	12

Note: Waiting times fluctuate markedly from Clinic to Clinic depending upon available resources. The above data represents average waiting times for the Districts.

960.Timber Industry

Mr DOLLIN asked the Minister for Natural Resources (8/10/96)—

With reference to his recent meeting in Canberra with the Federal Minister for Primary Industries Mr Anderson and timber industry representatives to discuss the agreement with the Howard Government to lock-up 15 per cent of pre-1750 native forests—

Will he table this draft agreement as soon as possible so that the timber industry in the Wide Bay and the local communities can adequately assess its effects both on the timber industry and the local economy?

Mr Hobbs (23/10/96): The Queensland Government has been involved in negotiations with the Commonwealth at both Ministerial and officials levels regarding Queensland's participation in the Regional Forest Agreement (RFA) process. Through this process the Queensland Government is determined to ensure a adequate level of resource security for industry while addressing legitimate conservation concerns. I am confident of a satisfactory outcome from these negotiations.

The nationally agreed reserve selection criteria will form the basis of a comprehensive, adequate and representative reserve system as called for in the RFA process. These selection criteria have been the subject of an extremely thorough and lengthy consultation process and the criteria contain explicit recognition that a range of constraints such as social impacts may impose limits on the area guidelines contained in the report.

I expect that ANZECC and MCFFA will be asked to ratify the national reserve selection criteria in the near future. When this occurs the report will become a public document and be generally available.

963.Government Land Use Evaluation

Mr BEATTIE asked the Minister for Economic Development and Trade and Minister Assisting the Premier (8/10/96)—

With reference to his recent speech to the Property Council of Australia on 1 October, in which he spoke of the Government having commissioned a master plan and preliminary economic land use evaluation for a number of Brisbane's prominent landmark sites—

(1) Who conducted this evaluation and master plan preparation and at whose direction?

(2) At what cost was this work undertaken and over what time frame?

(3) Which of the sites are to be disposed of to the private sector?

(4) Will the heritage-listed sites at the Roma Street parklands, the old Boggo Road Jail and the old Museum site be retained on the Heritage Register and enjoy the protection this listing affords?

(5) Will he give an assurance that the Roma Street rail yard site will be developed as inner city parkland and not used as a major sporting venue?

(6) Which part of the South Bank parklands is included in the planning?

(7) Is the ongoing restoration of the Concert Hall portion of the old Museum site continuing; if so, what funding has been directed to this work in the 1996-97 budget?

(8) Has he received any expressions of interest from the private sector to use the heritage listed section of the Boggo Road Jail site as a jail museum with a heavy emphasis on visitor interaction; if so, from whom?

Mr Slack (4/11/96):

(1) The concept master plan and preliminary land use evaluation of the Crown sites was prepared by WT Partnership at the direction of the Co-ordinator-General.

(2) The work was undertaken between July 1996 and October 1996 at a cost of $95,000.

(3) No firm decision has been made yet as to which of the Crown sites will be disposed of to the private sector.

(4) Yes.

(5) As pointed out by the Honourable the Premier in the Parliament on 9 October 1996, the Government supports the Roma Street rail yard site being primarily dedicated to public open space.

There is no intention on the part of the Government to have it developed as a major sporting venue.

(6) The remaining undeveloped land at South Bank was the subject of the consultancy undertaken by WT Partnership.

(7) Yes. $1 million has been provided in the 1996/97 budget for this purpose and $0.475 million has been carried forward from the 1995/96 budget.

Refurbishment of the Old Museum involves primarily redevelopment of the Concert Hall and includes:

mechanical ventilation

construction of a stage and wings

dressing rooms

removal of demountable building adjacent to Concert Hall

removal of internal partitions and ceilings which are not of heritage significance

reinstatement of galleries in accordance with the original design

acoustic treatment

structural repairs and upgrading

general refurbishment

(8) I am not aware of any expressions of interest from the private sector to use the heritage-listed section of the Boggo Road Jail site as a jail museum with a heavy emphasis on visitor interaction.

967.Boulia RAP Scheme

Mr McGRADY asked the Minister for Mines and Energy (8/10/96)—

With reference to the success of the Boulia RAPS scheme which I understand won first prize in the national competition—

Why hasn't he made a formal announcement about this and paid tribute to the excellent work of that now disbanded organisation?

Mr Gilmore (1/11/96): It is the prerogative of the Commonwealth Department of Primary Industries and Energy to make the initial announcement regarding the National Energy Awards which that Department organises. Formal confirmation of the award relating to the Boulia RAPS scheme has only recently been received on 4 October. I have no hesitation in paying tribute to those involved in this work which I might say will continue despite the reorganisation of my Department due to budgetary constraints.

968.Mr K. Wolfe

Mrs WOODGATE asked the Minister for Mines and Energy (8/10/96)—

With reference to a geological conference held in Brisbane at which the person representing Queensland was Mr Kevin Wolfe, the de-facto Director-General of his department—

Will he explain why neither he, his Director-General, or his Acting Chief Geologist was not the Queensland Government's representative and why it was left to Mr Kevin Wolfe to represent the Queensland Government?

