TUESDAY, 12 NOVEMBER 1996

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

ASSENT TO BILLS

Mr SPEAKER: Order! I have to inform the House that I have received from Her Excellency the Governor letters in respect of assent to certain Bills, the contents of which will be incorporated in the records of Parliament—

GOVERNMENT HOUSE

QUEENSLAND

5 November 1996

The Honourable N. J. Turner, MLA

Speaker of the Legislative Assembly

Parliament House

George Street

BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 1 November 1996.

"A Bill for an Act to amend legislation about consumer credit.

A Bill for an Act to amend the Justices of the Peace and Commissioners for Declarations Act 1991, and for other purposes.

A Bill for an Act to give some protection to farmers against the enforcement of mortgages over equipment used for farming."

The Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(Sgd) Leneen Forde

Governor

GOVERNMENT HOUSE

QUEENSLAND

8 November 1996

The Honourable N. J. Turner, MLA

Speaker of the Legislative Assembly

Parliament House

George Street

BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 7 November 1996.

"A Bill for an Act to amend the Weapons Act 1990, and for related purposes.

A Bill for an Act to amend the Fire Services Act 1990.

A Bill for an Act to amend the Transport Operations (Passenger Transport) Act 1994."

The Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(Sgd) Leneen Forde

Governor

PRIVILEGE

Minister for Public Works and Housing

Hon. T. M. MACKENROTH (Chatsworth) (9.31 a.m.): I rise on a matter of privilege. On 10 October, during question time, I moved that a matter be referred to the Privileges Committee in relation to the Minister for Public Works and Housing misleading the Parliament. That matter was decided on party lines and was not referred to the Privileges Committee. As a result of that, I made an application under the Freedom of Information Act for documents generated since 1 February 1996.

I have now been informed by the freedom of information coordinator for the Department of Public Works that it appears to that person that, having regard to the number and volume of documents, the work involved in dealing with the application would substantially and unreasonably divert the resources of this department in the performance of its function, and that pursuant to section 28 of the Act she may therefore refuse to deal with the application.

I raised this matter with the Director-General of the Department of Public Works and Housing last Thursday, the day I received the letter. At this stage, I have not received a reply from that person as to whether this matter will be dealt with. I believe this matter should be dealt with. If at the end of the 45 days the information is not forthcoming, I will be seeking a meeting with you, Mr Speaker, to discuss what avenues I can take to ensure that the Minister's misleading of the Parliament can be dealt with properly.

PRIVILEGE

Minister for Public Works and Housing

Hon. R. T. CONNOR (Nerang—Minister for Public Works and Housing) (9.33 a.m.): I rise on a matter of privilege. What the member for Chatsworth has asked for would fill about two semitrailers. All we have asked is for him to be a little specific about what he wants. His request would necessitate our supplying the whole block of archives. All we asked of him was that he give us some idea of what this witch-hunt is all about.

OFFICE OF SPEAKER

Statement of Recurrent Expenditure

Mr SPEAKER: Order! Honourable members, I lay upon the table of the House the statement of recurrent expenditure in summary format for the Office of Speaker for the period 1 July 1995 to 2 April 1996.

QUEENSLAND OMBUDSMAN

Report

Mr SPEAKER: Order! I have to report that I have received the report of the Queensland Ombudsman for the period 1995-96.

PETITIONS

The Clerk announced the receipt of the following petitions—

TAB Agency, Salisbury

From **Mr Ardill** (302 signatories) requesting the House to call on the Totalisator Board to retain the agency at Cripps Street, Salisbury, as a public and community facility which is needed in that suburb.

Pacific Highway

From **Mr Baumann** (506 signatories) requesting the House to totally reject Option B and C of Section 3 of the Queensland Department of Transport's publicly displayed plans for the proposed expansion of the Pacific Highway and accept the petitioners preferred Option A.

Sir Leslie Wilson Youth Detention Centre

From **Mr Beattie** (37 signatories) requesting the House to close the Sir Leslie Wilson Youth Detention Centre located in 10th Avenue, Windsor, and relocate the inmates to an appropriate facility.

Youth Curfew, Petrie Police Division

From **Mr J. N. Goss** (924 signatories) requesting the House to trial a youth curfew in the Petrie Police Division affecting children 13 years and younger who are on the street after midnight without the company of an adult.

Police Staffing, Petrie Police Division

From **Mr J. N. Goss** (1,024 signatories) requesting the House give reasonable consideration to an increased percentage in allocation of the extra police promised in the State Budget for the Metro North Police Region with particular reference to the Division of Petrie.

Trading (Allowable Hours) Act

From **Mr Santoro** (3,541 signatories) requesting the House to alter the provisions of the Trading (Allowable Hours) Act 1990 so that the number of persons engaged at any one time in an independent retail shop (including an owner of the business) does not exceed thirty (30), thereby ensuring that independent retailers have the ability to engage more staff to meet present and anticipated future customer requirements and serve their communities with excellence seven days a week.

Trading Hours

From **Mr Santoro** (412,490 signatories) requesting the House to not reduce shopping hours.

Petitions received.

PAPERS TABLED DURING RECESS

The Clerk announced that the following papers were tabled during the recess—

1 November 1996—

Queensland Tertiary Education Foundation—Annual Report 1995-96

Criminal Justice Commission—Annual Report 1995-96

Electoral Commission of Queensland—Annual Report 1995-96

Queensland Law Reform Commission—Annual Report 1995-96

Queensland Law Society—Annual Report 1995–96

Registrar of Cooperative and Other Housing Societies on the Administration of the Cooperative and Other Societies Act 1967—Annual Report 1995-96

Commissioner for Consumer Affairs under the Travel Agents Act 1988—Annual Report 1995-96

Funeral Benefit Trust—Annual Report 1995-96

Registrar on the Administration of the Credit Act 1987 and the Operations of the Consumer Credit Fund—Annual Report 1995-96

Department of Emergency Services and Office of Sport and Recreation—Annual Report 1995-96

Queensland Dairy Authority—Annual Report 1995-96

Queensland Egg Industry Management Authority—Annual Report 1995-96

5 November 1996—

Australian Financial Institutions Commission—Annual Report 1995-96

Darling Downs Health Services Foundation—Annual Report 1995-96

Royal Children's Hospital Foundation—Annual Report 1995-96

6 November 1996—

Queensland Sugar Corporation—Annual Report 1995-96

7 November 1996—

Mt Gravatt Showgrounds Trust—Annual Report for the year ended 30 April 1996

Late tabling statement—Mt Gravatt Showgrounds Trust—Annual Report for the year ended 30 April 1996

Residential Tenancies Authority—Annual Report 1995-96

11 November 1996—

Motor Accident Insurance Commission—Annual Report 1995-96

Public Trustee of Queensland—Annual Report 1995-96

Queensland Treasury Department—Annual Report 1995-96

South East Queensland Water Board—Annual Report 1995-96

Supreme Court Library Committee—Annual Report 1995-96

Legal Aid Commission of Queensland—Annual Report 1995-96.

STATUTORY INSTRUMENTS

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

Civil Aviation (Carriers' Liability) Act 1964—

Civil Aviation (Carriers' Liability) Regulation 1996, No. 313

Dairy Industry Act 1993—

Dairy Industry (Market Milk Prices) Order (No. 2) 1996, No. 321

Drugs Misuse Act 1986—

Drugs Misuse Amendment Regulation (No. 1) 1996, No. 309

Forestry Act 1959—

Forestry Amendment Regulation (No. 3) 1996, No. 312

Jury Act 1995—

Jury Regulation 1996, No. 306

Queensland Cultural Centre Trust Act 1976—

Queensland Cultural Centre Trust Amendment By-law (No. 1) 1996, No. 304

Recreation Areas Management Act 1988—

Recreation Areas Management Amendment Regulation (No. 1) 1996, No. 310

Recreation Areas Management (Fraser and Moreton Islands) Amendment By-law (No. 1) 1996, No. 311

Superannuation (Government and Other Employees) Act 1988—

Superannuation (Government and Other Employees) Amendment of Articles Regulation (No. 4) 1996, No. 305

Superannuation (Government and Other Employees) Amendment Notice (No. 3) 1996, No. 307

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Notice (No. 4) 1996, No. 308

Transport Operations (Marine Safety) Act 1994—

Transport Operations (Marine Safety) Exemption Regulation (No. 12) 1996, No. 314

Transport Operations (Marine Safety) Exemption Regulation (No. 13) 1996, No. 315

Transport Operations (Marine Safety) Exemption Regulation (No. 14) 1996, No. 316

Transport Operations (Marine Safety) Exemption Regulation (No. 15) 1996, No. 317

Transport Operations (Marine Safety) Exemption Regulation (No. 16) 1996, No. 318

Transport Operations (Marine Safety) Exemption Regulation (No. 17) 1996, No. 319

Transport Operations (Marine Safety) Exemption Regulation (No. 18) 1996, No. 320.

RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

The Clerk laid upon the table of the House the following responses to parliamentary committee reports—

(a) Response from the Attorney-General and Minister for Justice (Mr Beanland) to a report of the Legal, Constitutional and Administrative Review Committee entitled Matters Pertaining to the Electoral Commission of Queensland; and

(b) Response from the Minister for Transport and Main Roads (Mr Johnson) to a report of the Select Committee on Travelsafe entitled Driver Training and Licensing.

PAPERS

The following papers were laid on the table—

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

Annual Reports for 1995-96—

TAB Queensland

Queensland Harness Racing Board

Greyhound Racing Authority

Queensland Principal Club

Trustees of Eagle Farm Racecourse

Queensland Corrective Services Commission

Trustees of the Bowen Racecourse—Financial Statements to 9 May 1996

(b) Minister for Health (Mr Horan)—

Annual Reports for 1995-96—

Royal Women's Hospital Research and Development Foundation

Townsville General Hospital Foundation

Princess Alexandra Hospital Research and Development Foundation

Royal Brisbane Hospital Research Foundation

Queensland Nursing Council

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

Review of Mining and Energy Inspectorate

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

(i) A copy of the report from the Local Government Commissioner on the review of the external boundaries of the local government areas of Hervey Bay City, Maryborough City, Cooloola Shire and Noosa Shire;

(ii) A copy of a report from the Local Government Commissioner on the review of the external boundaries of the local government areas of Tambo Shire, Murweh Shire and Bauhinia Shire; and

(iii) A copy of the report from the Local Government Commissioner on the review of the external boundaries of the local government areas of the City of Brisbane and the City of Logan.

MINISTERIAL STATEMENT

Carruthers Inquiry

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (9.39 a.m.), by leave: Following the tabling of a Bill in the House by the Leader of the Opposition on the night of 31 October in relation to the so-called Carruthers inquiry, the Government sought legal opinion from outside the State from Mr Roger Gyles, QC, a former president of the Australian Bar Association, a former vice-president of the New South Wales Bar Association, Special Prosecutor for the Commonwealth and, in recent times, Carmen Lawrence's legal representative before the Easton royal commission.

Mr Gyles was asked to advise on the following questions—

"1. Assuming that:

a. The Bill in its present form is passed and becomes part of the statute law of Queensland;

b. Mr Carruthers agrees to return and complete his investigations; and

c. Mr Carruthers indicates an intention to finalise his investigation reports would Mr Carruthers as a matter of law, on the ground of bias or otherwise, be precluded from proceeding in the manner contemplated in paragraphs (b) and (c) above?

2. Is there anything in the Bill as it is presently drafted which would prevent any legal challenge being made to Mr Carruthers' acting in the

manner contemplated in paragraphs 1(b) and (c) above?"

As to the statements made by Mr Carruthers regarding his independence—in his advice, Mr Gyles states—

"As I read the Bill, it may cure the first problem to which Mr Carruthers referred in his statement, although whether it does so is a matter for Mr Carruthers. It does not, in my opinion, touch upon the second basis for Mr Carruthers' resignation, namely, the compromising effect of what Mr Carruthers saw as the involvement of Messrs Borbidge and Cooper. By way of example, the draft Bill would not have any effect upon the view of counsel (repeated by Mr Carruthers in his statement) that 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 point here is that Mr Carruthers saw Messrs Borbidge and Cooper as having participated in setting up a Commission of Inquiry into his Inquiry into them. Whether this is a fair conclusion is not to the point. Once Mr Carruthers made public that view of his, it is difficult to escape the conclusion that the fair-minded observer might entertain a reasonable apprehension that Mr Carruthers might not bring an impartial and unprejudiced mind to the resolution of issues involving Messrs Borbidge and Cooper and that Mr Carruthers would, in that sense, be regarded as biased."

Mr Gyles further states—

"It appears that there were negotiations between the Parliamentary Opposition and lawyers representing Mr Carruthers in relation to the draft Bill. It is said that these discussions were initiated by the Opposition rather than by Mr Carruthers. Taken alone, I doubt whether this would be regarded as sufficient to disqualify Mr Carruthers for bias. However, this factor, together with the criticisms of Mr Carruthers to which I have referred, would provide further evidence to support my basic conclusion that too much water has flowed under the bridge to enable Mr Carruthers to make a Report which would not be tainted by the perception of bias. I would therefore answer the first question asked of me, in my opinion, yes."

Mr Gyles pointed out that the draft Bill contains a number of declarations. He stated—

"Whatever the effect of such a Parliamentary declaration may be, in my opinion it would not preclude proceedings in the Courts to question the validity of any report by Mr Carruthers. The Act does not say this, and in my view it would take very clear language to oust the jurisdiction of the Court in this way, particularly as to do so may affect the reputation of individuals and may have other consequences such as the encouragement of criminal proceedings (Ainsworth -v- Criminal Justice Commission . . . I do not read the substantive provisions of the Act as touching upon this question. I would therefore answer the second question asked of me, no."

With regard to sections 25 and 66 of the Criminal Justice Act, Mr Gyles said—

". . . to the scheme of the Act generally in relation to the investigation of official misconduct, it is my prima facie opinion that the proper role of a person appointed pursuant to S.25(2)(d) of the Criminal Justice Act is not to conduct the investigation into official misconduct but rather to conduct a hearing for that purpose. The effect of this is that the material elicited at the hearing is then available to the Official Misconduct Division of the Commission for the purposes of its investigation. If this be correct, Mr Carruthers was functus officio once the hearings were completed.

It will also be observed that a legal practitioner appointed pursuant to S.25(2)(d) actually constitutes the Commission itself whilst conducting the hearing. On this view Mr Carruthers was not an independent person reporting to the Commission—rather he was a person acting as the Commission itself for the purposes of the hearing, with no reporting function.

If this analysis is correct, Mr Carruthers has fundamentally mistaken his role. He has conceived himself to be an independent external person who is to make an investigation and a public report, rather after the fashion of a Royal Commissioner or Commissioner of Inquiry. The Criminal Justice Act simply does not provide for this role."

This is a legal advice from an eminent Queen's Counsel which I now table. It clearly puts into perspective some of the issues which could arise if Mr Carruthers were to return.

MINISTERIAL STATEMENT

Flying Fox Lyssavirus

Hon. M. J. HORAN (Toowoomba South—Minister for Health) (9.44 a.m.), by leave: I wish to advise the House of the current situation regarding the lyssavirus and last week's public health warning which followed the first case of transmission of the lyssavirus from fruit-eating flying foxes to humans. There is very little known about the virus at this stage. While related to the rabies virus, the lyssavirus is a distinct, new and extremely rare virus which can cause serious illness in humans. It has been identified in five flying foxes in Queensland and northern New South Wales. It is possible the virus had been circulating in flying fox populations at a low level for many years.

There is only one confirmed case of someone contracting the virus as a result of contact with flying foxes. A 39-year-old Rockhampton woman remains in a serious but stable condition in the Royal Brisbane Hospital after contracting the virus as a result of being scratched by a sick flying fox several weeks ago. A second woman who had been bitten by a flying fox last week was admitted to Rockhampton Hospital with a low-grade temperature on Saturday. She was discharged yesterday—Monday—after being given post-exposure vaccination and blood tests which are yet to confirm whether she had been exposed to the virus. While another 16 people have received a prophylactic vaccine regime as a result of exposure to sick flying foxes, there are no other confirmed cases.

I am pleased to inform the House that most members of the general public would be at low risk on contracting the virus unless they are bitten or scratched by flying foxes. The public health risk from the virus focuses on particular risk groups such as flying fox carers and those whose occupations bring them into direct contact with flying foxes, for example, field and animal laboratory personnel, horticultural workers, veterinarians and members of flying fox care groups.

Queensland Health and the Department of Primary Industries have acted quickly to investigate the virus and identify and manage any further risks to the public. State and national taskforces have been established comprising health and animal specialists to examine issues related to flying foxes and the virus. Issues addressed include setting up Department of Primary Industries and Queensland Health information lines dedicated for public inquiries, identifying people who may be at risk and develop protocols for management of treatment of the virus, extensive communication strategies undertaken to provide information about the virus to the public and concerned groups. The Central Queensland Public Health Unit will also prioritise and carry out vaccinations for potentially exposed people.

A meeting of flying fox handlers and other concerned groups is being held today to exchange information, plan future handling strategies and possibly implement a vaccination program. Guidelines are being prepared for handling of flying foxes and for people in at-risk groups. A meeting of the national taskforce in Canberra yesterday was attended by scientists and clinicians from a number of States and universities. A number of recommendations were agreed to. An information sheet will be developed for GPs and public health units throughout Australia based on the Queensland information sheet. Criteria are to be recommended for use of immunoglobulin and post-exposure vaccination protection, and these will also be based on the Queensland protocols. This will mean post-exposure vaccine will be provided to any person who had suffered a bite from flying foxes in the past three months. Pre-exposure vaccine will be strongly recommended for those people who come into regular contact with flying foxes.

A small group, including Dr Linda Selvey from University of Queensland, has been formed to make recommendations on research priorities. Arrangements for research funding will be put in place at the earliest opportunity. There is no shortage of vaccine and negotiations will occur between the Commonwealth and State Governments about funding for this vaccine. It is expected the Commonwealth will make an announcement this morning in regard to outcomes from yesterday's meeting.

MINISTERIAL STATEMENT

Schoolies Week

Hon. B. W. DAVIDSON (Noosa—Minister for Tourism, Small Business and Industry) (9.48 a.m.), by leave: Next week is the beginning of what has become known across Australia as "Schoolies Week". Over the next month or so, school leavers from around Queensland and even interstate will

converge on Queensland's coastal tourist destinations to celebrate the end of their school days. While all of us can fully appreciate their desire to get together to mark this special occasion, adults are only too aware of the risks inherent in such a large gathering of often underage young people. Our concerns are largely for their personal safety. But we are also concerned that in enjoying themselves they do not indulge in illegal or criminal behaviour and that they respect public and private property and the rights of other holiday makers and the people who live in the communities which schoolies will be visiting.

We all recognise that the cause of the vast majority of trouble which has plagued Schoolies Week is the use and abuse of alcohol. Some months ago the Liquor Licensing Division of the Department of Tourism, Small Business and Industry began its 1996 Schoolies Week campaign. A letter for teachers and students was circulated to all 338 private and State high schools in Queensland outlining liquor licensing laws, with special regard to the penalties for underage people attempting to enter licensed premises and for those over 18 who supply alcohol to their younger friends. Advertisements have been placed in magazines targeting school leavers and a flier will also be circulated through accommodation houses on the Gold Coast, enabling us to get this message across to students from interstate as well. Behind this education push is the clear message that illegal drinking will not be tolerated. Liquor licensing investigators will maintain an around-the-clock presence at venues which are likely to attract school leavers. These investigators will be concentrating on ensuring that: underage people are not on licensed premises; underage people are prevented from consuming alcohol on licensed premises; licensees are aware of acceptable forms of age identification; licensees maintain responsible hospitality practices; and unduly intoxicated patrons are prevented from being served alcohol.