Mr Gilmore (1/11/96): The conference referred to is the one on Mesozoic Geology of the Eastern Australian Plate, hosted by the Queensland Division of the Geological Society of Australia and held from 24-26 September 1996. Arrangements were made earlier in 1996 for the Honourable Tom Gilmore MLA to officially open the conference on Tuesday 24 September. When the date for the debate of his Department's budget estimates was scheduled for Tuesday 24 September, the Minister for Mines and Energy was no longer available to open the conference, nor were his Director-General or his Acting Director of the Geological Survey Division. Mr Kevin Wolfe, the current Director-General of the Office of Public Service, was chosen by the organising committee because he could represent the Queensland Government and had previously been Director-General of the Department of Mines.

969.Boston Consultancy Group

Mr MULHERIN asked the Minister for Mines and Energy (8/10/96)—

With reference to the Electricity Industry's rationalisation project—

(1) Did the industry call tenders for this consultancy; if not, why not?

(2) How much money is the industry paying the Boston Consultancy Group?

(3) When will the consultancy be completed?

(4) Will the consultant's report be publicly available to all interested parties?

(5) Was the industry aware that the portfolio concept and, in particular, the BCG matrix is seen to have "definite limitation as a device for guiding management in establishing corporate level strategy" (chapter 8, page 176 Strategic Management Attachment B)?

(6) If the industry was aware of these limitations, why was BCG awarded the consultancy?

Mr Gilmore (1/11/96):

(1) Expressions of interest were sought for the consultancy which provided facilitation services for the QTSC Group's rationalisation project.

(2) QTSC paid a fee of $626,564 plus $167,449 in expenses to the Boston Consultancy Group.

(3) The facilitation services have been completed.

(4) The examination of rationalisation options has been completed by the QTSC Group and the findings communicated to all employees.

(5) The establishment of corporate level strategy was neither part of nor relevant to the facilitation services provided by the consultancy.

(6) As the establishment of a corporate level strategy was of no relevance to the facilitation services provided by the consultancy, it was not a consideration in the awarding of the consultancy. The work undertaken involved assisting the Group to determine ways to improve its service and effectiveness through the synergy and economies of scale achievable from standardising and merging like commercial activities across the Group.

971.Korea Zinc

Mrs BIRD asked the Minister for Mines and Energy (8/10/96)—

What are the current arrangements with Korea Zinc for their supply of electricity?

Mr Gilmore (1/11/96): As members of the House are aware, the electricity arrangements for the Korea Zinc project represent a key component of the financial assistance package entered into between the previous Government and Korea Zinc in February this year.

Detailed arrangements for the supply of electricity to the project are currently being finalised and planning of the electricity transmission line to the site is well advanced. Because the zinc market is a highly competitive one internationally, it is not appropriate to divulge financial details of the agreements.

The Honourable member's question provides me with the opportunity to reinforce the major progress reported by my Cabinet Colleague, the Minister for Economic Development and Trade. The recent sign-off by Cabinet of the Impact Assessment Study for the project was a significant step forward in the progress of the project and sends a positive message to investors not only throughout Australia and Queensland, but also internationally.

This is particularly important to my portfolio for a number of reasons, but chiefly because the project is expected to source 80 per cent of its zinc concentrate out of North West Queensland and add value to this material in North Queensland.

Stage 1 of the project will involve an investment of $530 million and generate nearly 600 jobs during construction and 350 jobs when the project becomes operational in 1999.

974.Townsville Show Society

Mr McELLIGOTT asked the Minister for Natural Resources (8/10/96)—

(1) Is he aware of any reason why the Townsville Show Society is not paying its creditors?

(2) What is the society's current financial situation?

(3) Have any requests for assistance been made to the Queensland Government?

Mr Hobbs (1/11/96):

1. As a former Minister for Lands, the Member for Thuringowa would be aware that the Townsville Show Society has had a liquidity problem for some years. My Department is assisting the Society in a number of ways to address the problem including restructuring of the Committee.

2. The Society's audited financial statement for the 12 month period ending 30 September 1996 indicates that it has a surplus of $765 711 liabilities over assets and that it incurred an operating loss of $100 467 during 1995/96.

3. No requests for financial assistance have been made to my Department. However a subsidy of $48 234 for capital works has been approved under the Show Society Subsidy Scheme administered by my Colleague the Honourable Ray Connor MLA, Minister for Public Works and Housing.

976.Dental Health Services, Nudgee Electorate

Mr ROBERTS asked the Minister for Health (8/10/96)—

With reference to dental health services available to constituents in the Nudgee Electorate and the recent decision to re-direct patients from the easily accessible Sandgate clinic to the Stafford clinic—

(1) Is he aware of the inconvenience this decision is causing to my constituents, particularly those who do not have their own transport?

(2) When will the Sandgate clinic be upgraded to cater for more patients?

(3) When will the Nundah State School dental health clinic be opened to adult patients?

Mr Horan (31/10/96):

(1) Sandgate Clinic is available to any patient who requires access due to transport difficulties. Staff at Sandgate have been made aware of this access need and instances of inconvenience have been resolved with personal attention by the Principal Dentist, Sandgate.

I am advised that all staff in the North Brisbane Oral Health Service are aware of potential transport related access difficulties and strive to arrange appointments to accommodate patient's requirements.

(2) At this stage there are no plans to upgrade the Sandgate Dental Clinic by major capital works. However the feasibility of relocation of the dialysis unit which shares the building is being examined.

(3) Nundah State School Dental Clinic was upgraded with more dental units and dental chairs in the last financial year. The decision to open the Clinic to adult patients rests with the District Health Manager, who is responsible for the allocation of available funds.

977.Integrated Valuation and Sales System

Mr PALASZCZUK asked the Minister for Natural Resources (8/10/96)—

With reference to the integrated valuation and sales system—

(1) What monies have been expended for each of the past ten years developing the IVAS program?

(2) What reasons has Treasury offered for its refusal to continue funding for this program for use on its own land tax regime?

Mr Hobbs (23/10/96):

1. There was no Treasury special funding for IVAS before 1991. Expenditure incurred from special funding provided by Treasury since 1991 is:

1991-1992—$206,000
1992-1993—$1,427,000
1993-1994—$5,364,000
1994-1995—$3,762,000
1995-1996—$673,000
1996-1997—$74,000

TOTAL—$11,506,000

2. Treasury did not at any stage refuse to fund the IVAS project. In fact over the years, funding arrangements were revised and additional funding was provided to complete the project.

981. Health Minister, Ministerial Office

Mr T. B. SULLIVAN asked the Minister for Health (8/10/96)—

With reference to the Treasurer's indication that each Minister is responsible for answering questions regarding their own Ministerial office expenditure—

(1) Has his Ministerial office undergone any refurbishment/office maintenance since February 1996; if so, what did this provide?

(2) Is there any money set aside in 1996-97 for office refurbishment of his Ministerial office, how much and what will this expenditure provide for?

Mr Horan (31/10/96):

(1) The Honourable Member should be aware that this question is very similar to advance Question on Notice No. 7 asked by the Opposition during the Estimates Committee process, and which I answered previously.

On moving into the Ministerial offices vacated by the honourable member's colleague, the member for Brisbane Central, I found a condition of appalling filth and neglect. It was therefore necessary for me to expend money to have the piles of garbage removed, and to have the place generally cleaned and fumigated. Apart from this "refurbishment" I have also had a set of office curtains added to my own room, rearranged the existing movable office dividers and obtained a new shredder as the Member for Brisbane Central had worn out the old one.

(2) No.

985. "Super" Power Station

Mr NUTTALL asked the Minister for Mines and Energy (9/10/96)—

With reference to a recent report in *Courier-Mail* which states that a "super" power station at least the size and output of Tarong is the State Government's favoured option for the next round of base load electricity generation tenders—

(1) Is this correct?

(2) What is the justification for such an oversupply of electricity?

(3) What projections is he relying on to justify his prediction that Queensland will be in a position with this power station to "sell" power to the southern States?

(4) What will be the fuel source for this station?

(5) Will natural gas be considered as a fuel source for this plant; if not, why not?

(6) What is the linkage between this plant and the development of the Surat Coal Basin?

(7) What impact will development of this plant have on the private sector's interest in building a base load station in North Queensland?

(8) When will the next round of tenders be called?

Mr Gilmore (1/11/96):

(1) No.

(2) No oversupply of electricity is intended.

(3) The Queensland Transmission and Supply Corporation provides forecasts on which any requirement for new generating capacity is based. Opportunistic sales of electricity across the proposed interconnection to New South Wales can be reasonably anticipated from time to time as a result of future lower reserve plant margins in that State.

(4) The fuel source for a future base load power station will be determined by a competitive process.

(5) Natural gas will be able to compete with other fuel sources.

(6) Development of the Surat Coal Basin could be linked to a power station through the supply of coal to the power station. Once again, this would be determined by a competitive process.

(7) The location of a new base load power station in Queensland will be determined by a competitive process which takes account of a range of issues including transmission costs and losses. The next new power station in Queensland needs to be commissioned in approximately 2003 and it will be a base load plant. Commencing in that year, approximately 300 MW of new capacity will probably be required for some years and it is possible that a new power station might be commissioned at more than one location in that period.

(8) No decision has been made yet as to when a new round of tenders will be called.

988. Maconochie Lodge, Shaftesbury Campus, Deception Bay

Mr HOLLIS asked the Minister for Police and Corrective Services and Minister for Racing (9/10/96)—

With reference to the management contract between the Queensland Corrective Services Commission and the management fees paid for Maconochie Lodge, Shaftesbury Campus, Deception Bay—

(1) What does he consider to be an adequate number of prisoners to justify the costs of operating this centre?