While we can ensure the letter of the law is recognised on licensed premises, today I want to call on parents to do their bit. I understand that many parents provide their children with alcohol when sending them off to Schoolies Week. They do so thinking that giving them a few beers will keep their kids away from pubs and clubs and will stop them breaking the law. While I can understand their motivation, I urge them to think again. Large groups of young people, unaccustomed to drinking and tasting freedom for the first time can be a risky combination. I urge parents to think of their children's physical safety and their futures. One slip-up, one high-spirited prank, can lead to a criminal conviction at the least and a tragedy at the worst.

This afternoon I will launch a new campaign which has particular relevance for Schoolies Week. The campaign, which is based around the message "Have a Good Time but Don't Step Over the Line", involves videos to be played in licensed premises and will be complemented by posters. While many school leavers are underage and will not be in licensed premises, some have reached 18 and a number of their older friends will also be present. Most importantly, the message for all young people is clear: have a good time, but don't step over the line.

MINISTERIAL STATEMENT

Moura Mine Review

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (9.51 a.m.), by leave: Following the 1994 Moura No. 2 tragedy in which 11 men lost their lives, the mining warden recommended that the Government review its inspectorate staffing levels and conditions to ensure that the Government fully met its commitments to improving mine safety in Queensland. The warden, in his report of 17 January 1996, was critical of the Department of Mines and Energy for its under-resourcing of the inspectorate.

The review of the inspectorate commenced on 30 January 1996 with the first meeting of the steering committee. The steering committee was supported by a two-person working party which began its duties on 5 February 1996. Although the warden's report commented only on the coal mining inspectorate, the review was expanded to include the metalliferous and explosives inspectorates, and their petroleum, gas and electrical safety operations.

The review was required to identify the critical issues and propose solutions which would improve the quality of services provided in support of safety and health in the Queensland mining industry. Also, it was to address the longstanding problems experienced by the Department of Mines and Energy in recruiting and maintaining suitably experienced and qualified staff within the mining inspectorate.

I am pleased to say that the review of the mining and energy inspectorate has been completed and I have been presented with what I believe to be one of the most significant

reports on mine safety and health to be completed in Australia. The review has been a painstakingly thorough and comprehensive one. I want to pay tribute today to everyone who contributed to this review. The unprecedented degree of harmony and cooperation shown by unions, industry and Government has, I believe, set an example which I sincerely hope can be mirrored in so many other of their common endeavours.

I would especially like to record my appreciation of the work done by the steering committee comprising its chair, Bryan Coulter, my parliamentary colleagues Tony FitzGerald and Jim Pearce, Geoff Kenney, Ros Kinder, Peter Dent, and Ieuan Roberts. Miss Mary Worthy and Dr Peter Golledge made valuable contributions as members of the working party. Finally, I would like to acknowledge the work of Moura implementation coordinator and steering committee observer, Mr Neil Galwey.

Some time ago in this House I indicated that I did not want the Moura implementation process to be some nine-day wonder that would be quickly forgotten. I also, on numerous occasions, have stated this Government's absolute commitment to implementing all necessary recommendations with respect to Moura.

The full year annual cost of implementation of the report recommendations is around $3.1m. I am pleased to say that State Cabinet—at the very first opportunity it has had to put its commitment to the test financially—has approved an immediate sum of $750,000 towards the implementation of this report's recommendations. I will be going to the mid-year Budget review for the rest of the money required in this financial year.

Cabinet has further approved that the additional salary and administrative costs of $3.1m per annum be considered in next year's Budget as a permanent adjustment to the department's base funding.

MINISTERIAL STATEMENT

Stradbroke Rutile Pty Ltd

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (9.54 a.m.), by leave: I wish to advise this House that on 6 November 1996 I issued a notice to show cause to Stradbroke Rutile Pty Ltd, a subsidiary of Consolidated Rutile Ltd, as to why mining lease 1121 should not be cancelled or a penalty imposed for failure to comply with one of its environmental management overview strategy commitments.

This particular commitment, commitment 41, required the company to carry out detailed pre-mine hydrological studies in specific areas of perceived risk. After studying reports by officers of the Department of Mines and Energy, I consider that adequate studies were not carried out by the company for the mine dredge path at its Gordon Mine located on North Stradbroke Island.

An inspection by the department's principal regional environmental officer has confirmed that uncontrolled seepage from the Gordon Mine's dredge pond is occurring into bushland beyond the boundary of the mining lease. With my authorisation, the officer has ordered Stradbroke Rutile Ltd to undertake an independent hydrological assessment of the entire present and future mine areas of the Gordon Mine and to review the mine dredge path based on this assessment. The company has also been ordered to undertake an independent hydrological assessment of its entire Ibis-Alpha deposit which it plans to develop as a future mine and to review the proposed Ibis-Alpha mine path based on this assessment.

The failure of the Gordon Mine water management system also represents a change in the company's attainment of the performance criteria for this project and, as a consequence, its security deposit will be increased to reflect the change in discount rate relating to its new performance category.

I am, unashamedly, an ardent advocate of the mining industry. No other single industry does as much as mining to underpin the economy of this State. I am pleased to say that, as a result of Government and industry initiatives, environmental practices by the mining companies have improved enormously in recent years. However, if there are breaches of environmental commitments by mining companies, I assure this House that my department will vigorously address such breaches and ensure that the appropriate steps are taken to prevent them from happening again.

MINISTERIAL STATEMENT

Retail Trading Hours

Hon. S. SANTORO (Clayfield—Minister for Training and Industrial Relations) (9.57 a.m.), by leave: I wish to announce the Government's decisions on the recommendations of the independent and properly constituted commission of inquiry conducted by the Honourable Sir William Knox to determine the effects of the previous Labor

Government's hastily introduced 1994 legislative changes to trading hours.

The inquiry undertook extensive consultation throughout Queensland and across Australia to provide a fair and balanced assessment of the impact of the changes on small business. In so doing, the Government honoured an election commitment for an independent inquiry, free from political interference, to establish the effects of these changes.

The position adopted by the Government has the full support of the major stakeholders in the retail industry, which includes the Queensland Retail Traders and Shopkeepers Association—which opposed what the Labor Party did last time—the Retailers Association of Queensland, the Property Council of Australia and the Tourism Council of Australia.

The decision has not been an easy one. In coming to this decision, the Government took account of the vastly divergent arguments provided by small, medium and large businesses, as well as consumers.

Opposition members interjected.

Mr SANTORO: The decision will unfortunately not please everyone, including those members opposite. However, the Government must make decisions which, on balance, are considered best and fairest for the community as a whole and it must then stand by them.

In the consultation process, a large number of submissions were received, providing many diverse views on the regulation of trading hours, as well as a number of factors impacting on the retail needs of the general community. After thorough examination of the information provided to the Government by way of the inquiry and submissions received during the consultation process, the Government has decided to adopt the recommendation of the Knox inquiry by not extending or winding back current core retail trading hours.

The Government is firmly of the view that the Queensland Industrial Relations Commission is the most appropriate forum for the determination of trading hours and, therefore, the recommendation that trading hours applications outside of core hours should remain solely with this body—and thereby free from political interference—has been adopted.

Additionally, in response to the views of the representative industry bodies, the Act will be amended to provide that the Queensland Industrial Relations Commission, in determining trading hour applications, must have regard to the interests of not only consumers but also the interests of small, medium and large businesses. That is another election promise honoured.

Similarly, changes to the definition of "independent retail shop" will be implemented to increase the number of persons who may be engaged in these shops from six to 20 at any one time, and 60 in all shops if the owner has more than one shop.

Mrs Edmond: And that will kill them off completely.

Mr SANTORO: For the particular benefit of the mouth from Mount Coot-tha, who should listen very carefully, I say that this change of definition will mean that a number of small retailers will now come under the existing award umbrella——

Mrs EDMOND: I rise to a point of order. The Minister is being his usual insulting self, but he is getting it all wrong. His amendment is going to wipe out small business.

Mr SPEAKER: Order! There is no point of order. I call the Minister.

Mr SANTORO: The honourable member for Mount Coot-tha again shows her misguided and misdirected sense of priorities, as she did when she introduced the original amendments. This change of definition will mean that a number of small retailers will now come——

Mrs EDMOND: I rise to a point of order. This man is unbelievable. I introduced no amendments.

Mr SPEAKER: Order! I call the Minister.

Mr SANTORO: Again, the honourable member who gave us the disaster of workers' compensation, which is impacting greatly on small businesses, continues to make a fool of herself. I will try again.

This change of definition will mean that a number of small retailers will now come under the existing award umbrella, which provides the flexibility needed to employ more people outside of traditional hours at beneficial penalty rates. The change will greatly enhance the viability of small retailers and will allow them to meet the challenges that exist in today's highly competitive retail environment, including meeting important family commitments. Yet again, this Government has acknowledged its responsibility and commitment to the needs of small business by adopting a number of initiatives designed to provide assistance to the small-business sector, including those in the retailing sector.

Initiatives currently being developed by my ministerial colleague the Honourable Bruce Davidson, Minister for Tourism, Small Business and Industry, include—

- the establishment of 14 business centres throughout the State to give business access to the full range of enterprise improvement services;
- simplifying the resolution of disputes between landlords and tenants through the introduction of alternative mediation processes by proposed amendments to the Retail Shop Leases Act;
- preparing a range of new workshops to help small business improve their operations in marketing, customer service, business and financial planning;
- preparing the Queensland small business management skills strategy to increase the participation in management training programs;
- developing a single application form for business to obtain the most common Federal and State business licenses;
- the industry-based Red Tape Reduction Task Force has been established to review the burden of State and local government regulations on business; and
- the Small Business Council of Queensland has been established to provide the Minister for Tourism, Small Business and Industry with advice on issues affecting small business, such as the proliferation of shopping centres, which was an area of major concern identified by the inquiry.

Also, the Government's proposed industrial relations reforms will—

- increase workplace relations flexibility, including options for non-union enterprise bargaining negotiations;
- fix Labor's unfair dismissal laws to give a fair go for all; and
- abolish preference clauses and closed shop arrangements, freeing up the labour market.

These reforms will enable small retailers to arrive at tailor-made enterprise agreements.

Changes to workers' compensation to replace the current merit/demerit premium system with an experience-based premium rating system will benefit small business and small retailers by providing a buffer from the effects on premiums of a claim after years of good experience, while penalising persistent poor claims experience.

Furthermore, my department will work with the Department of Tourism, Small Business and Industry to ensure a coordinated approach to the provision of training and education programs to small and medium retailers and identify areas of training need to ensure that training is appropriately targeted and delivered in accessible formats. The Government is firmly of the view that the proposals will provide the necessary assistance to small retail operators in this State to enhance their long-term viability.

In closing, the Government has taken into account the extensive consultation by both the inquiry and the post-inquiry feedback. The decision of the Government is final, and I intend introducing amending legislation at the earliest opportunity to implement the Government's policy decision. The Government did not make a hasty decision on this most difficult and emotive issue. What the Government has done here today is remove the politics from an issue that must be apolitical.

I would like to take this opportunity, on behalf of the Government, to thank all those who have contributed to this most complex and sensitive debate, and I call on all honourable members to support the Government's position in the interests of Queensland.

MINISTERIAL STATEMENT

Land Court

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (10.03 a.m.), by leave: The Land Court has been an integral part of the administration of Queensland for the last 99 years. It has evolved largely as a layman's court, with relatively few changes being made to its rules and procedures over the decades. Even today, some of the rules covering court procedures date back to 1912. Despite this, the court remains an important part of the State's legal structure, dealing as it does with such matters as land valuations, water licences, land categorisations and compensation claims. Some 32 different statutes refer disputes to the court for resolution.

These days, the Land Court handles multimillion-dollar compensation cases, involving senior barristers and large lists of witnesses, as well as allowing lay persons to conduct their own rating valuation appeals. Rather than do away with it, as the previous Labor Government proposed, the coalition Government's policy is to retain the court and

modernise it. Consequently, earlier this year I instituted a review of the court and its powers, rules and procedures, which was prepared by Department of Natural Resources principal legal officer, Barry O'Connor. This report recommends a major overhaul for the court and its appeal system to provide quicker, cheaper and fairer hearings for all parties.

A revamped court would lessen the current backlog of some 1,100 cases awaiting hearing and avoid lengthy adjournments and delays by abolishing "trial by ambush". A major reason for the current backlog is the former Government's policy of not replacing members of the court as they retired. The current "ambush mentality" does not oblige disputing parties to share relevant case information, but proposed new pre-hearing processes would make the system more open and accountable. Such pre-hearing steps include access to relevant documents, exchange of experts' reports, defining issues of law and fact and a certificate of readiness for trial. The changes would be in line with the modernisation and innovations undertaken in the wider court system, and we believe it would be the Land Court's first big overhaul in its 99-year history.

If approved, the report's recommendations would result in—

a court-supervised case management system;

classification of cases into simple and complex;

flexibility to cater for a range of cases from complex compensation cases to layman's rating/rental appeals;

pre-hearing steps to abolish "trial by ambush"; and

the District Court model of court-appointed mediators.

I expect, in some weeks' time, to take a submission to Cabinet proposing legislative changes for "major surgery" to the Land Court.

MINISTERIAL STATEMENT

Infrastructure outside School Buildings

Hon. R. T. CONNOR (Nerang—Minister for Public Works and Housing) (10.05 a.m.), by leave: I wish to advise the House that local governments are to benefit financially from a State Government move to clarify the funding of external infrastructure outside school buildings. State Cabinet yesterday endorsed the recommendations of a joint submission from myself and Local Government Minister, Di McCauley. The submission covered external infrastructure such as traffic management, including bus and car set-downs, sewerage, drainage and water supply outside of both State and non-Government schools. The submission to Cabinet aimed to clarify who pays. Currently, some councils pay for 50 per cent of the work, others pay 100 per cent, and others nothing at all. The situation has to change if ratepayers everywhere are to be treated equally.

Under the new guidelines, the State Government will pay 50 per cent of the infrastructure costs to all councils. This represents an $8m commitment from the Government over this financial year. This is in line with the current practice with most local governments. The State Government is adopting a consultative approach to the issue. The Local Government Association of Queensland supports the plan, and the Government believes all councils will see the fairness in these guidelines. We are also establishing a working party to consult with local governments in an effort to resolve any problems and consider possible future solutions.

OFFICE OF SPEAKER

Statement of Recurrent Expenditure

Mr SPEAKER: Order! Honourable members, I lay upon the table of the House the statement of recurrent expenditure in summary format for the Office of Speaker for the period 3 April 1996 to 30 June 1996.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mr ELLIOTT (Cunningham) (10.07 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 11 of 1996, and I move that it be printed.

Ordered to be printed.

NOTICE OF MOTION

Unemployment

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.07 a.m.): I give notice that I will move—

"That this House condemns the minority State Government for its inactivity leading to the highest number of jobless in Queensland's history and calls on the government to immediately implement all of the projects in Labor's $745m

Accelerated Capital Works Program which the Treasurer scrapped upon coming to office in February."

CARRUTHERS INQUIRY ENABLING BILL

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.08 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to ensure the resumption, protection and completion of an inquiry by the Criminal Justice Commission."

Motion agreed to.

First Reading

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

Second Reading

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.09 a.m.): I move—

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

This Bill is a test of the commitment of the Premier and his Government to honesty, integrity and the rule of law. It is a test of whether the Premier is prepared to be accountable. An honest Government would not have had to be pushed this far. An honest Government would have acted to safeguard the independent inquiry of an independent and respected former judge right from the start. A Government wanting to rescue what was left of its tattered, battered reputation would have introduced its own Bill to ensure the resumption, protection and completion of the Carruthers inquiry, which is exactly what our private member's Bill does.

This Bill provides for: the resumption of the inquiry whether Mr Carruthers returns or not; the protection of the inquiry from interference by the Borbidge/Connolly inquiry, which is what led to Mr Carruthers' resigning; the completion of the inquiry as intended; and ensuring the community gets value for money from the inquiry and that the $3.5m invested in the inquiry is not wasted.

That interference by the Borbidge/Connolly inquiry had the effect of decimating the inquiry to the point where the only thing happening is that two barristers are drawing up a brief to advise the Director of Public Prosecutions about possible charges arising from the evidence given to the inquiry. But the Carruthers inquiry was expected to do much more than that. It was also expected to table a report setting out findings of fact relating to the matters being investigated. It was expected to recommend changes in the law if this would help prevent a recurrence of anything found to have been against the public interest or contrary to propriety.

We must learn from our mistakes so that they are not repeated. That is why we must do everything to enable the inquiry to be resumed and the report to be published. Mr Carruthers resigned because, he said, his appearance of impartiality had been lost. A declaration by this Parliament of its confidence in Mr Carruthers solves that problem. If Mr Carruthers does not return, the passing of this Bill will enable the CJC, if it is so minded, to appoint someone else to complete the inquiry free of interference from the Borbidge/Connolly inquiry. That is what the people want. That is why we are introducing this Bill. It will also protect the two barristers currently drawing up the brief for the Director of Public Prosecutions from the Borbidge/Connolly inquiry.

We have heard the Premier make much of the fact that the report has not been completed and that this means $3.5m has been wasted. If the Premier wants to see the public receive value for its money, if he wants to see that $3.5m well spent, if he is determined not to waste that $3.5m, he will vote for this Bill! And so will all members of the Government. We can ensure that there is a report and that taxpayers get value for money. If that does not happen, the people who are clearly responsible for the waste of this money are the Premier and his Government.

Mr Carruthers was investigating two matters:

1. The secret deal to emasculate the independent watchdog, which had been signed by Mr Borbidge and Mr Cooper of the National Party and the Police Union president, Gary Wilkinson.
2. Circumstances relating to a letter to the Sporting Shooters Association.

We want both inquiries—into National Party identities and the ALP identities—finalised because we believe in the rule of law. The investigation of Mr Carruthers into the Sporting Shooters letter is an examination to discover whether there was anything untoward relating to the activities of Labor Party identities. We have no problem with that. We are anxious to be accountable. We believe that it is essential that, once allegations have been made against Labor and an obviously

independent inquiry has started, that inquiry must be allowed to continue and it must be allowed to deliver its independent verdict. We are prepared to put party political interests aside. We want to be accountable. The question is: why does the Premier not want to be accountable?

I warn this House and the people of Queensland: a vote against this Bill is a vote against the rule of law, against accountability, against honesty. The question to the Premier is: is he prepared to have the light of scrutiny shone on the shady deal with the Police Union? A vote against this Bill signals a return to the days of corruption that we saw under the National Party during the 1980s.

The advice tendered in the House this morning by the Attorney-General does not in any way detract from this private member's Bill that I have introduced. The advice tendered by the Attorney is about Carruthers, QC. It does not touch the major purpose of the Bill, that is, to protect the inquiry, nor does it allow for the fact that there have been changes to the Bill. Mr Speaker, I refer you to page 2 of the advice tendered by the Attorney, which I have now read, which states—

"The Bill in its present form . . ."

This Bill is different. Mr Speaker, I also refer you to page 6 of that advice, which states—

> "I express these views in a tentative fashion because I was not asked to express any opinion upon the issue, and I have not had the benefit of observations upon it from my instructing solicitor."

In other words, the legal advice is simply gratuitous advice and not legal advice at all. Therefore, it is not worth the paper it is written on, because it was based on an early draft of the Bill. This Bill is an important demonstration to the people of Queensland that this Parliament believes in honesty and integrity.