(2) Does he consider that an average number of prisoners varying from 12 in 1992, rising to 20 in 1995, then declining again to 16 in 1996 justifies the management fee?

(3) Why, considering the overcrowded situation in prisons across the State, can't the QCSC keep these centres up to full capacity?

(4) If it is not possible to keep Maconochie Lodge operating at full capacity, why has he not terminated their contract?

(5) As these managers fees are paid to an organisation privately controlled by a CEO of another department, has he taken any steps to avoid a conflict of interest in this matter?

(6) Why did he move away from detailing occupancy statistics for community corrective centres in the 1995-96 Annual Report?

(7) Further to the answer to an earlier Question on Notice to him which details occupancy at the

time of the question, will he provide further complete occupancy statistics for 1995-96 of Maconochie Lodge, Shaftesbury Campus, Deception Bay?

Mr Cooper (29/10/96):

(1) The average occupancy rate for the 1995/96 financial year was 15 prisoners. This equates to a daily unit cost of $63.10. The average daily unit cost for community corrections centres statewide was $64.24. Notwithstanding this comparison, the QCSC is striving for all centres to be at full capacity to return the optimum value for dollar for the Queensland taxpayer.

(2) A management strategy recently initiated has resulted in all community custody centres in South East Queensland attaining full or near full capacity, including Maconochie Lodge.

(3) The overcrowding of prisons does not necessarily mean that prisoners can be transferred immediately to the Community Custody Program to relieve such crowding. There is a time delay caused by the need for prisoners to progress through the relevant security classifications before being eligible for transfer to community custody. Additionally, supervision at the centres is strict and prisoners are returned to secure custody for serious or persistent breaches of the centre rules so as to ensure public confidence in the program. Under these circumstances, it is difficult to maintain full occupancy of community corrections centres on a daily basis.

(4) On present trends, Maconochie Lodge should operate at or close to full capacity in the future. Should this not prove to be the case, its contract may be reviewed.

(5) I refer Mr Hollis to the answer provided for Question on Notice No. 454, part 3.

(6) I was not the responsible Minister at the time when the 1994-95 Annual Report was published. The 1995-96 Annual Report will include Annual Occupancy rates for all community custody facilities.

(7) The occupancy rate of 15 provided in the previous Question on Notice was in fact a rounded down figure of the average occupancy per month for 1995/96 (15.5).

998.Comments by Ms P. Hanson

Mr ROBERTSON asked the Minister for Economic Development and Trade and Minister Assisting the Premier (9/10/96)—

With reference to his answer to Question on Notice No 914 where he stated in response to my query whether the Member for Oxley's comments have been reported by the media in our major trading partners in Asia, that "I have asked my department to check with our overseas offices and from the information I have received from those offices and our international secretariats, we are not aware of any reports" and given the report in the *Courier-Mail* on 8 October that newspapers including the Bangkok based *Asian Times*, Malaysia's *New Straits Times*, Singapore's *Straits Times* and Hong Kong's *South China Morning Post* have all reportedly carried stories reporting Ms Hanson's anti-Asian views—

(1) Will he again contact our overseas offices to conduct a more thorough search for reports by the media in our major trading partners and inform me where these reports were found and what was reported?

(2) Given the statements by the Deputy Prime Minister, Tim Fischer, the President of the Grain Growers Association and the head of the Tourism Council of Australia, among others, who have all expressed concern about the possible impact of anti-Asian statements, such as those made by the Member for Oxley could have of our trade relationships with Asia, will he apologise for accusing me of mischievousness in raising this issue and alleging that I was attempting to make connections that do not exist?

Mr Slack (28/10/96):

(1) My Office and Department will continue to monitor national and international media reports for mention of a range of issues pertinent to the Government's interests including trade and investment.

(2) There is no reason for an apology.

1000. Power Supply, Daintree Region

Mr McGRADY asked the Minister for Mines and Energy (9/10/96)—

With reference to his proposal to provide grid power to the residents of the Daintree—

(1) What, if any, discussions has he had with his colleague, the Minister for Environment?

(2) Has he been informed that his proposal will have an adverse environmental impact on world heritage values and on species listed as endangered under the Native Conservation Act 1993?

(3) Will any proposal to extend grid electricity in this area be subject to environmental impact assessment and what, if any, assurances has he given his Ministerial colleague, Mr Littleproud on this issue?

Mr Gilmore (1/11/96): I have held discussions on the proposal to provide grid power to the residents of the Daintree with the Minister for the Environment, the Honourable B Littleproud. I also intend to hold further discussions with Mr Littleproud on the Environmental Impact Study on the proposed project.

One of the things that has to be determined before proceeding with the provision of grid power to the Daintree region is the impact grid power will have on the surrounding environment and native wildlife. It is for this reason that a complete Environmental Impact Study will be conducted on the proposed project. Comment from the Wet Tropics Management Authority will be sought at this time.

As I indicated previously, a complete Environmental Impact Study will be conducted on the project.

However, before proceeding to the Environmental Impact Study, I will be taking the proposed project to Cabinet for in principle approval for the design and proposed financial options. I have given an assurance to the Minister for the Environment that I will fully consult with him throughout the Environmental Impact Study process.

1008. Mining Inspectorate

Mr PEARCE asked the Minister for Mines and Energy (9/10/96)—

With reference to his admission during the Estimates Committee hearing that he would have to take a submission to Cabinet and then wait until a mid-year Budget review before having the funds to implement the recommendations of the committee reviewing the Mining Inspectorate, established following the Warden's Report into the 1994 Moura Mine Disaster—

What is the timeframe set down by him to (a) seek Cabinet approval to implement, in full, the recommendations of the Mining Inspectorate Review Committee, (b) have approved by Treasury the expected additional $2m required to properly fund and resource the Mining Inspectorate, (c) advertise and fill vacant and newly created positions within the restructured inspectorate, and (d) pay increased salaries and provide additional resources to allow the inspectorate to operate at a level expected by the mining industry and the Queensland public?

Mr Gilmore (1/11/96):

(a) Cabinet approval for implementation of the recommendations of the Review of the Mines and Energy Inspectorate will be sought as soon as possible after receipt of the Review Committee's Report.

(b) Funding for implementation of the Report's Recommendations will be sought through the mid-year review process. Funding submissions are due in November 1996.

(c) Advertising and filling of vacant and newly created positions will commence immediately funding approval has been given.

(d) Pay increases will be paid when the new structure is in place and inspectors are undertaking the new role. Additional resources will be provided as soon as possible through the advertising and filling of vacant and new positions.

1011. Proposed Dam, Comet River

Mr PALASZCZUK asked the Minister for Natural Resources (9/10/96)—

With reference to the proposal to construct a dam on the Comet River at Rolleston—

Are there any reservations being shown about the viability of the proposal especially in the area of evaporation rates and that the dam will never reach its full capacity?

Mr Hobbs (22/10/96): My Department is examining a range of potential storage capacities at the site and will determine the supplies that could be made available with various degrees of reliability over that range of capacities. The high rate of evaporation in the area is a major factor which will be taken into consideration, as it always is with any dam. Because of the impact of topography and evaporation, there is a maximum practical height, called the hydrologic limit, to which a dam can be built.

In the case of the Comet River dam, the hydrologic limit appears to be about 1.4 million megalitres capacity. Had a dam of this capacity been in place over the past 100 years, it would have filled fifteen times. This is a reasonable frequency of occurrence.

The final size of any proposed dam and the available supplies will be determined through analysis over the next six months. The analysis will take account of the actual location and magnitude of water demands, flows throughout the entire system, the needs of existing water users and the environment as well as normal losses from the dam through evaporation, etc. These results will assist in determining the viability of any proposal against the criteria of economics, financial performance and environmental and social impacts.

1012. Repayment of Rates, Hamilton Island Enterprises/Whitsunday Shire Council

Mrs BIRD asked the Minister for Natural Resources (9/10/96)—

(1) Why was Whitsunday Shire Council ordered to repay rates to the Lessee of Hamilton Island?

(2) How much will be repaid?

(3) Who gave the order to the Whitsunday Shire Council?

(4) Will the sublessees, that is the concessionaires, be reimbursed for rates paid by them to the lessees of Hamilton Island?

Mr Hobbs (22/10/96):

1. The Whitsunday Shire Council was not ordered to repay rates to the lessee of Hamilton Island (Hamilton Island Enterprises).

Originally Whitsunday Shire Council levied rates based upon a valuation effective from 30 June 1994. This valuation was $23,389,500 and was calculated by adding the values of the individual subleases and the value of the balance of the land on the Island.

Following an objection to the above valuation and the appropriateness of the valuation based upon separate valuations of each sublease, the Director-General advised Hamilton Island Enterprises on 22 May 1996 that he was prepared to exercise his discretion under section 34 of the Valuation of Land Act 1944 to value the island as a whole.

New valuations were issued for NCL2803 including Road Licence 7339 and Special Lease 43971 at $2,650,000 and $365,000 respectively on 26 September 1996.

Whitsunday Shire Council was advised of these new valuations upon their issue.

These valuations are now the valuations under section 72(1)(b) of the Valuation of Land Act 1944 which are to be used for the rating purposes.

2. I am not in a position to answer this matter which is the responsibility of the Whitsunday Shire Council.

3. No order was given to the Whitsunday Shire Council to refund rates. The Council was advised of the issue of the new valuations.

4. I have no knowledge of the private arrangements that the sublessees have made with Hamilton Island Enterprises regarding the payment of rates.