In conclusion, I wish to thank the shadow Attorney-General, Matt Foley, and the member for Murrumba, Dean Wells, for their assistance in the preparation of this Bill. I commend it to the House.

Debate, on motion of Mr FitzGerald, adjourned.

MEMBERS FOR CHATSWORTH, BUNDAMBA AND FERNY GROVE

19 Years of Service

Mr SPEAKER: Order! Before we move to private members' statements, I would like to acknowledge that it is 19 years to the day that the member for Chatsworth, the member for Bundamba and the member for Ferny Grove were elected to this Parliament. They do not look a day older!

PRIVATE MEMBERS' STATEMENTS

Trading Hours

Hon. P. J. BRADDY (Kedron) (10.18 a.m.): The coalition Government's behaviour in relation to extended trading hours in Queensland demonstrates why the coalition is unfit for Government. This matter is yet another occasion on which the coalition is seen to have deceived the people of Queensland and, more specifically, the people of Mundingburra and the member for Gladstone in eliciting their support in order to achieve political power and office in Queensland. The small-business operators of Queensland have witnessed the now Premier's promise to wind back trading hours. I have been advised of this directly by the small-business operators at Rocklea, where the Premier made a speech promising not a review but that he would do something about winding back trading hours. Gai Burton, the spokesperson for the National Federation of Independent Business, also states that, before the Mundingburra by-election, she received a written commitment from the now Premier promising to abolish Sunday trading.

The recommendations of the Knox report, which gives total support for the actions of the Goss Labor Government, set out the proper course to follow. However, we have seen the small-business community tortured by this Government. During its months in office it has made promises and to gain office it made promises. Even after the presentation of the Knox report, we saw six weeks of dithering and torture for the small-business community before the incompetent Minister for Training and Industrial Relations rose in this House to say that he now supports what the Labor Government did and what the Knox report told him to do. In the meantime, of course, we saw the Premier blaming extended trading hours for suicides and promising, in effect, that his Government would wind back trading hours.

Time expired.

Mr J. O'Donnell

Mr TANTI (Mundingburra) (10.20 a.m.): I refer to a letter that was sent to me by a constituent, part of which states—

> "I sincerely wish self and your family good health, happiness and contentment, and do not permit the political dogs

> yapping at your heels to get you down. Your only sin was being victor at the Mundingburra By-Election. I'm a staunch socialist but arrogance and intimidation are two sins I'll never tolerate. Best wishes, Yours sincerely."

I thank that constituent for his comments.

I will now detail what the Labor Party will do to continue its intimidation. The local Labor Party hacks get together and they select the biggest gutter snake they can find. They then run that gutter snake through the media with any unfounded allegation that they see fit to make. It does not matter whether or not that allegation is true; they just run with it.

Last week, the Labor's latest gutter snake, Mr James O'Donnell, the Northern Secretary of the Federated Clerks Union, put up his head. He considers himself to be a straight shooter. However, he is often in danger of being shot by a ricocheting bullet from his own gun. He fired a shot at me and it ricocheted back to him. When I pressured Mr O'Donnell through the media to prove his allegations, he said that he had seen video footage of me, which he did not have in his possession. When I was able to prove that at the time in question I was at a shopping hours meeting with Santo Santoro and 30 other people, Mr O'Donnell demonstrated only one thing—that he has no credibility. Added to that is his tag within the Labor Party as being a "loose cannon".

I will go into further detail. An article in the latest edition of the *Sunday Mail* announces James O'Donnell's political aspirations and that he would like ALP preselection for the State seat of Mundingburra. I say to all Labor Party hacks to keep putting up intimidating liars, for when the time comes for their history to be evaluated, they will wear the fall-out.

Mr GIBBS: I rise to a point of order. How can this gentleman send me a birthday card, yet talk about me in this House in that way? It is dreadful! I am deeply offended.

Mr SPEAKER: I can understand the member's offence, but there is no point of order.

Unemployment

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.22 a.m.): There are 172,600 reasons why the Borbidge Government needs to stop fiddling with the State and start governing it. Those 172,600 reasons are the 172,600 Queenslanders who are looking for a job.

Never before has Queensland had such a number of unemployed people within its boundaries—the highest in the history of this State. That is the largest number of unemployed people there has ever been in Queensland since it was formed as a colony in 1859. On a seasonally adjusted basis, 10.1 per cent of the State's work force is unemployed—the worst result in mainland Australia, surpassing even that of South Australia. It is an appalling result in anyone's language, yet the Treasurer is not even in the Chamber.

Even more appalling is the Borbidge/Sheldon Government's inaction and indecision in dealing with the fate of those 172,600 Queenslanders. The October unemployment figures have exposed as plainly wrong the Government's claim that, in trend terms, unemployment is stable. Under Mr Premier's guidance, in each of the last six months the trend rate of unemployment has increased and is now higher than it has been at any other time since the last recession. After almost nine months in office, that is the Government's record.

The challenge is to increase employment at a rate faster than the growth in the work force—a challenge that the Government is failing to meet. The Government has failed to do anything. Since Mr Premier took office, an extra 12,200 Queenslanders are without a job. The message from all sections of the community—business, the rural sector and provincial cities—is the same: get on with the job, start behaving like a Premier. After nine months in office, the Government's legacy is 12,200 extra Queenslanders on the unemployment queue.

Pacific Motorway

Mr BAUMANN (Albert) (10.24 a.m.): I would like to bring to the notice of this House the continuing concerns of the people of Canowindra Estate, which is located in my electorate, with regard to the location and alignment of the Pacific Motorway.

As a result of ongoing consultation and community meetings with departmental people, residents of that estate and me, I have received some 230 letters in support of option A as displayed at various locations throughout the community.

I would like to take this opportunity to reaffirm to those concerned residents my continued support for their efforts to have recognition of their preference and assist in

whatever way necessary to deliver the most acceptable outcome.

Despite the best efforts of the former Minister for Transport at political point-scoring, this Government will deliver to those people the best option available.

Queensland Economy

Hon. D. J. HAMILL (Ipswich) (10.26 a.m.): On 19 September 1996, the Treasurer issued a press release titled "Queensland Economy bounces back", in which she boasted the following—

> "Real Gross State Product. . . grew by 1.7% in trend terms in Queensland in the June quarter this year, double the National GDP rate of 0.7%.
>
> . . .
>
> These figures made a lie of Opposition claims that there was a Capital Works freeze."

The Queensland business community did not, and does not, share the Treasurer's view. A parade of business leaders such as Ron Paul and Mike Pelly and commentators such as Don Keough have spoken out against this coalition Government, which has taken its eye off the economy and proved itself to be incapable of making decisions. Further evidence to support the views of Queensland's business community can be seen in the continuing rise in unemployment in this State and the recent Queensland Treasury publication of the Queensland State accounts for the June quarter 1996, which states—

> "Queensland's real trend GSP. . . grew by only 0.4% in the June quarter, 1996, compared with GSP growth of 0.8% in the rest of Australia."

I say to the Treasurer that that is not double the rate but half the rate of the rest of Australia.

When it comes to the state of the Queensland economy, who should the people of Queensland believe? The Queensland Treasurer or the Queensland Treasury? Should the people of Queensland believe the Queensland Treasurer or the hundreds of contractors who have been forced to the wall because of the coalition's capital works freeze and its failure to spend capital funds in the last Budget? Is this just another example of the Treasurer demonstrating that she is not up to the task of managing the State's economy and that this Government is totally incompetent when it comes to economic management in Queensland?

The unemployment rate is a disgrace, the economic growth figures are parlous, and it is about time that this Government stopped running Government by inquiry and got on with the job of trying to generate some life back into the Queensland economy.

Mr J. Orr

Mr BREDHAUER (Cook) (10.28 a.m.): What price fairness and what price accountability? Some institutions have a moral and ethical obligation to be fair and to account for their decisions, particularly institutions which draw their authority from this place, the Queensland Parliament.

I cite the example of Bond University, which was established by State legislation. One would think that a university which relies on fee-paying customers might take students' rights seriously and that students should be considered when decisions are made that could affect their future. In at least one case, Bond University has cancelled a course and refused to refund fees that were paid by a masters level student, Mr John Orr of Surfers Paradise. Mr Orr could get no satisfactory explanation or redress from the staff at Bond University in relation to this matter. Instead, he discovered that the university could simply refuse to return his money, leaving him no redress within the institution.

Mr Orr contacted anyone whom he thought might be able to help him—the Ombudsman, the Commissioner for Consumer Affairs, the Federal Minister for Education, the Australian Vice-Chancellors Committee, and the State Minister for Education. Everyone was sympathetic to him, but it appears that no-one can compel Bond University to do the right things by an ordinary Queenslander who just wants a fair go.

If Bond University is above standards of ordinary decency, why does it deserve a mandate from this Parliament to ply its trade in Queensland? Other universities can be held to account by administrative law or by the traditional role of a Visitor, who hears and settles disputes. Why should students at Bond University be treated differently? The laws of Queensland should extend to the students of Bond University the same rights and privileges as those enjoyed by students in our great public sector universities. We should insist that a public mandate provided by legislation be matched by a public commitment to openness and accountability. No student need suffer the aggravation and the unfairness heaped on Mr Orr.

I implore the Minister for Education to prepare amendments to the Bond University Act to bring it into line with the expectations of a decent society. I implore Bond University to do the right thing by all its students, including Mr Orr.

Mr SPEAKER: The time for private members' statements has expired. It is now time for question time. I call the Leader of the Opposition.

QUESTIONS WITHOUT NOTICE

Queensland Economy

Mr BEATTIE (10.30 a.m.): I refer the Treasurer to the comments of the Attorney-General who, on 31 October, was quoted in the *City News* as stating—

> "We had to slow the government and public service down, stop it, turn it in our direction . . . "

He then stated—

> "I think we have largely achieved what we set out to."

I table that article for the information of the House. I ask: how can the Treasurer's fellow Ministers gloat over this as an achievement, when her deliberate freeze of $3.6 billion in capital works projects has cost the economy $400m in lost business activity and added an extra 12,200 Queenslanders to the unemployment queue?

Mrs SHELDON: I am very pleased that the honourable Leader of the Opposition asked me this question because I would like to inform him of the independent facts, as opposed to his own politically biased statements.

An Opposition member interjected.

Mrs SHELDON: If the honourable member listened, he might learn a few things. Investment in Queensland has increased dramatically under the coalition Government. The investment monitor produced by Delta Electricity and Access Economics showed that for the December 1996 quarter there has been a 58 per cent increase in projects under construction, committed to construction or possible as compared to a year earlier when Labor was in power. This figure is significantly higher than the 33 per cent for Australia as a whole. Queensland is doing better than the nation, and it is doing considerably better than it did last year under the Labor Party.

Opposition members interjected.

Mrs SHELDON: Honourable members should just listen. More than $25 billion——

Opposition members interjected.

Mrs SHELDON: The Leader of the Opposition asked the question; I assume Opposition members want to listen to the answer. I know that the Leader of the Opposition asked a pretty crook question, but this is the factual answer. In Queensland, more than $25 billion is being invested in projects that are either under construction or are possible in the near future, putting Queensland second only to Western Australia.

Apart from those independent assessments, the Government has also cut payroll tax by raising the threshold by $50,000, which will create jobs. An independent estimation is that that will create about 44,000 jobs over a 12-month period.

The Premier has also announced the Government's introduction of a monthly monitoring system to ensure that the Capital Works Program is on track. As members opposite would be aware, $4 billion worth of capital works and a $1.6 billion rejuvenation infrastructure package over three years is provided in the Budget. Never before has a Queensland Government injected so much into infrastructure. It is quite obvious that that is occurring. One only needs to look at the figures I have cited to see it.

I again thank the member for his question and I reiterate: there is a 58 per cent increase in projects which are under construction, which have been committed to or which are possible. That is the actual terminology used by Delta Electricity and Access Economics and it is the same terminology that the former Treasurer used when he was comparing Queensland to the rest of Australia.

Mr Hamill: And he delivered.

Mrs SHELDON: He did not. On the same criteria, there is a 58 per cent increase in construction in this State.

Capital Works Program Freeze

Mr BEATTIE: I refer the Treasurer to her 26 February memo ordering all departments to immediately freeze all funding initiatives of the previous Government, including the $745m new and accelerated Capital Works Program, with the view to "permanently curtail, scale back or defer these programs". I table a copy of the memo. I ask: does the Treasurer's incompetent Government now realise the folly of its earlier actions and will the Treasurer now apologise to the business community and the 12,200 extra unemployed for the slowdown in economic

activity and spiralling unemployment that she has created?

Mrs SHELDON: I draw the honourable member's attention to the fact that, when he was the failed Health Minister, he presided over a blow-out in the Health budget of $75m. To prove what a brilliant economic record he has, he also intended using capital works money for recurrent expenditure. The Leader of the Opposition is an economic failure and he was a failure as the Minister for Health. He put the budgetary position of this State in high jeopardy.

Needless to say, I am not happy about the unemployment figures of the State or the nation; no-one could be. However, those figures existed under the Labor Government and I will indicate to the House what the situation was under Labor.

Mr Hamill: You boasted about it in March.

Mrs SHELDON: If the member for Ipswich would stop bullying and listen quietly, he would hear the facts.

Mr HAMILL: I rise to a point of order. No-one in this House is bullying anybody else, certainly not me. However, the Treasurer has no consideration at all for the additional thousands of young Queenslanders who cannot get jobs since this Government came to office.

Mr SPEAKER: There is no point of order. That was a frivolous point of order. The honourable member will refrain from persistent interjecting.

Mrs SHELDON: Thank you, Mr Speaker. The unemployment figure is too high. It is unacceptable to this Government and we are doing everything in our power to reduce it, hence the initiatives provided for in the Budget. However, I will outline a few pertinent facts relating to the current unemployment situation and that which existed under Labor.

Queensland's seasonally adjusted unemployment rate for October 1996 of 10.1 per cent is exactly the same as the rate in October 1995, when Labor was in power. In the month of October unemployment increased, but it must be remembered that in the month of September it decreased from 9.7 per cent to 9.4 per cent. Since the coalition came to power, Queensland's employment growth—let us talk about the positives—has been very strong.

The House should be aware—as Opposition members stated when in Government—that Queensland has continually increasing numbers of people to employ as people move here from New South Wales and Victoria. In fact, this year from New South Wales and Victoria alone, 40,000 people have moved to Queensland, and there was further migration from other States and overseas countries. Those people have to be taken into consideration. When one looks at the increase in actual jobs, one will see that that is a factor.

Queensland's annual employment growth has strengthened from 1.1 per cent in May to 1.9 per cent in October. In fact, employment growth has increased every month for the last six months. Since the coalition Government assumed office in February, 19,600 jobs have been created in trend terms, that is, more than 35 per cent of all new jobs in Australia. These are independent statistics.

For the benefit of the honourable member, I will repeat: the current unemployment rate, which I regard as unacceptably high, is exactly the same as it was in October 1995 when the Labor Party was in Government. Employment growth has continued since we came to power. Since we assumed office in February, the 19,600 new jobs in Queensland represents more than 35 per cent of all new jobs in Australia, which was 56,100.

Unemployment Record of Labor Government

Mr SPRINGBORG: I refer the Honourable the Premier to comments made yesterday by the Leader of the Opposition, who said that jobs would be the top priority of the Australian Labor Party in Government, and I ask: can the Premier detail the unemployment record of the Labor Government of which the Opposition Leader was a senior member?

Mr BORBIDGE: I do not want to unduly occupy the time of the House, but if the honourable member for Warwick would like me to detail to this Parliament the record of the previous Labor Government in terms of job creation, I guess I will just have to do so.

What we saw from the Leader of the Opposition yesterday was an absolutely bizarre 10-point plan on how to tackle unemployment in Queensland. The Treasurer has already made the comment that, despite the fact that the unemployment rate is unacceptably high, the job creation rate of this Government since we came to power is 35 per cent of all new jobs created across Australia. We heard about the 10-point plan from the

Leader of the Opposition. Let us look at some of the points he proposed in respect of tackling unemployment.

One aspect of the 10-point plan was to sack public servants—a hit list! Another point in his 10-point plan was to sack Ministers. Another aspect of his 10-point plan was to sack ministerial staff. The Leader of the Opposition has had a conversion on the road to Damascus in respect of the importance of accelerated capital works programs. This Government in this Budget——

Mr Welford: Loosen your belt.

Mr BORBIDGE: The Opposition is not interested in the jobless. Members opposite asked us what we are doing. We are telling them.

Opposition members interjected.

Mr SPEAKER: Order!

Mr BORBIDGE: No, Mr Speaker, they can cop it.

In this Budget, we have handed down a $4 billion capital works program, with a $1.6 billion infrastructure rejuvenation package. It is interesting that one of the calls from the Leader of the Opposition yesterday was for an accelerated capital works program. Labor members rejected that option for a fair length of the time that they were in Government.

Back in November 1990, when the unemployment rate in this State was starting to increase under Labor, the member for Burdekin raised the prospect of the then Labor Government bringing into play an accelerated capital works program. The response from the member for Kallangur, who was a Minister in the previous Government, was to reject this proposition which the Labor Party now embraces. He told the Parliament—

> "From an economic philosophy that has been tried, tried, tried, and proved to be wrong, wrong—absolutely wrong."

So Labor in Government rejected what the Leader of the Opposition was yesterday calling for. In that same debate in 1990 when the unemployment rate was starting to increase——

Mr Beattie: We had two major programs; this is pathetic.

Mr BORBIDGE: I will come to that in a minute.

When the member for Burdekin was saying that the Labor Government at that time should have been bringing into play an accelerated capital works program, the member for Cairns, the then Treasurer, said—

> "The member for Burdekin's only contribution of note was his suggestion that we ought to kick-start the economy. I have noted his comment, but it is not original. Other Governments have tried to do that, particularly those in Western Australia and Victoria. Stimulation of the economy from the public sector does not work and it is not the way this Government will run this State. Those sorts of artificial subsidies to stimulate business may achieve something in the short term, but in the long term they will simply lead the State into trouble."

The member rejected it out of hand. In fact, the then Treasurer went on to say—

> "Getting into bed with private enterprise"—

and those were his very words—

> "was not on with me—and not on with this Government."

These were the words of someone from the Labor Party. The member continued—

> "If an industry cannot stand on its own two feet, it should not exist, and in the long term it will not exist."

That was the attitude of the Labor Party. But, of course, after a little while, Labor members worked out that they had it wrong and so they introduced a $3 billion capital works program—money which they did not spend. They fudged the figures. In fact, they had $500m a year in borrowings from the discredited Home Ownership Made Easy Scheme plugged into their $300m capital works scheme to try to make it look credible.

Let us have a look at Labor's figures. In December 1989, when the Labor Party assumed office, the unemployment rate in Queensland was 6.7 per cent and the number of people unemployed was 94,100. In December 1995, the unemployment rate was 9.4 per cent and the number of people who could not get a job in Queensland had grown to 158,100. The record as opposed to the rhetoric of honourable members opposite was that they oversaw an increase in the number of Queenslanders who were unemployed from 94,100 to 158,100—an increase of 64,000 people, or 70 per cent. The unemployment rate in Queensland under Labor increased by 70 per cent. That is their record in Government.

Through the Budget recently passed by this Parliament, this Government has put in place the measures to make sure that not only in respect of job creation but also the unemployment rate, which is unacceptably

high, we will turn the corner. Queensland is still posting job growth at nearly twice the national average—1.9 per cent compared to 1 per cent. The participation rate in Queensland is 64.8 per cent, which is 1.2 per cent higher than the national average.

Mr Hamill: The growth rate is half the national figure.

Mr BORBIDGE: The figure for annual employment growth was up from 1.1 per cent to 2.4 per cent in October.

I am confident that, once the major incentives to the business sector are in place, once the major infrastructure program announced in the Budget starts to bite and when industrial relations reform is on the books in this State—something which the Labor Party will oppose—we will see substantial inroads being made in respect of the unemployment rate in this State, an unemployment rate that under Labor and the stewardship of the Leader of the Opposition increased by 70 per cent.

Oil and Tyre Levy

Mr ELDER: I refer the Treasurer to her answer in the Parliament on 13 September in which she said of the oil and tyre levy—

> "All farming groups contacted us and said they felt they should do their bit. They felt that their organisations would be prepared to support a small levy."

I also note Ian Macfarlane's criticism today, and his speech to the Queensland Graingrowers Association State Council meeting on 3 October—and I will table both of those documents for the Treasurer's information—in which he said of the Treasurer's oil and tyre levy—

> "Let me state for the record that at no stage did the Queensland Graingrowers Association, or the United Graziers Association for that matter, ever give an undertaking to Treasurer Joan Sheldon or Environment Minister Brian Littleproud that rural industry would accept this levy."

I ask: why should Queenslanders believe anything the Treasurer says when it is obvious that she deliberately misled Parliament about rural support for the oil and tyre levy?

Mrs SHELDON: I thank the honourable member for his question. It is interesting that the member did not ask it of the Minister for Environment, who has all of those details. However, I know a fair number of those details myself.

Mr ELDER: Mr Speaker, I rise to a point of order. I directed the question to the Treasurer because it was her quote.

Mrs SHELDON: I am happy to respond to my quote.

Mr SPEAKER: Order! There is no point of order. The Treasurer is answering the question.

Mrs SHELDON: However, the fact is that the member should ask the question of the Minister for Environment. He will not do that, because he does not wish to know the facts. The fact of the matter is——

Mr Elder interjected.

Mrs SHELDON: I know I said it, and I will repeat it. That was exactly the information that was given to me.

Mr Hamill: By whom?

Mrs SHELDON: The Minister for Environment had spoken——

Opposition members interjected.

Mr SPEAKER: Order! There is too much noise in the Chamber. The member asked a question. The Treasurer is answering. We will have some decorum.

An Opposition member interjected.

Mrs SHELDON: No, it is the appropriate and truthful answer.

Mr Barton interjected.

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

Mrs SHELDON: The Minister for Environment had spoken to the rural groups, and they had indicated to him their preparedness to help in the fight against pollution in this State. That is what this oil and tyre levy is all about. I am amazed that the members opposite, who have for years courted the environmental lobby, are now going against what it really wants. Members opposite should know that the various environmental groups have been totally and fully supportive of these levies. They are transparent. They are going straight to the Department of Environment. Both the oil and tyre levies will be spent first of all in major pollution control. It was a very good initiative.

Mr Elder: Why did you mislead Parliament?

Mrs SHELDON: I did not mislead Parliament. What I said to Parliament was exactly accurate and was the information given to me.

Mr Elder interjected.

Mrs SHELDON: If Mr Macfarlane wishes to take this up with the Minister and me, I am very happy to see him. In fact, I was speaking to Mr Macfarlane the other day and, strangely enough, he never raised any of these issues with me. But I am very happy to speak to him.

The fact of the matter is that this Government does consult widely with the groups that it represents. The rural sector of the community was very prepared to do its bit to help in the fight against pollution and to support pollution control measures. I am amazed that members opposite are not. The Minister has had considerable discussions with all groups. It is interesting to note that two of the major groups which supported this are the Motor Trades Association——

An Opposition member interjected.

Mrs SHELDON: If the member had bothered listening, he would have heard that group on the news this morning. So the Motor Trades Association and all the environmental groups are supportive of this measure. The people of this State are prepared to do their bit to protect the environment in this manner. I only wish that those opposite were as well. Pollution is a major hazard in our community. This levy on oil and tyres will transparently go back into management of the pollution caused in our community by both of these products. I believe that it is an excellent initiative, and the Minister should be congratulated on it.

Suncorp/Metway/QIDC Merger

Mr CARROLL: I refer the Deputy Premier, Treasurer and Minister for The Arts to yesterday's gloom talk by the member for Logan in which he claimed that Queensland taxpayers face losses of between $100m and $400m as a result of the merger between Metway, Suncorp and QIDC. I ask the Treasurer: do any of these claims by the former Labor Premier have any foundation in fact?

Mrs SHELDON: I thank the honourable member for his question. I know that he is very interested in the successful merger of Suncorp, QIDC and Metway. It is interesting that we are now hearing comments from the "Comeback Kid" up the back about Metway Bank. If I were the member for Ipswich I would be watching over my shoulder, because it looks like Wayne Goss wants his job!

The fact of the matter is that Arthur Andersen, which is an independent firm of auditors, said that the merger was a good deal for the Queensland taxpayer. Arthur Andersen valued the State Government's assets, Suncorp and the QIDC, at $1.7 billion as part of the merger with Metway. However, Arthur Andersen also said that the State Government would receive only $1.4 billion from the two entities if they adopted Wayne Goss' favoured proposal, that being a trade sale. We must not forget that the former Premier was a strong advocate of flogging off Suncorp in such a manner, and he was rolled by his then Treasurer and the Labor Cabinet.

If the current Government had adopted the option advocated by the member for Logan, it would have cost the Queensland taxpayers at least $300m. So the Queensland coalition Government has already saved $300m more than——

Opposition members: Ha, ha!

Mrs SHELDON: Members opposite do not want the real figures, do they? The Queensland coalition Government has already saved $300m more than it would have if it had adopted the member for Logan's Suncorp sale plan.

Mr W. K. GOSS: I rise to a point of order. I let it go twice, but the Treasurer keeps repeating the assertion that I favoured a trade sale of Suncorp. I never did. It is untrue and it is offensive and she should withdraw it.

Mr SPEAKER: The honourable member has asked the Treasurer to withdraw.

Mrs SHELDON: If the member finds it offensive, I will. I just say that he should check with some of the members of his former Cabinet, from whom the information came.

Mr Elder interjected.

Mr SPEAKER: Order! The member for Capalaba! I will be naming someone in a minute.

Mrs SHELDON: Of course, as we know, Labor's plan would have meant the loss of Metway to New South Wales' St George Bank. The State Government offered shareholders $4.80 a share.

An Opposition member: Full stop.

Mrs SHELDON: No—the member should just listen to the real facts. The share price today is $5.67.

Mr Beattie interjected.

Mrs SHELDON: I know that the Leader of the Opposition is negative, whining and whingeing, and I know that he has been trying to damn this thing since the very beginning. He should hear what the business community is saying about him and members opposite and the negative way that they are

approaching business in this State. The business community is supporting the move to have a major financial institution in this State, and it cannot understand why Labor is being so negative about it—but then again, members opposite do not support business, either small or large.

Mr Borbidge interjected.

Mrs SHELDON: I am coming to the Metway shares, because it is an interesting scene. I know that the Leader of the Opposition wanted to flog the Metway shares to St George. It is just as well that he did not, because Labor Holdings is now going to make quite a lot of money through not following his advice to flog them. If in fact Labor Holdings had sold out at $4.77——

An honourable member interjected.

Mrs SHELDON: The investment arm of the Labor Party is quite a big shareholder, and it will make quite a lot of money. When the Leader of the Opposition insisted that it should sell its shares, Labor Holdings would have earned about $4.9m. It did sell a small parcel of 127,769 shares in October, for which it would have received around $660,000, but it still retains a shareholding of 900,000. Obviously members opposite know nothing about this—it is a fact—but the Leader of the Opposition does, because he insisted that Labor Holdings sell, and some of the directors would not do so. On current prices, those 900,000 shares are worth more than $5m. So by avoiding what was then the advice of the Opposition Leader—the financial guru opposite—Labor Holdings has earned itself more than three quarters of a million dollars, so I would say it has done pretty well.

The current trading price for Metway shares is $5.67. The share market does fluctuate, but at a share price of $5.45, for example, the Queensland Government has done very well for its taxpayers. At a price of $5.45 the unrealised gain on the 298 million shares that the Government holds in trust for the taxpayers will be $194m. These are actual facts. The Government also has unrealised gains of $11m on the $65m worth of shares we purchased in Metway. We are not the only winners. Anyone with shares in Metway is doing very well, and it is certainly a good opportunity—as a lot of people are doing—to get on board and grab those shares with both hands.

There are three winners here. There are the taxpayers of Queensland, whose shareholding value in Suncorp and QIDC is mounting daily. We will get maximum value back for the taxpayers from Suncorp and QIDC. There are the Metway shareholders, whose shareholding value is mounting daily. There is also Labor Holdings, which is making a very tidy sum on the whole lot.

Oil and Tyre Levy

Mr HAMILL: I refer the Minister for Environment to a statement made in the Parliament on 13 September by the Treasurer, where she said of the oil and tyre levy—

> "All farming groups contacted us and said they felt . . . they should do their bit. They felt that their organisations would be prepared to support a small levy . . ."

I further refer the Minister to the statement by the Treasurer today that the source of that advice to the Treasurer was none other than himself—the Minister for Environment. I ask the Minister: will he confirm to the Parliament that he gave that advice to the Treasurer, and will he further advise the Parliament which farming groups advised him that they were prepared to support the Government's new taxes on oil and tyres?

Mr LITTLEPROUD: I was anticipating the question. My recollections of that particular time are that, on the day of the Budget being brought down, the Treasurer was on talkback radio and she made a statement that was at some variance to my understanding of what was intended with the franchise fees. I subsequently rang the Graingrowers Association, the United Graziers Association, the Cattlemen's Union, and the Queensland Farmers Federation, I believe, and I asked them to bear with us to make sure that we got the complete understanding of what was intended. The people who spoke to me said, "Yes, we will work it through."

Mr Hamill: Did the Graingrowers say they would support a levy?

Mr SPEAKER: Order! The Minister is replying.

Mr LITTLEPROUD: I will answer the question in the way I want; the member can use his words in the way he wants. They understood that something needed to be clarified with regard to off-road vehicles and they gave me an assurance that they would work with it. Since then, there has been a meeting with the Graingrowers, the UGA and the Cattlemen's Union to discuss this issue. It is still going on. In fact, if honourable members had listened to the radio waves this morning, they would have heard Mr Macfarlane jumping up and down again. What he does not understand is that there have been detailed discussions and negotiations going on with

people in the tyre industry and the oil industry to put together a system that will work. Having put that in place——

Mr HAMILL: I rise to a point of order. I specifically asked the Minister whether he advised the Treasurer that all farming groups supported the new tax on oil and tyres. It is an important matter and I ask the Minister to please answer that question.

Mr SPEAKER: Order! As a former Minister, the member is aware of the way in which a Minister can answer a question. I can recall the member answering questions. The Minister is answering the question. The member cannot dictate to the Minister how the Minister must answer the member's question.

Debate interrupted.

PRIVILEGE

Comments by Treasurer

Hon. D. J. HAMILL (Ipswich) (11.03 a.m.): I rise on a matter of privilege. The matter of privilege is that the Treasurer has told the House today that the advice that all farming groups supported the levy was given to her by the Minister for Environment. Therefore, it is a matter of privilege that rests on the answer that is given by the Minister for Environment. He has but to confirm or deny that he was the source of that advice to the Treasurer. Either he is misleading the House or the Treasurer is misleading the House.

QUESTIONS WITHOUT NOTICE

Oil and Tyre Levy

Mr LITTLEPROUD, continuing: I will continue my answer, Mr Speaker. So Mr Macfarlane fails to understand that the most important thing for me to do is to negotiate with the tyre industry and the oil industry to put together a system that will work so we can apply the environmental franchise fee. When the industry bodies that will run both schemes are in place, then consumer bodies such as the Graingrowers and the UGA and any other group, including the road transport people, will be able to argue their case with the bodies set up to run it.

In conclusion, I can say that, yes, after I had discussions with all those people, I informed the Treasurer that, yes, the people were prepared to further discuss with me that issue to clean up the misunderstanding that they got over the radio waves when the Treasurer was talking on talkback radio.

Debate interrupted.

PRIVILEGE

Comments by Treasurer and Minister for Environment

Hon. D. J. HAMILL (Ipswich) (11.04 a.m.): I rise on a matter of privilege. On the basis of the answer that has been given by the Minister for Environment, it is apparent that indeed the Treasurer has misled the House. I move that the comments of the Minister for the Environment in relation to his advice and also the comments made by the Treasurer today in question time and her statement in the Parliament on 13 September be referred to the Privileges Committee.

Question—That the matter raised by the member for Ipswich be referred to the Members' Ethics and Privileges Committee—put; and the House divided—

AYES, 45—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, Cunningham, 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, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers:* Springborg, Carroll

Resolved in the **affirmative**.

QUESTIONS WITHOUT NOTICE

Queensland Principal Club

Mr HEALY: I refer the Minister for Police and Corrective Services and Minister for Racing to the fact that Governor in Council approval was recently obtained for a Racing Development Fund grant of $1.25m to assist in the defraying of the Queensland Principal Club's operating expenses, and I ask: can the Minister explain the reasons for providing this grant and the identified benefits for the industry?

Mr COOPER: I again commend the member for Toowoomba North. One thing we have tried to do right from the start is to keep racing as reasonably cheap as possible for everyone involved. We do not want the overriding costs to exclude those people who love to be involved in the racing industry. A recommendation did come forward from

RICC—the Racing Industry Coordinating Committee—that it would have liked to have seen full funding for the levies placed on the control clubs. Because of the cost, we were not able to provide full funding. However, they certainly agreed, and the Racing Development Fund agreed, to $1.25m being paid out of the RDF in order to reduce those costs to the control bodies.

The actual funding of $1.25m was to give certainty in funding to control bodies. Quite a few control bodies did not have that certainty before. As a consequence, they are now able to formulate longer-term business plans.

Mr SPEAKER: Order! There is too much noise on both sides of the Chamber.

Mr COOPER: We recognise that, in the racing industry and in many other industries, the gambling dollar is virtually soaked at this point. It is very difficult to raise extra funds to help those industries. It requires more innovative and lateral thinking from clubs right across-the-board. I send a warning to them that there is not a bottomless funding pit. There is no money tree. Many clubs are already taking innovative action in order to improve their positions.

The levies that are placed on clubs could be reduced significantly. The benefits of this could be passed directly to industry participants through an increased financial ability of clubs to undertake improved service delivery. Again, this gives the clubs the opportunity to make their own decisions in many respects in relation to minor capital works programs and service delivery.

I want to point out the difference that the levies have made to some of the clubs. I am sure that all honourable members will be very interested in those reductions. Club levies were able to be reduced by in excess of $750,000. Acceptance levies were able to be reduced by just under $56,000. Stewards' levies were able to be reduced by just over $66,000, making a total of $870,000-plus. The remainder, that is, the $320,000, went to fund the operating loss of the QPC.

In relation to some of those individual clubs, the cuts range from approximately 30 per cent to 60 per cent. Developmental race clubs comprising about 130 provincial and country race clubs, which provide the grassroots level of Queensland racing, have had their levies cut from $1,146 to $300 per meeting. That is a huge cut. It has made a phenomenal difference. In relation to Rockhampton and Townsville, levies have been reduced from $2,000 to $850 per meeting, representing a saving of over 200 per cent. The Cairns and Mackay levies have been cut from $1,700 to $750 per meeting. For minor strategic clubs, including Emerald, Dalby, Longreach, Charleville and Warwick, the new charge is $500, compared to the previous $1,200 per meeting. As I said, these are huge cuts. We want to be able to maintain them, and improve them if possible.

Major metropolitan race clubs have had their levies reduced from $4,500 to $3,000 per meeting on Saturdays and public holidays. The levies for provincial clubs have been cut from $3,000 to $1,600, which provides a saving in Toowoomba, for instance, of $79,800. The levy for Caloundra provides a saving of $75,600. I am sure that the Treasurer would be pleased with that. The saving for the Gold Coast is $81,200. That is an indication of how that $1.25m has been spent. It was money well spent in order to make reductions to the cost of racing for everyone to enjoy.

Environment Department Budget

Mr WELFORD: My question is to the Minister who just took the hospital pass from the Treasurer, that is, the Minister for Environment. I refer to the admission by the Minister's director-general, Mr Tolhurst, to the Estimates committee that if his department does not meet its revenue targets "we would expect the budgeted expenditure figure to be cut by the same amount". Now that the Minister's embarrassing backflips on oil and tyre taxes, the national park pass tax and the planned kangaroo shooters tax increases have left his department's budget in a shambles, what environmental programs will have to be slashed and how many public servants will be sacked because of the revenue shortfall?

Mr LITTLEPROUD: I sometimes believe that members opposite are made for Opposition. I first came into this House when they were in Opposition. I sat on that side of the House for six years, and I saw them in Government. I have seen them back over there for seven months, and they are where they do it best. They are always knocking and always going with half the story. As a Government we are taking into consideration all sorts of things, including budgetary considerations. We also take into account social impact and the need to look after——

Mr Stephan: We can't hear you.

Mr LITTLEPROUD: The member said that there had been backflips and backdowns.

Mr Stephan: We can't hear you.

Mr SPEAKER: Order!

Mr LITTLEPROUD: That all comes from members on the other side of the House, including the member for Capalaba.

Honourable members interjected.

Mr SPEAKER: Order! Would the Minister use another microphone? Some members cannot hear him.

Mr LITTLEPROUD: It has certainly been the case that the members opposite ran with half the story. They went out into the bush and tried to beat up the issue of the kangaroo industry. But the fact is that Cabinet makes a decision in light of many considerations. First of all, we must have proper funding to monitor the kangaroo industry, which is under severe threat from our opponents overseas who would love to see it closed down.

When Cabinet decides these things, it also takes into account the importance of the kangaroo industry in western Queensland. That industry brings in something like $30m for people in rural Queensland, many of whom desperately want to supplement their income—or it is their only income. So we made a responsible decision not to go with the desire first put in the Budget papers, namely, that I should gather up a reasonable proportion of the costs incurred in running the kangaroo program; instead, we would look after the interests of western Queensland because of its shocking economic state—thanks to Mr Keating and his Government. That Cabinet decision said that the Treasurer would negotiate with my department to compensate my department for the loss of any funds as a result of that decision.

The member for Everton talked about the national park pass. He is the Opposition spokesman for Environment, but he has been caught out. He cannot land a punch. Everything the Government has done with regard to protecting the environment in Queensland is first rate. The member spun around for a bit of a story and asked, "What will we say about the ParkPass?" He should have been listening to the radio yesterday, because the commercial tour operators in Cairns and Townsville and, I would imagine, all along the coast, who access the Great Barrier Reef Marine Park, Fraser Island or Moreton Island, are absolutely delighted with the decision made yesterday by the Queensland Cabinet that we recognise that they were facing double charges. Bearing in mind the importance of the tourist industry along the coast of Queensland, we made a decision to exempt those commercial tour operators from having to obtain ParkPasses when going into those areas. The member is telling only half the story because the Cabinet decision was——

Mr Welford: Two backflips.

Mr LITTLEPROUD: That is not a backflip: that is responsible government; that is listening.

After consideration in Cabinet, and bearing in mind everything that needs to be done, we have made that decision. Part of the decision is that Cabinet direct Treasury to negotiate with me to compensate my budget for what has been expended. As a result, no public servants will be sacked or programs dropped.

District Dental Waiting Lists

Mr RADKE: I ask the Minister for Health: will he inform the House about the state of the district dental waiting lists as the Leader of the Opposition recently made a number of comments about that issue?