1028. Gift Register, Department of Mines and Energy

Mr McGRADY asked the Minister for Mines and Energy (10/10/96)—

Following the publication of the report of the Criminal Justice Commission on the disposal of liquid waste, officers of the Department of Mines and Energy received criticism about accepting gifts and travel and the former Minister McGrady consequently instituted a Register of Gifts and Hospitality in the Department—

As the then Director-General had to secure approval for any hospitality or such like, from the Minister, and staff had to receive approval from the officer whom they reported to (a) why has the present Director-General abandoned that principle and (b) is he prepared to reintroduce that system; if not, why not?

Mr Gilmore (1/11/96): (a) The Department maintains a Gift Register in accordance with Public Finance Standards 625 (7), and has done so since this was a requirement.

The Director-General, believes because he is the Accountable Officer, he is delegated absolute responsibility for the code of conduct to safeguard staff from being involved in a situation which could lead to or be seen to give rise to a conflict of interest.

(b) No. The Director-General believes the Code of Conduct, in accordance with the Public Sector Ethics Act, which applies to all public servants is adequate, and I agree with this position.

1030. Free Trade Zone

Mr BEATTIE asked the Minister for Economic Development and Trade and Minister Assisting the Premier (10/10/96)—

With reference to his recent speech to the Property Council of Australia during which he stated that the Government is looking to establish a "Free Trade Zone" in the Gateway Ports area of Brisbane—

(1) What does he mean by a "Free Trade Zone"?

(2) What concessions does he propose to make to companies joining the zone and what cost will there be to Queensland taxpayers?

(3) Will the Federal Government be required to provide concessions for this zone; if so, what are they, and have there been any discussions with the Federal Government about a "Free Trade Zone"?

(4) Will he quarantine the area from employment standards currently enjoyed by Australian workers, or regulations normally applying to businesses operating in Queensland?

Mr Slack (4/11/96):

(1) In my speech to the Property Council of Australia, I was referring to some preliminary research that I have asked my Department to undertake on "Free Trade Zones" with a view to looking at the applicability of this concept to Queensland. This idea is still very much in the concept stage and the term "Free Trade Zone" was used in its generic sense as a location that has the objective of attracting investment to the State and of promoting exports from the State. As part of the research, my Department has been looking at the options that the Gateway Ports project presents for incorporating some form of trade enhancing zone.

My Department is managing the Brisbane Gateway Ports Study which is being jointly funded by the State and Commonwealth Governments, with contributions in kind from other stakeholders including the Brisbane City Council.

(2) A key objective of this study is to optimise the trade and development opportunities for the Gateway Ports area that arise from its competitive advantages, including proximity to Pacific Rim markets, the collocation of the airport and seaport, the availability of undeveloped land and the existence of good land transport connections to the hinterland. To assist in meeting this objective, a detailed study of trade and industry development opportunities and constraints is being undertaken to guide decision making on the future of the area. Concurrently, information is being sought on international experience with free trade zones with the aim of identifying any aspects of their operations which could assist the future development of the Brisbane Gateway Ports area, particularly for value-adding activities. The question of concessions will be considered in the context of the findings of these investigations.

(3) Appropriate avenues exist for consultation with the Commonwealth Government through the Steering Committee arrangements for the Brisbane Gateway Ports project.

(4) There is certainly no suggestion, nor would there be, that any entity that this Government sought to establish would operate under employment standards or business regulations that discriminated against workers. This Government will ensure that the appropriate environment is put in place to protect Queensland workers and businesses.

1031. Ross Dam

Mr McELLIGOTT asked the Minister for Natural Resources (10/10/96)—

With reference to amendments to regulations effective January 1996 which effectively opened all Queensland dams and waterways for recreational use—

Is the Townsville/Thuringowa Water Board justified in restricting public use of the Ross Dam?

Mr Hobbs (23/10/96): I assume that the amendments referred to by the Honourable Member

are the Transport Operations—Marine Safety legislation which came into effect earlier this year.

If this is the case, then it should be noted that these changes only relate to the control of safety of boating operations. These changes do not of themselves "open all Queensland dams and waterways for recreational use."

Notwithstanding the issue of legislative controls, I understand that the Townsville/Thuringowa Water Board is conscious of the considerable demand in the region for recreational use of waterways and that the Board is prepared to consider the possibility of recreational use of Ross River Dam.

As part of that consideration, the Board has contributed major funds to a research program to determine whether there are significant health issues associated with recreational activity in a relatively shallow storage in a tropical environment. This project which has only been completed recently, concluded that these issues are no more significant than in other areas in Townsville.

This being the case, the Board is considering the cost of providing physical access and facilities to enable recreational use and as I understand it, a possible by-law which would enable the board to regulate activity so as to protect water quality and amenity.

1034. Electricity Reform Unit

Mr NUTTALL asked the Minister for Mines and Energy (10/10/96)—

With reference to the electricity reform unit and the work of that group—

(1) What are the total costs of that unit?

(2) What work have they done to date?