Mr HORAN: I thank the honourable member for Greenslopes for his question, which gives me the opportunity to show quite conclusively the dreadful mess that we inherited in dental waiting lists and the massive improvement that we have brought about already. While the Leader of the Opposition was waltzing around theatrically talking about dental waiting list figures and giving us an opportunity to show how much we have improved each and every one of the dental waiting lists that he mentioned, we were in the west—in Charleville, Cunnamulla and Longreach—announcing some positives. We were announcing capital works and the provision of minor equipment and surgical equipment—the sorts of improvements that those small hospitals and services need.

At the outset it is important to point out that the figures for dental services in Queensland in the last six months of the last financial year—during which we were in Government for the majority of the time—have shown a massive 10 per cent increase over the figures achieved by Labor in the corresponding time last year. The January to June figures for this year were up 14,000, that is, 10 per cent, on the figures for the corresponding six months last year.

The Leader of the Opposition spoke about three particular areas: the Sunshine Coast, the Rockhampton/Gladstone area and the central west. Let us talk firstly about the central west. The Leader of the Opposition said that people have to wait 12 weeks for service in the central west. What service

existed under Labor? None! Under the coalition, a flying dental service based in Longreach serves 18 centres such as Yaraka, Boulia, Bedourie, Isisford, Muttaburra, Winton, Barcaldine and Blackall—all the places that did not have a service under Labor. It takes the dentist 12 weeks to fly around the circuit of those 18 towns. The people of the central west of Queensland now have a service—and they did not have one under Labor—and it visits those towns every 12 weeks, so people are guaranteed that they will be seen in 12 weeks. That is another example of back to basics, back to the bush.

The second place mentioned by the Leader of the Opposition was Rockhampton. He mentioned waiting times there of some 68.5 weeks, the time contained in an answer that the Government had given the Opposition to a question on notice. What he did not say was that that figure was for Gladstone and Rockhampton combined. I am pleased to tell the Parliament that the Rockhampton waiting lists are now down to 10 to 12 weeks. That figure is one of the best in the State. When we came to Government, Gladstone had only one public dentist. Under the coalition, by December Gladstone will have four—a full complement of dentists. That is another example of back to basics, back to the bush.

So far I have destroyed the figures mentioned by the Leader of the Opposition for those two places. To show how poor dental services were under Labor, I will refer to the third place he mentioned, the Sunshine Coast. The Leader of the Opposition mentioned waiting lists of 92.5 weeks. What were those figures under Labor? We have reduced them by 34 weeks; under Labor they were 126.5 weeks. The Leader of the Opposition has put his foot in the molasses again, and exposed how bad the services were under the previous Labor Government. I do not think that we could have inherited more appalling waiting lists for dental services than those inherited from that mob.

Mr NUNN: I rise to a point of order. The Minister omitted to talk about Hervey Bay, where there was no dental clinic before Labor came to power, hence no waiting lists under the previous Government.

Mr SPEAKER: Order! By that point of order the member has made sure that Hervey Bay has been mentioned. I call the Minister.

Mr HORAN: The rural and regional dental services, particularly the rural remote services, were totally ignored by the previous Labor Government. In our Budget, $470,000 has been allocated to provide incentives for rural and remote area dentists. Those incentives vary from $5,000 to $20,000 to ensure that we can fund positions in those areas, in addition to our innovative schemes such as the flying dental service.

The Leader of the Opposition spoke about Federal Government cutbacks. He did not say that the Queensland State Government is the only State Government to contribute money to cover the Federal Government cutbacks. This year we have contributed an extra $10m. What did the Carr Labor Government do? Nothing! Under the coalition, waiting lists have been reduced dramatically. Waiting lists on the Sunshine Coast have been reduced dramatically by 34 weeks; one has to wait only 10 to 12 weeks in Rockhampton; a flying dental service has been established at Longreach; and the Commonwealth General Dental Program cutbacks have been funded.

Rural and Regional Community Housing Program

Mr MACKENROTH: In directing a question to the Minister for Public Works and Housing, I refer to the Rural and Regional Community Housing Program announced in this year's State Budget with the claim that it would provide for the building of 992 additional homes at a cost of $93.6m. I ask: as we are now halfway through the second quarter of the financial year, can he advise how much of that money has been allocated to date to build additional homes, or is it the case that there has been no allocation and that he intends to shift a large portion of that money to a spot purchase program, mainly on the Gold Coast, which will do nothing for the Queensland building economy?

Mr CONNOR: What we inherited was, without a doubt, an absolute mess. We do not have to go far before we remember G. J. Constructions and all the problems. They were building houses under a number of the programs within the department for which the member was formerly responsible. I remind the former Minister that, at that time, Mr Robson, the proprietor of G. J. Constructions, was a triple bankrupt and is now a quadruple bankrupt. That is the reality. I also remind——

Mr MACKENROTH: I rise to a point of order. I am well aware of the Standing Orders that a Minister can answer a question any way he likes, but surely it has to have some relevance to the question. Please, spare us.

Mr SPEAKER: Order! Points of order have to have some relevance, also.

Mr CONNOR: The relevance to the question is really quite simple: we are talking about capital works and ensuring that the process works properly. Before I begin to explain how we are getting the process right, I wanted to explain what the previous Minister left me with. Let us consider his record: 29 contractors have failed, involving 75 contracts totalling $39.5m. That is $39.5m that the previous Minister cost the taxpayers of Queensland. What sort of housing projects failed as a result? I will give honourable members an example: about 5 per cent of the contracts that the then Minister was putting out failed—in fact, 4.6 per cent failed. One in 20 of the projects that he was putting out failed—$39m! With those failures, a trail of subcontractors around the State——

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

MATTERS OF PUBLIC INTEREST

Queensland Economy

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (11.30 a.m.): There are 172,600 reasons why the Borbidge Government needs to stop its reviews, inquiries and excuses and to start governing. As I said earlier, those 172,600 reasons represent the number of Queenslanders who in October were looking for jobs. On a seasonally adjusted basis, 10.1 per cent of the State work force is unemployed. That is the highest rate of unemployment in mainland Australia.

Mr Borbidge has not been comfortable of late with seasonally adjusted figures. He seems to prefer the smoothed trend series, which tends to soften the blow of sudden changes in the unemployment survey month to month. However, even on a smooth basis, each and every month since April the unemployment rate has increased. The ABS statistics show that there are 12,200 more unemployed Queenslanders than there were when this Borbidge Government assumed power. That is the legacy of this Government. It is just one of many examples which prove that this Government is leading Queensland not to the promised land but out into the wilderness.

I do not make these comments with any joy or sense of achieving some cheap advantage. I simply make the point that at the moment the State economy is struggling and the Government must start acting decisively. A few weeks ago, Treasury's estimate of gross State product was released for the June quarter, showing growth of only 0.4 per cent for the quarter and 2.6 per cent through the year. The Treasurer, who has been hiding from the public lately, was conspicuously silent about her own department's estimates. She did not even bother to issue a press release. Why is that? The Treasurer was quite vocal when the ABS estimates for the same quarter were released a month earlier—on 19 September—estimating annual growth for the State at a totally unbelievable rate of 5.2 per cent.

At the time, the Treasurer's press release screamed, "Queensland economy bounces back." She issued that press release despite the fact that it contradicted the information contained in her own Budget papers released only one week earlier, which estimated growth at only 2.2 per cent—a full 3 percentage points less than the ABS estimate. Of course, that did not worry the Treasurer. That press release was also issued despite the advice which her Treasury bureaucrats must have provided, casting serious doubt on the accuracy of the ABS estimates. Is it little wonder that this economy is in trouble and that this Government is lurching from crisis to crisis? Despite a range of other indicators, not the least of which was unemployment, giving clear signals that things were not rosy, the Treasurer still issued the press release. The drowning Treasurer grabs hold of any leaky life raft that appears and declares that all is well. She is endeavouring to con the people of this State. However, they are too bright for that.

Let me tell the Treasurer what the economy is really like. All is not well and something needs to be done. This Government needs to take action now. The 10-point plan that I suggested, which this morning the Premier tried to reinterpret, is the only way in which Queensland can generate employment opportunities. I urge the Premier to consider it. Vehicle registrations are flat, construction is sluggish and building approvals are trending downwards. Retail sales are only just keeping pace with inflation and population growth. Capacity utilisation by industry is low. The unemployment rate has blown out from 9 per cent to 10.1 per cent seasonally adjusted—the highest in mainland Australia.

After only nine months in office, that is the legacy of the Premier and the Treasurer. Prices have been recorded as increasing only slightly. In fact, the September quarter CPI for Brisbane would have shown a drop in prices—deflation—had it not been for the Government's increases in taxes and charges since July. So instead of providing incentive, what does the Government do to the private

sector? It imposes taxes. Once the massive increase in compulsory third-party premiums and tobacco taxes are taken out, last quarter's CPI for Brisbane was negative 0.1 per cent instead of the positive 0.2 per cent reported.

These are not the signs of an economy bouncing back. The Treasurer cannot simply cross her fingers and hope that no-one will notice her misleading use of statistics and that the economy will somehow dig itself out of a trough. I warn media outlets in this State to be very cautious about the statistics issued by this Treasurer and this Government. It is the Government that should be bounced—bounced back into activity.

One of the clearest examples of the Borbidge Government's absolute incompetence and mismanagement is the ongoing debacle over the oil, tyre and national park taxes. Despite the greatest impact of this baseless tax grab being upon their own constituencies in rural Queensland, both Primary Industries Minister Perrett and Natural Resources Minister Hobbs revealed that they had not even been told about the oil tax before the Budget. This is a Government that does not even brief its relevant Ministers! The Treasurer announced the new taxes without any details of how they were going to be charged or selected or how the money was to be spent. All the Ministers knew was that there were no exemptions. After a couple of weeks of industry outrage, there were hints of concessions. Then there was a denial of any planned exemptions. The latest stage of this manic scramble was yesterday's Cabinet decision to provide exemptions, which took three press releases in one day to explain. Heavens!

It is little wonder that members of the business community are tearing their hair out trying to exact some leadership from this Government. This Government is just not up to the task. This morning, the Treasurer said that the Opposition should listen to what business is saying. It has been listening to what business is saying—business is saying that this Government is incompetent and that we need an election to get rid of this rabble who are pretending to be the Government.

It is little wonder that seven mayors from the Darling Downs have petitioned the Premier expressing disappointment at the Government's inability to provide jobs and services to rural people. All they are seeing are spending cuts, new taxes but none of the incentives that they were promised. They are frustrated that the Borbidge Government has no policies to halt the economic decline in the bush. They are beginning to remember the damage previous National Party Premiers did to the bush.

Let us look at the record of the previous National Party Government. It closed 737 schools, 15 courthouses, 55 police stations and 10,000 kilometres of rail lines in the bush. It closed five lands offices. In its last 18 months of power, the National Party Government closed 43 railway stations and got rid of more than 8,000 railway workers. That was the performance of previous National Party Premiers. The new National Party Premier has nothing new to offer the bush. It is no wonder that the bush is burning with anger at this Government.

The Opposition is frustrated that this Government has no policies to halt the rise in unemployment. The Premier has tried to present evidence that the Government is not paralysed. However, in the majority of cases, those actions claimed by the Government are simply a continuation of the previous Government's development policies. The only major policy that this Government has introduced is one to turn back the clock to the corrupt days of the 1980s.

The Opposition does not criticise the Government for maintaining Labor's strategy for State development. However, the Government could hardly present those actions as evidence of any initiative on its part. At the end of last week, the Premier was forced to show some evidence that he cares about the drastic unemployment situation. He told his Ministers to make monthly reports on their capital works programs. That should be undertaken as a matter of course! For heaven's sake, why has the Premier waited until now to introduce a basic administrative safeguard? Who is running this Government? It is certainly not the Premier and, heaven help us, I hope that it is not the Treasurer.

The Labor Government always kept a rigorous eye on capital works expenditure. Labor regards that as good government. It does not regard it as an adequate response to a blow-out in unemployment. Unlike the coalition Government, the next State Labor Government to be elected next year will have from day one an employment Minister whose main role would be to ensure that the Government maintains its major focus on job creation so that it can boost employment. As well as introducing positive job creation policies, the next State Labor Government will accelerate the Capital Works Program if unemployment blows out unexpectedly, bringing forward the building of planned police

stations, hospitals and schools so that jobs are created when they are urgently needed instead of some time later.

The business community in this State has lost faith in this Government. I refer to comments by Michael Davoren from the REIQ, Don Keough from *Business Queensland*, Ron Paul—the list goes on. I conclude by referring to the comments of Ron Paul, who stated—

> "I think the public looked for good government and a government can only govern if it has political certainty.
>
> You"—

referring to the Government—

> "spend half the day concentrating on these inquiries, you've only got half your working day available to concentrate on the real issues."

Time expired.

Suncorp/Metway/QIDC Merger

Dr WATSON (Moggill) (11.40 a.m.): The historic merger of Suncorp and the Queensland Industry Development Corporation with Metway Bank is approaching its conclusion. The due diligence and common valuation processes have been completed and the independent experts have reported to Metway and to the Government. The Merger Implementation Agreement has been signed and the merger terms have been announced. Legal procedures for the Suncorp and QIDC schemes of arrangement under the Corporations Law have been completed. One of the major remaining milestones is the Metway shareholder meeting which, as honourable members will know, is scheduled for tomorrow. The legal merger itself will occur on 1 December.

We are nearing the completion of a process that has been independently assessed as the best outcome for all concerned: for the businesses of Suncorp, Metway and QIDC; for the shareholders in Metway Bank; for the Government as a shareholder in Suncorp and QIDC; for the customers and staff of all three entities; and, finally, for the people of Queensland.

Mr Hamill: What about the shareholders of Metway Bank?

Dr WATSON: I have already indicated that the shareholders of Metway Bank will receive a very significant outcome.

We are nearing the completion of a process that many said could not be achieved. The southern media and some of the southern commentators have been, and continue to be, among our most strident critics, but even they are beginning to acknowledge that perhaps this was the best outcome after all. Even the *Australian Financial Review* has finally conceded that the merger will work. However, a few critics remain and, I am sorry to say, the Labor Opposition continues as the most vocal. Just yesterday the former Premier, the honourable member for Logan, claimed that the merger would end in a repetition of the financial scandals seen in the southern States. He has questioned the cost of the merger, the job losses, branch closures and the cost of the dividend priority.

I will address each of these criticisms in turn and in detail but, before doing so, I would remind honourable members of the last time that a Labor Opposition behaved in this irresponsible manner in another State and ended up costing the taxpayers of that State hundreds of millions of dollars. That State was Victoria. In case any members need reminding, I will outline what happened. That State was almost bankrupted by a Labor Government—bankrupted, not only because of the collapse of the State Bank of Victoria but also because of the gross incompetence of the Labor Government. In the process of cleaning up the mess, the Victorian Liberal Premier, Jeff Kennett, proposed the privatisation of TABcorp via a public float. The Labor Opposition, and in particular John Brumby, set out to sabotage the float through a deliberate strategy of misinformation. That strategy had enormous adverse consequences for the TABcorp float, with the ultimate cost being borne by the Victorian taxpayer.

The Queensland Labor Opposition is going down the same track. But who is the John Brumby of Queensland politics—is it the Leader of the Opposition, Mr Beattie, or the newly resurrected Mr Goss? Labor members were the wreckers in Victoria and they want to be the wreckers here in Queensland.

Quite clearly, there can be no substance to the Opposition's criticisms. The whole transaction has been the subject of a rigorous due diligence process and an independent valuation. Further, it has been independently assessed by two sets of independent experts. Arthur Andersen undertook its independent assessment for the Government and concluded that the merger maximised the value of Suncorp and QIDC. As part of the merged group, Suncorp and QIDC were valued at $1.73 billion. Excluded from this valuation are the broader economic benefits flowing from having the headquarters of this

major Australian corporate located in Queensland. According to Arthur Andersen, the next best outcome would have been a trade sale of Suncorp and QIDC to third parties. Honourable members should remember that this was the alternative that the member for Logan allegedly wanted when he was the Premier, but he was rolled by his Treasurer and his Left Wing socialist mates. The value of a trade sale was estimated by Arthur Anderson at $1.415 billion—over $300m less than through the merger.

Mr Welford: Are you a communist?

Dr WATSON: The honourable member is one of the socialists; we know that. The conclusion of the independent expert was that the merger was fair and reasonable for the Government compared with the range of alternatives that the Government could consider. The conclusion of the independent expert for Metway was that the merger was fair and reasonable for Metway shareholders. Who has more credibility: two sets of independent experts or the Labor Opposition?

What has been the assessment of the ultimate arbiter, the market? The assessment of the market has been overwhelmingly positive. Metway shares have been trading as high as $5.60 per share at the close of yesterday's trading—and they have gone even higher this morning—compared with the Government's offer price of $4.80. That is great for Metway shareholders, including the Government which will hold the equivalent of around 311 million shares. Quite clearly and unequivocally the market has demonstrated its belief that the merger represents a sound commercial transaction and that the merged group has outstanding growth and earnings prospects.

The time has come for the Opposition to put aside its partisan view. It must put aside party politics and personal political gain, and support what is now, quite plainly, an initiative that is in the best interests of all concerned and, indeed, is in the best interests of Queensland.

I turn briefly to the recent specific criticisms of the member for Logan. The merger will not end in a repetition of the financial scandals of Labor Governments in the southern States. In fact, the merger is designed precisely to avoid such an outcome. The Government is getting out of the business of owning and controlling banks and insurance companies. Within three years, our shareholding will be below 50 per cent and within five years it will below 15 per cent. This is an unequivocal commitment that we have made to the Commonwealth Government, to the Reserve Bank and to the Insurance and Superannuation Commission. It is an unequivocal commitment that we give to the people of Queensland. It is a commitment that we have begun to deliver on with the one-for-two offer we have made to Metway shareholders. The only financial scandal that this Government faces is that created by the former Goss Labor Government in terms of the workers' compensation scheme which it left hundreds of millions of dollars in the red.

Mr Goss has again kicked the can of job losses and branch closures. The facts are—and Mr Goss well knows them—that any job losses in the branches largely will be accommodated through natural attrition. Just as importantly, the merger will result in enhanced services to rural and regional Queensland, reversing the devastating trend of service withdrawal by the major banks.

Mr Goss has queried the cost of the merger, in particular the marketing features, including the dividend priority and selldown precommitment. Implicit in the member's comments are suggestions that the Government has subsidised Metway shareholders by guaranteeing dividend payments to Metway shareholders and by subordinating its right to dividends. First of all, the Government has not guaranteed dividends to Metway shareholders. Metway shareholders bear normal commercial risks and, if there are insufficient earnings, then dividends will not be paid or will not be paid at the projected levels. Let me be quite clear: the Government will not be paying any money to supplement dividend payments.

Further, less than one-third of the Government's interest will have a lower priority for dividends and, even with this subordination, as a result of the merger the Government is forecast to get more than it would have from keeping QIDC and Suncorp in their current form. Indeed, as a result of the merger, over the next three years dividends are expected to exceed those that would typically have come from Suncorp and QIDC by a total of $120m.

I now turn to the Government's offer to sell its shares to existing Metway shareholders on a one-for-two basis, at a price of $5 in two years' time. Like the dividend priority, this is a marketing feature that is part of a package commonly used in initial public offerings. Indeed, similar marketing features have been used in the Commonwealth Bank and Qantas floats as well as other public share offerings. The option, if taken up in full by all

shareholders, will result in the Government potentially selling just under 70 million shares at the offer price of $5. Based on our cash offer price of $4.80, the Government would be making a small gain and Metway shareholders would be rewarded for keeping faith with the company. This is the whole aim—to reward those shareholders who stay in. Metway shareholders are staying in and other Queenslanders will also be given the opportunity to take a direct ownership interest in the merged group as the Government floats its shareholding.

By any measure, the merger has been judged an outstanding success. It has been independently assessed by two sets of experts and the market has now given its judgement. It is an important initiative that we should all wholeheartedly support. I call on the Leader of the Opposition and the shadow Treasurer, and their shadow, the member for Logan, to take a responsible approach and put the interests of the people of Queensland before their own party political ends and their potential personal political gain.

Suncorp/Metway/QIDC Merger

Hon. D. J. HAMILL (Ipswich) (11.50 a.m.):

> "This is a great coup for Queensland and at no cost to the Queensland taxpayer . . ."

On 27 May this year, those words were uttered on the television news by none other than the Treasurer, Mrs Sheldon, as she sought to justify the Government's decision to sell off Suncorp and the QIDC in a bid to create the Government's now infamous "Banana Bank". Those were the Treasurer's words, not mine. No sooner had the Treasurer uttered those words than she was bankrolling a major public relations campaign designed to frustrate a proposed merger between Metway Bank and St George Bank.

In spite of all of the rhetoric about a State of Origin clash, the Queensland Government turned to Sydney for the public relations consultants, the direct mail providers, the push pollers, and the free phone service to back up the Premier and the Treasurer in their bid to defeat the St George merger proposal. We have never been told how much was paid to those interstate consultants by the Queensland Government, but we do know that about 60 percent of Metway shareholders spurned the Treasurer and voted to accept the St George Bank offer at the meeting of shareholders at the Brisbane Convention Centre in June. However, having 60 percent of shareholders in favour was not sufficient to see that merger proceed.

What we do know is that the Queensland Government, not content with spending taxpayers' money on its propaganda war with St George Bank, used taxpayers' funds to play the share market and acquired a 9.9 percent stake in Metway. So much for the Treasurer's promise that there would be no cost to the Queensland taxpayer! As the Government's bank merger proposal took shape, we again saw a Government that was prepared to override the interests of Queensland taxpayers by effectively subsidising the bank merger.

Honourable members would recall that the legislation which provided the framework for the sale of Suncorp and the QIDC exempted the transaction from the payment of stamp duty. That decision to exempt the merger from stamp duty not only preserved profit at a higher level than would otherwise be the case but also represented a cost to the Budget by reducing the level of funding available for important community services such as health, education and police.

The people of Queensland were told that the Government's bank merger plans would be at no cost to Queensland taxpayers. Since that time, we have seen numerous specialist consultants engaged for the purpose of valuing Suncorp and the QIDC and advising the Government's bank merger committee. Treasury documents estimated that the cost of those specialist consultancies would reach some $15m. But as is the case with the Government's expensive propaganda campaign in June, the cost of the independent experts and consultants has not been divulged. Honourable members should rest assured that companies such as Arthur Andersen and Barings are not charitable institutions and they do not come cheaply. However, Mrs Sheldon told us that there would be no cost to the Queensland taxpayer.

Just when Queensland taxpayers might have thought that they had fully discharged their financial obligation to the "Banana Bank", an even larger financial burden was placed on Queensland families. Under the terms of the Queensland Government offer to Metway Bank shareholders, the Queensland Government offered to buy Metway shares for $4.80 a share at the time of the merger. Based on the findings of the experts engaged in the valuation of the assets of Suncorp, QIDC and Metway and the experience of other bank mergers, it became clear that the Queensland Government was facing the

prospect of a rush of Metway shareholders eager to take the cash rather than to hang onto shares which were unlikely to trade at the $4.80 offered by the Government. There was panic in George Street at the prospect of the Government being forced to acquire the balance of Metway Bank.

For those honourable members who doubt that fact, I refer them to the report prepared by Grant Samuel and Associates for Metway Bank Ltd in which it is revealed at page 9 that in the opinion of the independent expert—

> "Assuming that the market has confidence that merger synergies of the level forecast will be achieved in the planned time frame and that the SUNCORP-Metway Board implements the dividend policy as outlined above, a trading range for shares in the SUNCORP Metway group of approximately $4.30-4.60 is not unreasonable."

What is even more revealing is that this conclusion was arrived at following some eleventh-hour adjustments to the merger proposal. I refer to page 115 of the Grant Samuel report, which states—

> "An advanced draft of this report was provided to senior managers and Directors of Metway Bank and its financial and legal advisers and to senior management of QIDC and SUNCORP group on 1 October 1996."

I draw the attention of the peanut gallery up the back to the fact that the Grant Samuel report is dated 11 October 1996—ten full days after the draft report was circulated. The report goes on to say—

> "Certain changes were made to this report as a result of the circulation of the draft report. There were no alterations to the methodology or valuations of Metway Bank, QIDC or SUNCORP group as a result of circulating the draft report. However, there were subsequent revisions to the nature of the securities to be issued to the Queensland Government and the concept of the 'loyalty options' was raised. The revised proposal led to changes to Grant Samuel's conclusions and recommendations to Metway Bank's ordinary shareholders."

What were these changes that were so important that they reversed the view of the independent expert such that the recommendation now was that Metway shareholders should hold onto their shares rather than accept the State Government's cash offer?

The change was a deal designed to prop up the share price of the merged bank in order to avoid the thing the Government feared most of all—a rush of Metway shareholders eager to sell their shares to the Queensland Government. But this deal was also a deal that would saddle Queensland taxpayers with most of the risk attached to the bank merger. It was a deal that uses taxpayers' money to underwrite the dividends payable to Metway shareholders. So much for the claim back in May by the Treasurer that the bank merger would be accomplished at no cost to the Queensland taxpayer!

The Queensland Government's revised proposal which caused Grant Samuel to change its recommendations sees Queensland taxpayers being treated as second-rate shareholders in the "Banana Bank". While Metway shareholders are being guaranteed dividends for the next three years, no such guarantee applies to at least 100 million of the shares to be held in the "Banana Bank" by the Queensland Government on behalf of Queensland taxpayers.

The terms of the deal are clear. The Queensland Government will sell those great public assets—Suncorp and QIDC—to Metway Bank at a discount price equivalent to 297.8 million fully paid Metway Bank ordinary shares. However, the Queensland Government will accept a mixture of shares and other securities in return for divesting 100 per cent of the public ownership of Suncorp and the QIDC. It will receive 42.8 million fully paid ordinary shares in Metway Bank and 100 million fully paid subordinated ordinary shares. Those subordinated shares are described in the Grant Samuel report in the following terms—

> "These shares will rank behind ordinary shares for dividend purposes for the three years ending 30th June 1999, but will otherwise rank equally with ordinary shares. Any dividends declared by the Board of the Suncorp Metway group during this period will first be applied to pay dividends on ordinary shares up to 44c. per share. Any dividends declared beyond that level will then be applied to pay dividends on subordinated ordinary shares up to 44c. per share."

In other words, in its desperate bid to avoid the rush of Metway shareholders, the Government is prepared to sacrifice up to $132m in funds which should flow as dividends into consolidated revenue rather

than prop up the share price and the dividends payable on Metway shares. And it could yet go further than that if the Australian Taxation Office does not confirm to Metway Bank that interest paid in respect of the proposed issue of 155 million capital notes to the Queensland Government will be an allowable deduction. If this advice is not received by 1 December 1996, the Queensland Government is prepared to take another 85 million ordinary shares and a further 70 million subordinated ordinary shares rather than the capital notes. In other words, it would be prepared to forgo another $92.4m in dividends just to keep the "Banana Bank" afloat.

This is a scandal of monumental proportions. This represents the most blatant transfer of public assets from Government to the private sector that Queensland has ever seen. What is more, in order to save face in its single-minded determination to create the "Banana Bank", the Borbidge/Sheldon Government has not only been prepared to sell out the legacy of Suncorp and QIDC but also the present and future interest of Queensland taxpayers. It is their interests and assets that are being handed over to Metway Bank. It is their shares which attract the crumbs that are left over after the Metway shareholders have feasted on the profits which once belonged to Suncorp, the QIDC and, in turn, the people of Queensland.

While the Treasurer will no doubt point to the price at which shares are currently trading as vindication of the Government's betrayal of Queensland taxpayers, the extent of this Government's treachery will not be fully apparent until the "Banana Bank" has to stand on its own in the marketplace without preferential dividend arrangements and loyalty agreements underwritten by taxpayers' dollars. Queensland taxpayers will not forget that they were told by the Treasurer, Mrs Sheldon, that the "Banana Bank" would be—

> ". . . a great coup for Queensland and at no cost to the Queensland taxpayer, in fact there will be enormous benefits for all Queenslanders."

The taxpayers have been paying dearly—for marketing, push polling, direct mail, for stamp duty exemptions, consultants, incentive payments to stockbrokers to talk up the "Banana Bank", loyalty options and for dividend and share price support for Metway Bank shareholders.

The "no cost to Queensland taxpayers" looks like a bill for $200m over the next three years. As for the Treasurer's claim that there will be enormous benefits for all Queenslanders, she seems to have forgotten that all Queenslanders are not shareholders in Metway Bank and that about 1,500 Queenslanders will lose their jobs as a result of the Treasurer's bank merger. Scores of Suncorp, QIDC and Metway branches will close right around the State as a result of the Government's policy. The taxpayers of Queensland can rightly ask the Treasurer why her "Banana Bank" is more important than new schools and more teachers, new hospitals and more nurses, more police and better community services.

Local Government, North Queensland

Mr MITCHELL (Charters Towers) (12 noon): The North Queensland Local Government Association conference was held in Charters Towers on Friday and Saturday, 8 and 9 November. It has been 10 years since the City of Charters Towers has hosted this event. Mayors, councillors and CEOs came from Mackay in the south, Georgetown in the north, the Cook Shire way up in the cape and every other shire in between. It was a very successful conference, with all delegates—some 160 of them—declaring that they would return to our great city to spend more leisure time and take in all that Charters Towers has to offer. While they were there, they had the opportunity to take trips to our mines, such as Mount Leyshon and the underground mine of Charters Towers Gold, and many other heritage sites. The conference was held in the newly opened World Theatre, which is a tremendous venue that the Governor opened in early September. On that weekend, the venue was also booked for the Gina Jeffreys concert, which was attended by about 640 people. The World Theatre handled both events well.

I want to talk about the extremely important role of local government in north Queensland and the help that the coalition Government has been able to provide to it. Governments at all levels, but particularly local government, have been under tremendous pressure coping with change forced upon them from all sectors. They have all been told to lift their performance and provide better services, and at the same time they have been told to cut their costs. It has been a very hard juggling act for all councils, and the coalition Government is determined to make things easier and let local authorities get on with the job.

In the past few years, local governments have had to change accounting systems, and

I know that many of the smaller councils have real questions over the cost benefits of this change. The FitzGerald Commission of Audit recommended cost cutting, streamlining and change. For some there have been forced amalgamations, and from the Commonwealth has come the Hilmer report and the National Competition Policy. At the same time, they have all had to cope with rising costs and more and more demands for services. The rural shires have had to tough out years of drought and depressed wool and beef prices. At times, I am sure many have felt that everything is against local government, especially in those droughted areas. But let me assure them that the coalition Government is committed to preserving Queensland's local governments.

Minister Di McCauley has made it clear—and let me say it again—that there will be no forced amalgamations of local governments in this State while the coalition is in power. If there are to be any amalgamations, they will be instigated at local level and the process will be driven by the local communities.

Mrs Wilson: Very costly business.

Mr MITCHELL: It is a very costly business, and most councils cannot afford it.

As far as the National Competition Policy is concerned, again the coalition is committed to selecting the points that suit this State and letting others worry about the remainder. Queensland, and particularly north Queensland, has special needs, and because of our huge distances we simply need councils to deliver a good standard of services to all. That is the coalition's policy, and the Government will not be pushed into throwing every service in the State to free market forces. If that happened, the plain fact is that in most parts of the north and the remoter parts of the State there would be no services at all. There is no doubt that in the south-east corner and major towns and centres on the coast there is room for greater competition in the delivery of services, but that is—and I stress this point—if it can be shown that there will be clear benefits to the ratepayers of the councils in those areas. However, for much of north Queensland a very careful approach to the National Competition Policy will be needed to ensure that the viability of councils, and the communities they serve, is not threatened by these changes.

An example of this careful approach is the way in which the coalition has dealt with highway and road contracting through the sole tendering and favoured tendering status that has been conferred on western and northern councils. This policy will ensure that jobs are kept in the bush with council road gangs and that councils will be able to forward plan and maintain, and indeed upgrade, plant and equipment. As I have said before in this House, the local shires are the main work force base in rural Queensland, and they need these State Government contracts to maintain that level of employment. The September Budget underlined the coalition's commitment to local government, especially in smaller towns and the remoter regions. The $600m water and sewerage infrastructure package, with its doubling of the existing subsidy from 20 per cent to 40 per cent, will underpin massive new works that will lead to vastly improved water supplies and better treatment of waste water. In simple terms, the State Government will now fund two-fifths of all new works in the larger towns and cities.

The Budget also contained a special $150m package for smaller communities. The net result of this will be that the smaller towns—those with a population of around the 5,000 mark and fewer—will receive direct Government subsidies much higher than the 40 per cent I originally quoted. Indeed, some works could well receive direct subsidies of up to 80 per cent. That is good news for a lot of the rural and smaller shires. I have been informed by Minister McCauley's office that the full criteria of eligibility for this special $150m small communities subsidy package is to be submitted to Cabinet for approval before the end of the month, and specific guidelines for applying for the additional subsidy will then be sent out to smaller councils. The subsidy packages will give councils the incentive to undertake works on a scale not seen in Queensland for a generation. The packages will create jobs, peg increases for ratepayers and, most importantly, lead to improvements in the environmental standards of treated waste waters.

The Budget also contained a $22m environmental package—$15m to boost the 40 per cent subsidy to at least 50 per cent for council facilities that reuse waste water, and $7m to encourage the adoption of new technologies for advanced treatment of sewerage.

Mr Pearce interjected.

Mr MITCHELL: Yes—it is all in that $600m. All local governments and Aboriginal and Torres Strait Islander councils are entitled to apply for these subsidies.

Let me assure members that the coalition is committed to supporting local government and to encouraging the development of every

community in every part of the State—not just those in the south-east corner. We hear time and time again how the south-east corner is faring a lot better than everywhere else, but I am sure that the Minister, Mrs McCauley, is determined to see that the support does spread right across the State. We are partners in Government, and together we must work to not only cope with change but also ensure that we select the best and most appropriate new technologies and systems to continue to serve communities in the State of Queensland.

Oil and Tyre Taxes

Mr WELFORD (Everton) (12.08 p.m.): If ever we needed an example of how a Government can demonstrate its comprehensively incompetent management of an issue, it is the issue of oil and tyre taxes, over which the Minister for Environment has stumbled and fumbled for the past three months. If ever we wanted an example of a Minister who is the icon, the exemplar and the instrument by which this Government demonstrates its comprehensive incompetence, it is the Minister for Environment.

In the past 24 hours, we have seen an extraordinary example of bungling and fumbling by the Minister for Environment and the Government over the issue of new taxes on oil and tyres and national parks and shooter's licence fees—you name it, it goes on forever. It goes on forever because the Environment Department and the environment in Queensland are being used by this Government as a cash cow to raise new taxes. The end result is that there will be very little benefit to the environment. The end result is that there will be not an iota of improvement in the protection of the environmental assets that this State so seriously cherishes, because the money being raised by Government under these new taxes is going substantially into consolidated revenue or, as of yesterday, into the pockets of industry. The Minister has been forced, in a sense, to buy off the protection from criticism that he was getting from industry. Despite all the money he is now going to throw into the pockets of industry by way of consumer and taxpayer subsidies, we still have one section of the industry wanting a six-month moratorium and the other section wanting the fee structure altered. So we are left in an absolutely unholy mess.

In the Budget, Treasurer Sheldon announced that the new national park levies would not apply to marine park areas. In September, the Treasurer, in her Budget Speech, said—

> "National parks' users fees, which are common in other Australian States, will be introduced.
>
> . . .
>
> It is important to note these fees will not apply to marine park areas, including the Great Barrier Reef."

Then, in October, during the Estimates committee hearings, what did we hear the Minister for Environment say? I asked the Minister for Environment the following question—

> "What about a holidaying family who wants to go across from Cairns to Green Island; are they going to have to pay another $3 on top of the fees they currently pay? Is that right?"

Mr Littleproud, the Environment Minister, replied—

> "There is an expectation that it will be applied across the State."

I asked another question—

> "Minister, the end result is that, to go to island national parks in the Great Barrier Reef, you will be paying $6 extra per person to the Federal Government's tax hike, $3 extra per person for your tax hike and then you pay camping fees if you want to stay on the national park. That is about the end result of it, is it not?"

The Minister's response was, "That is right."

Firstly, the Treasurer said in the Budget that the fees would not apply to marine park national parks. Secondly, during the discussion on the Budget estimates, the Minister and his departmental officers confirmed that it did have to apply to every national park in the State, whether it was in the Great Barrier Reef or any other marine park. Indeed, in that discussion on the Budget estimates, it was confirmed by the Minister's staff that if the funding was not received as the department expected, then the budget of the department would in fact be cut.

That leaves the funding of the Department of Environment in absolute tatters. All of us who share a grave concern about protecting the environmental assets of our State—about protecting our State's national parks—now know that, in addition to the $5m cut in funding for national parks in this year's budget, the budget now faces even further cuts because the revenue raised to top up the massive cuts in environmental

department funding will not now be achieved. How can it be achieved?

During the Estimates committee hearings, the Minister's department provided me with a list of 57 island national parks to which the national park fees would apply. These included highly popular parks that large numbers of tourists, particularly overseas tourists, would be visiting such as Green Island, Fitzroy Island, the Michaelmas Bay islands, Lizard Island off Cairns, the Whitsunday islands off Proserpine and Mackay, Keppel islands off Yeppoon and Rockhampton, and Heron Island off Gladstone. All those parks, now including Fraser Island and Moreton island, are going to be exempted from the new national park fees. If all of those islands are exempted from the fees, where does that leave the budget of the Environment Department for this financial year?

During the Estimates committee hearings, the Minister indicated that this financial year the Government expected to raise $1.1m from the national park fees. Only the other day, a public notice called for tenders for a $300,000 advertising contract to try to sell the idea of the national park pass. That means that the department is already down to $800,000 in revenue if, indeed, the $1.1m is raised. Now the Government is going to exempt all the most popular islands in the State from the national park pass. What is the point of imposing a new tax on Queenslanders who want to visit their national parks, particularly those national parks in which there are no facilities; where visitors camp in their tents or on ground mats? Why should Queenslanders have to pay fees to visit those types of national parks, when rich foreign tourists will not have to pay those fees when they visit Green Island, Keppel Island, Fraser Island or Moreton Island?

All of the national parks which have the ability to raise the most revenue will now be exempt from those fees. That means that the budget revenue predictions relating to revenue received from the ParkPass are absolutely skittled. If the budget for national parks is already $5m down on last year and the Government skittles the $1.1m that was projected for this financial year, given that the funding is going to go from only January to June next year, then the funding is $6.1m down. Of course, next year, after a full year of these taxes being forgone on the islands but not anywhere else, what are we left with? We are left with up to $10m, $12m or $15m cuts in available revenue for the national parks budget. Where is that money going to come from?