(3) What does he expect from them?

(4) How can he justify their existence when there have been numerous reports into the electricity industry?

Mr Gilmore (1/11/96):

1. The budget for restructuring the electricity industry including the Queensland Electricity Reform Unit (QERU) is $2.5 million for 1996/97.

2. The current work program of QERU includes:

in conjunction with other jurisdictions and the National Grid Management Council (NGMC), finalisation of the National Electricity Code (Code), preparation of the application to the Australian Competition and Consumer Commission for authorisation of the anti-competitive elements of the Code and its acceptance as an industry Access Code undertaking;

further development of Queensland's derogations to the Code and associated supporting arguments;

developing arrangements which maintain the security of supply elements of the Gladstone Power Station contracts which were entered into at the time of sale; and

participation in other NGMC processes such as the establishment of the National Electricity Market Management Company and the National Electricity Code Administrator.

3. QERU will develop policies and implementation processes for:

interim competitive electricity market arrangements in Queensland;

Queensland's full participation in the NEM including the physical interconnection of the Queensland and New South Wales electricity grids;

necessary structural reform of the Government owned Electricity Corporations;

legislative and regulatory reforms required to complement deregulation of the industry and structural reform; and

representation by Queensland on the NGMC (and its successor) and, in conjunction with appropriate line areas, on COAG Senior Electricity Officials Working Group.

4. The Government has appointed the Queensland Electricity Industry Structure Task Force to recommend a set of structural, institutional and regulatory arrangements for the electricity supply industry that will best suit the energy needs of Queensland, while having regard to the Government's regional and economic development objectives and the need to maintain system security. The Task Force is currently finalising its report which will be tabled in Parliament once it has been considered by Cabinet. Following Government consideration, QERU will be responsible for coordinating the implementation of its recommendations. Electricity reforms involve the resolution of complex financial, legal, technical and policy issues. The establishment of QERU is essential to ensure these matters are addressed in a timely and efficient manner.

1035. Design and Construction, New Correctional Centres

Mr LIVINGSTONE asked the Minister for Police and Corrective Services and Minister for Racing (10/10/96)—

With reference to the 10 year plan for the building of correctional facilities, and the intention to construct a new juvenile detention centre and to a leaked Treasury document which features in an article in the *Australian* newspaper of 17 September 1996, which states—

"The competitive pressure of privately operated prisons has improved the efficiency of Government prisons. However, the public sector unions are continuing to resist workplace reforms which would improve efficiency, eg 12 hour shifts.

Further, competitive pressure could be provided by contracting out the management and operation of planned new prisons and a youth detention centre"—

(1) Will he guarantee that the QCSC will manage and operate the planned new prisons and the planned new youth detention centre; if not, will the cost savings for the QCSC secure correctional facilities and the juvenile detention centres be achieved by contracting out management and operations to the private sector?

Mr Cooper (1/11/96): In relation to the design and construction of new correctional centres (both adult and juvenile detention) this and previous Governments have always contracted these functions out to the private sector. This practice will continue.

In relation to the management and operation of new centres there are three options open to the Government. These are:

to have the QCSC manage and operate these centres;

to undertake a competitive tender arrangement where the public and private sectors compete to manage and operate these centres; and

to invite tenders for the management and operation of these centres from the private sector only. That is, exclude the QCSC from tendering. In assessing these options a number of factors, including efficiency and cost effectiveness, will be taken into account.

When the Government has made its decision I will make an announcement at the appropriate time.

1053. Social and Community Services Award

Mr T. B. SULLIVAN asked the Minister for Families, Youth and Community Care (10/10/96)—

With reference to the recent State Budget which did not make provision for supplementation funding to cover changes to the Social and Community Services (SACS) Award and as community organisations throughout Queensland are being forced to sack staff, reduce workers hours' and/or reduce services and given that Government has been aware of these pending changes to employment conditions, and given that other service industries, such as teaching and nursing, regularly make provision for such wage adjustments—

(1) What is he doing to support community organisations to ensure that vital services are maintained?

(2) Will he fight for workers and services within his portfolio, or will he allow Treasurer Sheldon to continue her destructive lack of support for Queenslanders in most need of support?

Mr Lingard (1/11/96):

(1) I am very conscious that the introduction of the SACS award with effect from 26th July 1996 has been a matter of significant concern to many community groups. The State Government is not a party to the SACS award. It was a consent award between community services employers and the Australian Services Union (ASU). While the State Government is not a party to the SACS award, it is looking at what response it can make in relation to the financial impact of the award. There are three possibilities:

(a) in respect of disability services which were previously Commonwealth funded but have been State-administered since 1992, we have every indication that the Commonwealth will provide funding of 75% of the increased costs of the SACS award. My department is currently negotiating with the Commonwealth to ensure that sufficient funds are transferred in this respect;

(b) some rationalisation of services could occur which will go some of the way towards finding the necessary extra funding to meet SACS award costs. All organisations, whether in the private sector, the public sector or the community sector, have been expected to find efficiencies to meet the cost of pay rises under enterprise bargaining arrangements which have become a feature of the industrial landscape;

(c) finally, there are those areas where the State Government has to try and find a capacity to provide assistance. The SACS award is a very complex award, and it was not possible to factor in consideration of the impact of SACS into the State Budget.