The simple fact of the matter is that this Government's Environment Department budget is in an absolute mess because the Government moved through the Budget to impose a massive $35m cut in Environment Department funding and then sent the hapless Minister for Environment into a desperate spin, trying to discover new ways to raise new taxes to top up consolidated revenue so that the Environment Department did not look so beleaguered after that $35m cut. The end result was that the overall budget of the department was roughly the same, but what has the Government done with national parks? This is the very area in which the coalition, when in Opposition, said it was going to make such enormous gains, the very area in which it was going to spend bucket loads more money on management. The Government has cut national parks funding by $5m in the budget, and now it has skittled the $1.1m it expected to raise out of the ParkPass.

The reality is that this Minister does not know what he is doing. These fees have been introduced in a state of absolute chaos. The Government has still not sorted out the tyre and oil taxes with industry because it did not consult industry. Only this morning we heard a representative of rural industry, the industry that Treasurer Sheldon said was so pleased to be able to contribute to the revenue of the Government with the new tyre and oil taxes, Mr Macfarlane from the Graingrowers Association, saying that he is not even going to bother talking to the Minister for Environment. He said he is wasting his time with the Minister for Environment and that he will go straight to the Premier. I do not know whether that will do Mr Macfarlane much good either, because the Premier has run around the State, backflipping and promising more reviews. What does the Premier do every time he lobs into a place where the people are outraged by the new taxes the Government has imposed? He announces a review or the Government backflips, and that is what has happened on the national park fees. Park management funds are going to be cut even further.

National park fees have been cut and oil and tyre levies have been adjusted. While I am on that topic, I want to address an interesting little fact. The Government was going to impose a $30 fee.

Time expired.

Youth Suicide

Mrs WILSON (Mulgrave) (12.18 p.m.): Honourable members will be aware of the increasing focus on the issue of youth suicide. The media has been bringing it to the fore. On 28 October, the *Cairns Post* carried an article titled, "FNQ Posts Highest Youth Suicide Rate in the North", which cited some dreadful figures about the incidence of youth suicide in the north. On 3 November, the *Sunday Mail* carried an article titled, "Funds to Fight Suicide Crisis", and on 10 November, the *Sunday Mail* highlighted that teenagers are now heading a suicide mission on the Gold Coast because they are fed up with watching their friends attempt suicide. They are outraged at the lack of national support networks, so they have done something about it. They have got together to try to do something about the fact that their peers are committing suicide. I understand that the members of that group have attempted suicide.

The State average is 22 per cent above the national average, so something must be done about the rate of increase in the number of youth suicides, particularly by males, in Australia during the past decade, which has led to widespread community and Government concern. National figures show that for 15 to 24-year-old men, deaths by suicide increased from 258 in 1982 to an average of 337 from 1990 to 1992. Recent World Health Organisation statistics from 1991 to 1993 show that, of 27 industrialised countries, sadly Australia is listed as having the fifth highest suicide rate for 15 to 24 year olds. To translate these figures into reality, it is an indictment of our modern society that the lifeblood of our nation is being spilled not by wars, not by accident, but by the choice of our young people. This is highlighted by October 1996 figures from the Australian Institute of Health and Welfare regarding youth suicide in the 15 to 29-year-old age group. These statistics show that, while road transport death rates for young males in this age group declined over the period from 1979 to 1994, suicide rates for males in this age group increased by 40 per cent. This was in sharp contrast to the female rate, which fell during the same period.

There was a large rise in the number of suicides by hanging. Previously, firearms were most commonly used. The rate of suicide by hanging rose from 41 deaths in 1979 to 201 deaths in 1994—up by 331 per cent. The rise in the rate of suicide by hanging for males aged 20 to 24 was most pronounced, with an overall rise of 641 per cent. The rate of suicide by motor vehicle exhaust fumes also increased—up from 2.2 per 100,000 in 1979 to 4.6 per 100,000 in 1994.

The increases in the rates of suicide deaths by hanging and motor vehicle exhaust fumes for males aged 15 to 29 was contrasted by falls in the rates of suicide by using firearms. These fell by 30 per cent—from nine deaths per 100,000 in 1979 to 6.3 per 100,000 in 1994. Suicide by poisoning fell by 2.7 per cent—from 3.7 per 100,000 in 1979 to 2.7 per 100,000 in 1994.

While these figures are shocking enough, figures for rural Australia and Aboriginal and Torres Strait Islander communities are even higher. In a recent radio broadcast, Mrs Baird from Yarrabah reported 110 attempted suicides in the Yarrabah community in the last year. There have been a number of suicides as well. For a population of 3,000, that puts it on an international scale.

I draw the House's attention to the publication *The Epidemic in Youth Suicide* by Linda Woodrow, published by the Queensland Parliamentary Library—Research Bulletin No. 1/96. I recommend a full reading of this by members who are concerned about the tragedy of youth suicide in their constituencies.

Looking at the overall picture of suicide in all age groups—in Queensland, an estimated 60,000 people attempt to take their own lives each year. Figures show that, of these, 580 actually succeed. I acknowledge that these statistics show that there is a major problem not just in Queensland but Australiawide. However, there is hope. Federal and State Government initiatives are in place to pinpoint the causes and to continue to look for lasting solutions. The previous Federal Government made a commitment of $13m over four years, commencing in 1995-96, to implement "Here for Life: A National Plan for Youth in Distress". This commitment has been endorsed by the current Federal Government. The current Federal Government has also provided a further $18m over four years for programs to address youth suicide. The State Minister for Families, Youth and Community Care has called for people to come forward with suggestions as to how they may assist.

The national plan has two key themes: finding out what works best in preventing youth suicides, and overcoming obstacles to ensure that the things that work best are actually incorporated into the regular activities of health, education, welfare and other agencies. Initiatives in Queensland to date under the national plan include the training of general practitioners throughout Queensland, which is commencing this year. It is interesting

to note that research has indicated that, within the month prior to their death, young people have visited their medical practitioners. Young people have also indicated that their local practitioner would be the person they would like to contact most should they need assistance.

Another initiative is the inclusion of a Queensland rural centre in an Australian Rural Health Research Institute project. Other Federal Government initiatives will include—

additional support for rural and regional youth counselling services—$6m to be administered through State Health Departments with a recognition that Queensland's needs are high with respect to Aboriginality and remoteness;

enhanced over-the-phone support programs ($6m), including funding to Lifeline ($3m) and Kids Help Line ($3m) to extend the reach of established telephone services and improved coordination of information available to counsellors. Often, people just need somebody at the end of a help line just to diffuse the critical point that they may have reached;

programs for parents ($3m), with a focus on parents of adolescents;

education and training for professionals ($2m), mainly through State Health Departments, including $250,000 for the Logan division of general practitioners, to educate general practitioners and other health professionals regarding youth suicide, and $650,000 to a South Australian consortium to conduct training for general practitioners nationally using a train-the-trainer model. One-third of this project will focus on Queensland GPs;

specific research into childhood mental health with a particular focus on identifying and addressing long-term causal factors which lead to adolescent suicide and attempted suicide ($1m); and

a media code of conduct on the reporting of youth suicide.

The Federal Government has established a Youth Suicide Prevention Group to give expert advice on priorities for action. This includes three representatives from Queensland: two officers from Queensland Health and one from the Aboriginal and Torres Strait Islander Commission. It is very good to see the cohesiveness between the State and the Federal Governments in addressing this issue, which is also a national issue.

Queensland initiatives include the following. In 1994-95, this State Government, through Queensland Health, made a significant commitment to addressing the issue of suicidal and self-harming behaviour among young people by allocating $4.5m over three years to a three-year pilot program, namely, the "Young People at Risk: access, prevention and action" program. That program is aimed at the prevention of self-harming, suicidal and related behaviours among young people. It aims to empower local communities to respond effectively and efficiently to young people at risk of this behaviour.

Queensland Health also provides $9.9m per annum for children's and youth community mental health services throughout the State, with 160 effective full-time staff, and has recently been developing new policies and services to address this particular issue. Total expenditure, including in-patient treatment, on specialist child and youth mental health services for the year 1994-95 was $12m, with an additional $11m expended by adult services on young people.

The recent State Budget allocated $1.6m for youth mental health in-patient facilities at the Royal Brisbane Hospital and extra funding for Cairns Base Hospital capital works, which will include a new youth mental health in-patient facility. The Department of Families, Youth and Community Care has funded youth development workers in Yarrabah, Napranum, the northern peninsula area and the Carpentaria Shire. In Yarrabah, Queensland Health has funded life promotion officers. The Youth Bureau has funded a four-year youth development worker in that community. In addition, the Youth Bureau has funded youth and community workers to attend training in youth suicide prevention. The Youth Bureau provided funding of $16,500 for this type of training.

The Department of Families, Youth and Community Care provides intensive personal support to young people who have been in the care of the department and are making major life transitions, such as moving towards independent living. Many of these people are perceived as being at risk of self-destructive behaviour, including suicide. Intensive personal support can be said to contribute to the prevention of suicide through the development of individual coping skills and appropriate support systems by young people at risk.

Finally, we need to acknowledge that suicide is caused by a variety of factors: mental illness, alcohol abuse, sense of loss,

troubled relationships, job loss or stress. Therefore, there is no quick fix, and there is no magic wand to make this tragic problem disappear overnight. In Yarrabah, intoxication and payday, as well as domestic violence, have been cited. The solution lies in continuing the integrated approach between the State and Federal Governments and between the many Government departments.

Time expired.

South Bank

Mr ARDILL (Archerfield) (12.26 p.m.): I want to draw the House's attention to recent statements that have been made about South Bank and the fact that it is possible to get better revenue out of that particular development. I also would like to draw the attention of the House to the fact that this Parliament and the Government of Queensland do not own South Bank. South Bank was a major development of one of the great sons of Brisbane, namely, Clem Jones, who established that park at the expense of Brisbane ratepayers. The entire riverfront from the Victoria Bridge right up to the dry dock was purchased with funds provided by the ratepayers of Brisbane, not by the Government. So any thought of future development on that site should be taken in consideration of this and in consultation with the Brisbane City Council.

South Bank has been a huge success, providing a focus for the people of Brisbane to get out and enjoy themselves. Money is not the only consideration. That huge success—from the point of view of the public making use of that land—should be considered. Higher density development in that area should not be the prime consideration, nor should the economic rationalists' goal of funding be the only consideration. That area must be preserved for the use of everyone, particularly the young people of Brisbane and the many thousands—in fact, over the years, millions of people—who have used that land. It should be retained for the purposes for which it was originally purchased from the landowners in that area.

Time expired.

PUBLIC SERVICE AMENDMENT BILL

Second Reading

Debate resumed from 30 October (see p. 3652).

Ms BLIGH (South Brisbane) (12.30 p.m.): The issue before the House has been canvassed fairly widely, not only in this House but also in considerable public debate over recent months. The objections that the Labor Opposition have to the Bill have been widely canvassed also. In my view, our objections have not been removed by the amendments put forward by this Bill. In the previous debate on this issue in the Assembly, the Premier was forced to make a series of amendments to the original form in which clause 116 appeared, and I congratulated him then and do so again for the new wording. However, it still fails to address the primary objection raised over and over again by myself and other commentators, that is, the effect of this proposed new section of excluding many decisions from judicial review.

I note that the Scrutiny of Legislation Committee has had an opportunity to review this legislation. In its discussion, it has thanked the Premier for his justification provided in the Explanatory Notes for the appalling move to oust judicial review. I note that the Scrutiny of Legislation Committee has thanked the Premier for doing so. In my view, that is very generous of the committee, because I cannot join committee members in thanking the Premier. The Explanatory Notes have added nothing to our understanding of the Government's motives or intentions in relation to this Bill. Perhaps the Premier's inability to provide a persuasive, convincing or legitimate argument for the removal of the rights and liberties of the officers of the State that he is seeking to disfranchise speaks volumes about his intentions.

Throughout debate on this issue I have said that the effect of this Bill is to put the Government and particularly the Executive above the law. The Premier's Explanatory Notes characterise the legitimate processes of the courts of this State—and he repeated this in his second-reading speech—as mere delay and frustration to the legitimate activities of Government. I draw the attention of honourable members to the observations of the Scrutiny of Legislation Committee, which has made these comments in relation to that assertion—

> "It is easy to think that the constraints of law and the courts are unnecessary and impose only 'delay and frustration'."

The words "delay" and "frustration" are the Premier's. The committee continued—

> "The courts are only attempting to ensure that powers given by legislation are exercised according to the intention of

> Parliament as best they understand it. It is one thing to seek to streamline the processes of decision making and increase discretion where it is justified as necessary. It is another thing to say that compliance, even with more streamlined processes, is not required. Indeed, statements such as those contained in the second paragraph of page 2 of the explanatory notes might give the erroneous appearance that a government does not want to be constrained by the laws which give them the power they exercise."

I could not agree more with the observations of the all-party Scrutiny of Legislation Committee in that regard. Its use of the word "constrained" is quite judicious. It appears that this Government regards the legitimate exercise of law as an unnecessary and inconvenient constraint upon its power. The statements by the Premier in this regard display a contemptuous attitude to the legitimate workings of the law and the legitimate workings of the courts. If, in fact, the processes of the courts are taking too long, if the judicial review that people are entitled to exercise either takes too long or exercises too much time in public administration, then I would suggest to the Premier that the way to remedy that is either to provide more money and resources to the courts to hear those applications or to attempt to remedy and streamline the Judicial Review Act, not to entirely oust the rights of citizens under that Act. The Bill that is before the Parliament now demonstrates the same contempt on behalf of the Premier for the legitimate exercise of law.

In addition to the comments I have already raised, the Scrutiny of Legislation Committee has observed—

> "By removing the power of dismissed statutory officers to have recourse to the Judicial Review Act, it will make it easier for activities contrary to that Act to occur in this or later administrations and to make it much more difficult for those who suffer from them to gain redress. The Judicial Review Act was designed as the means by which citizens aggrieved by the exercise of Executive power can seek redress before an independent tribunal."

I would like to make a couple of comments in relation to those observations. Firstly, it is not only statutory officers—and their dismissal or removal—who will be affected by the proposed legislation, although they are the only ones discussed in the Scrutiny of Legislation Committee's report. The Bill will have effect on the contracts and day-to-day working lives of senior employees of Government. It will relate to senior executive officers and to contracted officers at the senior officer level who will be subject to proposed new section 116. While the people who would be subject to this section are restricted entirely to officers who are on contract, I draw the Premier's attention to the fact that, under the new Public Service legislation, contracts are envisaged to be more widespread; the entire Senior Executive Service will ultimately be contract employees and in many cases senior officers will voluntarily opt to take a senior officer appointment on contract, but that does not mean that they are short-term employees. I take from the fact that he has sold the senior officer's position as a career move to be an indication that he expects—and I understand from his own officers that this is the case—that people who have worked their way up through the Public Service ranks, after joining at a relatively young age at an AO3 or AO4 level and obtaining further qualifications and further experience, may, over a 10 or 15-year period of service to the Government, reach a point at which they are offered a contract at a senior officer level for, say, three years. If they voluntarily opt to take such a contract, under the Public Service legislation, they would have rights to revert to their permanent position at a lower level at the end of that contract. They are long-serving employees of the State.

Under the proposal before the House, if those long-serving public servants who have opted to take a contract at a senior level find themselves in circumstances in which they are denied natural justice, if they find themselves in circumstances in which they are improperly dealt with by their superiors, or if they find themselves in circumstances in which they are subject to fraudulent decisions or they are subject to the abuse of Executive power, they will have no redress against those circumstances. Under judicial review, they will be unable to pursue reasons for the decisions, which may, in fact, expose fraud or improper dealings. In my view, it is in the interests of Government for those to be exposed, and it is to the detriment of public administration in this State that that may no longer occur in these circumstances.

I assume that the Premier's comments in relation to contract employment refer to the Blizzard case. I draw his attention to the view of the Scrutiny of Legislation Committee that that does not necessarily apply in all cases. It is my understanding that that case relates predominantly to the issue of the right of termination. There are many other issues that

relate to public sector employment in which the potential for fraud and the potential for excessive abuses of power exist. I give as an example the possibility that people could expose Public Service officers to punitive transfers. They may well exercise individual power to transfer officers in ways that have no grounding in need or fact, and it may be some kind of punishment for the officer concerned. They may make that decision on the basis of an erroneous set of facts and in excess of the power that they have the right to exercise. Those officers would not have any opportunity to seek redress.

I also draw the attention of the House to some of the reasons behind the Judicial Review Act. While that Act provides significant redress in the event that people believe that they have suffered a wrong, it is the intention also of that Act to improve, by its very existence, the nature and calibre of decision making in the Public Service. It is not just an Act that provides redress; it has an effect on the way that decisions are made. I know from my own experience and the experience of other officers with whom I worked that when public servants are involved in making a decision about either a fellow officer or a member of the public, when one knows that those decisions are open to scrutiny, and when the people about whom one is making the decision may be in a position to expose your reasons for making that decision, one is much more likely to be very rigorous and scrupulous in the way that one makes the decision. Similarly, if that scrutiny is ousted, as it is proposed by this Bill, in my view over time the quality of those decisions will deteriorate. It will become too easy for those people who do not want to make effective, correct and appropriate decisions to evade any scrutiny.

In relation to the effect that this legislation will have on senior officers, I note that proposed subsection 6 states that tenured senior officers will continue to have rights of judicial review. However, I would like to take this opportunity to seek direct clarification from the Premier on a matter relating to senior officers and their employment which does not relate to judicial review. Proposed section 116 (4) has the effect of removing senior officers from awards and industrial agreements. My understanding is that the whole of proposed section 116 will apply to both tenured and contract senior officers. Where senior officers are tenured, that is, their employment is not regulated by contract, proposed section 116(4) will also remove their regulation by industrial agreement or award. I seek clarification as to by which instrument the employment of those tenured officers will be regulated. I am not asking about their access to the Industrial Commission or their access to judicial review; I am asking: by which instrument or instruments will their employment be regulated?

I am asking that question for a range of technical reasons. For example, how will increases to award rates resulting from enterprise bargaining agreements that relate specifically to awards flow on to those officers? There may well be a simple answer to that question, but as it does not appear in the Explanatory Notes, I think that it is an important issue that should be clarified on the record of the House.

This legislation was introduced in a climate of some frivolity. The antics of the member for Nerang meant that there was a great deal of humour surrounding the omission of clause 116 from the Public Service Bill, which this legislation rectifies. That omission also created a series of events at which we could all smile, not the least being the opportunity for not only members of the House but also the entire Queensland public to see a photo of the member for Nerang in a hospital gown. However, despite the frivolity that surrounded the omission of that clause from that Bill, I implore members that none of us should allow the humour which has surrounded the chequered history of this legislation to distract us from the very important issues it contains. I caution members to think long and hard before supporting this Bill and the clause that it seeks to insert into the Public Service Act. It is my view that this clause removes important existing rights of citizens and it removes them with little or no justification. It removes those rights not just from any citizens of the State but it removes them from the employees of the State. It removes them from those people who implement the policy and programs of any Government of the day—the people who deliver services to all of our constituents. Those people warrant the protection of this Parliament. They warrant the protection of the Parliament from the abuses of Executive power and from fraudulent and improper decision making. That protection would have been provided to them under judicial review.

Although all Governments should seek to ensure that all decisions by any employee are made correctly, no Government can ever guarantee absolutely that that will be the case. That is why we have the legal redress that is contained in the current Judicial Review Act. I urge members to also think seriously about the effect that such a removal of redress will have on good public administration. I also

urge members to think seriously before they remove one of the checks and balances which preserves the delicate balance of public administration in this State.

In conclusion, the objections of the Labor Opposition to this legislation have been well canvassed. They are based soundly on a desire to protect the legal rights of individual citizens and employees. Those objections to this legislation are shared by the all-party Scrutiny of Legislation Committee of this Parliament. Nothing in the legislation, nothing in the Explanatory Notes and nothing in the Premier's second-reading speech have dislodged these concerns. In the face of this unsatisfactory situation, the Opposition will continue to oppose this Bill and what it seeks to do to the Public Service Act. I reiterate my call for clarification on the record of the basis of employment of tenured senior officers.