(2) I am aware that this is a very difficult and challenging time for community services in Queensland. Even though awards have been in the making for several years, the introduction of the SACS award brings with it a time of change, and change brings some difficulties for everyone. However, change also brings opportunities. I have directed my department to exercise maximum flexibility, within the bounds of good accountability, in responding to proposals from community organisations as to how they might meet their SACS award obligations.

Some of the possible options might be—

reducing hours of operation in non-critical services

utilising operating funds to pay increased salaries

amalgamating or consolidating the administration of services which are co-located or which share common target groups in particular localities

Regional Resource Officers from my department are ready to work with funded organisations to develop mutually acceptable ways of managing the implementation of the SACS award.

I will be approving the amendment of current funding guidelines to allow more flexibility, as well as pursuing options for financial supplementation.

I am very appreciative of the excellent work that is carried out by non-government groups including volunteer management committees and paid staff throughout the length and breadth of Queensland and I would want essential services preserved as far as possible.

1067. Prickly Acacia Weed; Release of Leaf-eating Beetle

Mr PALASZCZUK asked the Minister for Natural Resources (11/10/96)—

With reference to a planned mass release of a leaf eating beetle (*weiseana barkeri*) as part of the battle against the rampant prickly acacia weed in Northern Australia—

(1) When and where is this release planned?

(2) How many release points are planned?

(3) Has the Department of Environment been involved in this project?

(4) What funds have been allocated for this project in the 1996-97 Budget and what funds have been expended so far on this project?

(5) What tests have been carried out on the beetle to ensure that it is host specific?

(6) How many and which other plant species has it been exposed to during testing?

(7) Is he prepared to give a guarantee that these beetles will confine themselves to prickly acacia and not spread to any of Australia's other native acacia species?

(8) Is the tropical weeds research centre at Charters Towers equipped with proper quarantine facilities capable of ensuring no early unintended escape of this beetle occurs prior to its official release?

(9) What monitoring is planned following the release to assess the beetle's success or otherwise?

(10) What funding has been allocated to this monitoring work in 1996-97 and how many staff will participate on a full-time basis?

(11) Which other States are participating in this work and when are their releases planned?

(12) Which Australian scientific authorities have participated in and approved this release?

Mr Hobbs (1/11/96): The first release is planned for mid November 1996.

Following the initial release it is estimated that at least one further release will be made each month. Number and location will depend on weather conditions.

No.

A total of $53 300 has been allocated for this project for 1996/97, including the raising, release and monitoring of the beetle.

To date a total of $500 000 has been spent on this project.

Initially field surveys were carried out in Kenya. At the times when *acacia nilotica* (Prickly Acacia) trees were heavily infested with this beetle no other closely related species revealed any adults or larvae of *weiseana barkeri*. Also in Kenya, preliminary testing of adult and larva feeding was carried out on eight species of *acacia* and four other closely related species. These tests showed that there was no feeding or extremely minimal feeding on any species other than *acacia nilotica.*

Following these tests a permit to import the beetle for further testing was granted by the Australian Quarantine Service. Further tests were carried out at the quarantine facilities at the Alan Fletcher Research Station in Brisbane.

Larval and adult choice feeding tests were carried out on 52 test plant species, consisting of *acacia nilotica* and 26 native species of Acacia as well as 16 species related to Acacia and nine commonly cultivated species.

These tests showed that extensive feeding occurred on *acacia nilotica* but no feeding or extremely minimal feeding occurred on the other species. *weiseana barkeri* could not complete a life cycle on species other than prickly acacia.

The list of species for host testing is agreed to on an Australia wide basis. It is coordinated by the Australian Quarantine and Inspection Service and the Australian Nature Conservation Agency and the relevant agencies in each State and the Commonwealth have an input into the selection of the list.

Refer to the answer to question 5 above.

There is absolutely no evidence within the extensive host testing conducted to suggest that *weiseana barkeri* is anything but host specific.

The permit to release was granted in 1994 so the beetle does not need to be maintained in quarantine.

Follow up field work will concentrate on relocating the beetle in the field. Regular monitoring, using ecological and demographic techniques, will be undertaken to determine the establishment, dispersal and impact of the beetle.

Funding is included in the answer to question four.

No other States are participating in this work because either prickly acacia is not present or the small areas which are present are under active control.

Under the Quarantine Act 1908 and the Wildlife Protection (Regulation of Exports and Imports) Act 1982 the importation of any Biological Control

Agents must be approved by the Commonwealth Department of Primary Industries and Energy, through the Australian Quarantine and Inspection Service and the Australian Nature Conservation Agency.

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