Mr J. H. SULLIVAN (Caboolture) (12.45 p.m.): At 11.02 p.m. on Friday, 11 October, the Borbidge Government was humiliated when the House voted to delete clause 116 from the Public Service Bill. That humiliation was exacerbated one hour and 45 minutes later when the honourable member for Gladstone made it clear that she would not support the Government in its quite improper attempt to have the question put again.

Consequently, we have a situation in which the Government has brought to the House an amending Bill to insert into the Act those provisions previously deleted. The member for South Brisbane has dealt quite well with the effect that this Bill will have on senior officers of the Public Service. However, by now it should be clear to the House that those provisions will prevent statutory office holders, members of various boards, committees and tribunals from seeking the protection of the Supreme Court in the event of their dismissal by the Government of the day.

The provisions to be inserted oust judicial review in the case of those office holders as it states that the removal of a statutory office holder is "excluded matter". That means that, should such an office holder believe that his or her removal from office was motivated by improper purposes, or it was biased, or relevant considerations were ignored, or irrelevant matter was taken into consideration, then it is tough luck; that officer simply has to cop it.

The question that arises is: who are these statutory office holders who are to be denied the right to seek redress for such a removal? There are many statutory offices established under Acts of this Parliament. I have with me a list some six pages long. I cannot vouch that it is a complete list and it is possible that one or two of the statutory offices on that list may not now exist. However, the list makes interesting reading. For example, it includes the Agent-General for Queensland—the Police Minister's next job—the Anzac Day Trust under the Anzac Day Act 1995; eight members of the Council of the Central Queensland University under the Central Queensland University Act; the Queensland Coal Board under the Coal Industry (Control) Act; the Board of Senior Secondary School Studies under the Education (Senior Secondary School Studies) Act 1988; the Timber Research and Development Advisory Council under the Forestry Act 1959; and the Gladstone Area Water Board under the Gladstone Area Water Board Act 1984.

For those people employed under those Acts, this Bill delivers a message loud and clear: "Do exactly what the Government wants or face the sack." These are extraordinary powers and they fly in the face of the reason for the establishment of many of the offices in the first place. Certainly, most people accepting an appointment by any Government would have believed that their role was to work for the benefit of all Queenslanders and not for the political advantage of the Government of the day. If the House allows the passage of this Bill, that will no longer be the case. Under this legislation, many hundreds of decent Queenslanders, serving in the best interests of the community, are to be coerced into serving the National Party machine.

I am fortunate to be among those entrusted by this House with the responsibility of scrutinising all Bills for breaches of the fundamental legislative principles set out in the Legislative Standards Act 1992. Those principles require legislation to have sufficient regard to the rights and liberties of individuals. Despite the Premier's concession in narrowing the limitation on the application of the Judicial Review Act, it remains that the provisions of this legislation remove from an important group of people a right that they presently enjoy, that is, the right to judicial review.

I know that I am not alone in my belief that instances of the ousting of judicial review are becoming so frequent as to be accurately described as an infestation giving rise to legitimate questions about the commitment of this Parliament to judicial review. Another instance of the ousting of judicial review is included in the Scrutiny of Legislation Committee's Alert Digest No. 10, which was tabled during the previous sitting week. In the

absence of any well-articulated reason for the limitation on the application of the Judicial Review Act, one can only conclude that the purpose of the limitation is to create a climate of fear among statutory office holders in order to subvert them to the end that they will do the Government's bidding rather than an honest job for the good of Queensland.

It is obvious that the Government expects this Bill to be passed by the House with the support of the honourable member for Gladstone. I have studied the member's speech relating to this matter, which she delivered on that unforgettable Saturday morning. I am comforted by the fact that no such guarantee was given. The honourable member for Gladstone did say that she felt that there had been adequate debate on the clause and that she would support a guillotine motion, should the Government so move one, when reconsidering what was clause 116 of the Public Service Bill. The honourable member for Gladstone also said that, despite the copious debate, she had voted for retention of clause 116 without being sure of all the facts. I would like to gently remind the honourable member for Gladstone of her words in September 1995 when she was seeking from the former Government the additional staff resources subsequently provided by the present Government. At that time, the member stated firstly—

> "I'm not going to support legislation if I don't understand it . . ."

Secondly—

> "If I'm not happy I understand a Bill the Government presents, then I simply won't support it."

Just a few short hours after the debacle of clause 116, following a Christian Women's breakfast in Toowoomba, the honourable member for Gladstone was reported as saying that honesty, integrity and dignity underpin the basis of her critical deliberations in Parliament.

Miss Simpson: How did you get in there?

Mr J. H. SULLIVAN: Despite the copious debate; despite, I presume, briefings provided by the Government and despite additional staff provided for the purpose, the honourable member remains unsure of the facts. For the information of the member who seeks to interject, the Christian Women's breakfast in Toowoomba was adequately covered by the local newspapers which are available for all Queenslanders to read.

In that case, by her own standards the honourable member for Gladstone should apply to this Government's legislation the same test as she applied to the Goss Government's legislation, and she should vote against the Bill under consideration. In conclusion, I reiterate that the Government has provided no compelling reason to this House as to why it should support legislation denying statutory office holders who are working for the benefit of all Queenslanders access to judicial review in relation to removal from office. The Government has provided no compelling reason to this House as to why it should support legislation ceding to the Government extraordinary coercive powers in relation to statutory office holders. The lack of explanation should be sufficient to convince anyone that these provisions are unconscionable and should not be supported.

Hon. M. J. FOLEY (Yeronga) (12.51 p.m.): This Bill exempts a range of matters from judicial review. In particular, the Bill exempts the removal of a statutory office holder under the Public Service Act from review. That denies such a person the opportunity to go to court to call into question the lawfulness of his or her removal.

The Government has been accused of a poverty of ideas and a poverty of action, but there is one area in which it is truly rich; it is rich in irony. The Government has introduced this Bill into the House for debate on the very day that it tabled legal advice from Mr Gyles, QC, directed at the question of whether or not the Carruthers inquiry would be amenable to attack by way of judicial review.

In particular, proposed new section 116 (5) states—

> "A decision about an excluded matter can not be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way, under the Judicial Review Act 1991."

Through that new section, the Bill seeks to put every statutory office holder in a less advantaged position than Mr Borbidge or Mr Cooper with respect to the Carruthers inquiry.

Mr Gyles, QC, was asked whether there was anything in an instrument which would prevent any legal challenge being made to Mr Carruthers acting in the manner contemplated in paragraphs 1(b) and 1(c) of the request from the Government, namely, on the assumption that Mr Carruthers agreed to return and complete his investigations and that he indicated an intention to finalise his investigation reports. That advice is flawed in two important respects. One is that, of course, it is based on an outdated assumption with respect to that Bill. Secondly, and more

importantly, it fails to address the fundamental principle of public policy that Mr Borbidge and Mr Cooper should not profit from their own misconduct.

In his opinion, My Gyles wrote—

> "The point here is that Mr Carruthers saw Messrs Borbidge and Cooper as having participated in setting up a Commission of Inquiry into his Inquiry into them. Whether this is a fair conclusion is not to the point."

However, My Gyles' opinion has missed the vital point that Mr Borbidge and Mr Cooper abused their position in Cabinet to set up the Connolly commission, which was designed to sabotage the Carruthers inquiry into their own conduct. There is an elementary legal principle that one should not benefit from one's own misconduct as a matter of public policy. For example, this principle forbids a murderer from inheriting under the will of a murder victim. Similarly, Mr Borbidge and Mr Cooper can hardly rely on their own attacks on the Carruthers inquiry to argue that their rights to natural justice have been damaged.

Therefore, Mr Borbidge is now urging that the House should give its vote to the Public Service Amendment Bill which would deny statutory office holders the opportunity to go to court to make the very challenges that Mr Borbidge and Mr Cooper raise in their objections to the Carruthers inquiry. Indeed, in the terms of reference that the Government posed in its question to Mr Gyles, the first issue was whether Mr Carruthers would, as a matter of law, on the grounds of bias or otherwise, be precluded from proceeding in the manner contemplated. Of necessity, that involves the courts reviewing the actions—it involves an exercise in judicial review. Therefore, Mr Borbidge is seeking to deny statutory office holders the very thing upon which he relies in his Government's continuing attack upon the Carruthers inquiry, all attempts to resurrect it and all attempts to prevent any hindering of the deliberations of the barristers appointed to continue the work following Mr Carruthers' recommendation.

This is indeed a Government which has a poverty of ideas and actions but it is also a Government rich in irony. Through this Bill, the Government is willing to deny the opportunity of judicial review which it arrogates to itself in its public pronouncements with respect to efforts to put the Carruthers inquiry back on track.

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (12.57 p.m.), in reply: I thank honourable members for their contributions to the debate. Perhaps we have travelled much of this road before, so I will not reply at length to matters that have been raised by honourable members. However, the honourable member for South Brisbane did raise a couple of matters, firstly in respect of tenured officers. Tenured officers are specifically excluded from the provision of subclause 5 by subclause 6. The exclusion of judicial review only applies to contracted officers and the removal of statutory office holders. The other matter raised by the honourable member was the instrument to define entitlements of senior officers and what that will be. This will take the form of directives in much the same way as SES entitlements are currently defined in the PSME regulations.

I also take this opportunity to thank the Scrutiny of Legislation Committee for its comments on the Bill, which I received late last night and which are obviously only just before the House today. There are two aspects to the application of proposed new section 116 (5), one being the exclusion of the application of judicial review to officers employed on contract, and the other being the removal of the application of judicial review for statutory office holders removed from their offices under the provisions of Part 8 of this Act. I note the committee's acknowledgment that there is certainly merit in my argument that it is not unreasonable to exclude decisions to remove members of statutory boards and committees from the application of the Judicial Review Act.

I make it quite clear that we are not talking about the judiciary or the criminal justice system, as has been suggested in some quarters. The Public Service Act specifically excludes from the application of the entire Act the following officers: Supreme Court judges, District Court judges, Industrial Commissioners, Land Court members, magistrates and mining wardens. Furthermore, any office that expressly provides for the appointment of any of the officers I have just mentioned is also excluded from the application of the entire Act. Other officers excluded from the application of Part 8 are the Ombudsman, the Auditor-General, the Chair and commissioners of the Criminal Justice Commission, the Director and Deputy Director of Public Prosecutions, the Electoral Commissioner appointed under both the Electoral Act and the City of Brisbane Act, the Solicitor-General, members of the Misconduct Tribunal of the Criminal Justice Commission, a range of quasi-judicial tribunals other than those that already have a provision within their primary legislation to remove members by either the Governor in Council or the

respective Minister and a range of other positions crucial to the body politic of the State including the Public Trustee, the Health Rights Commissioner, the Parliamentary Counsel and the Anti-Discrimination Commissioner.

Sitting suspended from 1 to 2.30 p.m.

Mr BORBIDGE: Prior to the luncheon recess, I was referring to other officers excluded from the application of Part 8 of the Bill. I detailed those particular office holders. What we are in effect talking about are statutory office holders who operate in a capacity of advisory boards and/or committees to the Government of the day. No-one in this House has suggested that a Government should not have the right to appoint persons to those advisory boards and committees in which the Government can repose its trust. In point of fact, members opposite have argued that it would be un-Westminster if the Government could not do so. If we accept that fundamental principle—and I am sure we all do—the Government of the day must equally have the right to terminate the appointment of board members.

As noted before, there are numerous Acts which already provide a legislative basis for removing members of these bodies at any time and for any reason. The appointments of these persons to the advisory boards and/or the committees are in effect for a term at the pleasure of the Governor in Council. Committee and board members have never had an expectation of or a legal entitlement to unlimited tenure in such a capacity. To enable these boards and committees to continue to operate within the terms of reference of the relevant legislation and for the boards and the Government to get on with the job, this subclause prescribes that the Judicial Review Act should not apply to such removal.

Again, if we accept the fundamental principle that the Government has the right to remove such office holders—and I would expect that the office holders themselves would no doubt accept that argument—the only outcome if judicial review was retained is to allow a mechanism to delay and sidetrack the workings of the board or committee and, more importantly, to potentially diminish the capacity of the statutory body to serve the public of this State.

Secondly, the committee questioned the necessity to exclude contracted officers from the application of the Judicial Review Act in view of the Blizzard case. As noted by the committee, the current legal situation is that decisions made under a contract are exempt from the application of the Judicial Review Act. Because the Public Service Act is open and up front with respect to what should be contained in contracts of employment—and I refer particularly to sections 53 and 62, which specify minimum requirements to be included in the contract of employment, including a provision to terminate the contract by the giving of one month's notice—it is arguable that such a decision could be made under the contract and the Act, and as a result be subject to the Judicial Review Act. This subclause is intended to retain the current legal status quo in so far as it relates to contracted public servants. It might also be noted that the Scrutiny of Legislation Committee acknowledged that such entitlements may be subject to exclusion by contract.

Prior to the luncheon recess, I also mentioned that directives would define the terms and conditions of employment of senior officers. There will be a combination of both regulations and directives in much the same way as regulations, determinations and standards apply now.

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, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, 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.

Resolved in the **affirmative**.

Committee

Hon. R. E. Borbidge (Surfers Paradise—Premier) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Ms BLIGH (2.40 p.m.): I will be brief. I wanted to seek one further point of clarification from the Premier in relation to the response he provided in his summing up about senior officers. The Premier responded that regulations and directives would govern their employment. Is it proposed that there would

be a particular senior officer directive or that separate parts of their employment, such as leave and other entitlements, would be under different directives?

Mr BORBIDGE: The leave and general conditions will not be part of a directive, they will be under regulations. Other matters will be under regulations.

Clause 4, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

CHILDREN'S COMMISSIONER AND CHILDREN'S SERVICES APPEALS TRIBUNALS BILL

Second Reading

Debate resumed from 4 September (see p. 2421).

Mrs WOODGATE (Kurwongbah) (2.42 p.m.): The passage of the Children's Commissioner legislation does hold tremendous significance for me as a mother, as a grandmother, as an Australian citizen and, more importantly, as a world citizen. The Minister is to be commended for introducing this Bill—it is the only time I am going to say it, so I will say it again: the Minister is to be commended for introducing this Bill—which has the potential to make life better for all the children living in this part of the global village called Queensland, as well as those children who are still yet to be born.

It is a rare occasion for such unanimity to be shown by the House on a particular issue. Not only does my party support this Bill but it also played a critical role in its genesis. During my absence earlier this year, my colleagues the Deputy Leader of the Opposition, the Honourable Jim Elder, and the honourable member for Ashgrove, the Honourable Jim Fouras, moved and seconded the motion on 1 May which led directly to the preparation of this Bill. It is most gratifying to all of us that members of both the Government and the Opposition—who, we do admit, differ vastly on many issues—are united in the cause of Queensland's children. To my mind, this augurs well for the possibility that our society may yet even qualify for the title of "civilised".

The passage of the Children's Commissioner legislation is occurring against the background of an upsurge of immense interest at the international level in children's issues. Mr Deputy Speaker, it is a little bit noisy; I cannot hear myself.

Mr DEPUTY SPEAKER (Mr Laming): Order! There is too much audible conversation in the Chamber.

Mrs WOODGATE: Thank you for your protection.

The passage of the Children's Commissioner legislation is occurring against——

Mr Veivers: I wasn't saying anything; I was just listening.

Mrs WOODGATE: But the Minister is still noisy even when he is not speaking.

The passage of the Children's Commissioner legislation is occurring against the background of an upsurge of immense interest at the international level in children's issues. The horrific revelations of paedophile activity in Belgium have shocked thinking people all over the world. If such events strengthen people's resolve to abolish once and for all the abuse of the world's defenceless children, the horrible deaths of those young girls may not have been in vain. For one, I hope that the knowledge of these awful events spurs us to greater vigilance of our own children lest a similar scourge take root in our midst. Even closer to home, the Wood commission rolls along with rumour and innuendo about what may well be revealed has occurred and is occurring in the State of New South Wales. I am reminded of something that Donald Smiley, the Canadian political scientist, wrote in 1982—

> "The protection of human rights is the final end of government and . . . the degree to which human rights are safeguarded is the final test by which any policy should be judged."

Whilst we would all no doubt agree with the sentiment, an even more fundamental test of society's civilisation is the way it protects its children. The world's record in caring for its children is not good. Organised and commercialised sexual abuse of children is endemic in many parts of the globe. I have mentioned the recent experience of what has happened in Belgium. In other parts of the world, children are still enslaved or denied an education and forced to work in unconscionable conditions in inhumane factories and workshops.

It is very easy to distance ourselves from these terrible truths by denying the reality of child abuse in Australia and, indeed, in our own State of Queensland. The truth is, of course, that in Queensland, as elsewhere,

there are significant numbers of children who require community support to protect them because their parents are unable or unwilling to do so. This group of children is the most vulnerable in our society because they do not enjoy the parental care and love which is so important and which children should be entitled to have. These children are alone, without advocates to take a strong, loving and personal interest in their welfare and in their development.

The children of Queensland who need the most receive the least. I repeat: the children of Queensland who need the most receive the least. Nevertheless, when the Deputy Leader of the Opposition first raised in this House the need for a Children's Commissioner a few months ago, thereby forcing the Government to take steps to protect children, I have to say that the Minister denied that there was any real problem. He had to be forced to establish a hotline. While we on the Opposition benches had wanted a completely independent 24-hour hotline conducted by an impartial non-Government organisation, the Minister instead opted for a departmental model, open for limited hours only. We on this side argued that, without the impartiality of a completely independent operation, people would be reluctant to speak about abuse, particularly where failure of the duty of care of the department might have been involved. Nevertheless, even with that limited approach, the Minister must have been stunned and surprised by the evidence of abuse that has now come forward. All Queenslanders should be horrified. If even one allegation of abuse is proved to be true, it is one too many.

Too often we espouse the rhetoric that our children are our future, but we fail to put in place the programs and systems which would ensure the safety of our children and their futures. A commissioner for children could be a vital, formal response from Government to provide a voice for children—someone charged with the responsibility and provided with the powers and resources to ensure that children are protected and their needs are indeed heard.

I had hoped to be able to stand here today and give this Bill my unequivocal support; after all, as I said, it was the motion moved by the Deputy Leader of the Opposition and seconded by the member for Ashgrove which led to the drafting of this Bill. Although the Opposition would prefer some differences of emphasis and substance in the Bill, we recognise its pioneering nature. I cannot in all honesty say that the Bill is a disappointment to me; however, I do believe that it is a missed opportunity. There are some specific matters which will be raised as amendments, but the problem is more one of the general role and function of the proposed Children's Commissioner. In her book *Every Childhood Lasts a Lifetime*, Jan Owen, the Queensland-based director of the Australian Association of Young People in Care, wrote—

> "When parents fail, when atrocities are committed against children in our towns and cities, behind the sanctity of the garden fence or front door, then it is absolutely incumbent on the community to intervene to protect those who cannot protect themselves."

There is no doubt that the best carers of children are families—no doubt whatsoever. There should never be any doubt about this. A Children's Commissioner should never seek to undermine or replace the fundamental role of families. I notice that clause 8(b) of the Bill makes this very clear. But parents do not own their children. Rather, parents play a special and unique role to support and guide them to become responsible adults. Nevertheless, there is, I believe, a real community expectation that for those children whose families fail and who, as a result, experience violence, neglect and abuse, there is a community responsibility to intervene. That intervention must be for the good of the child. In most cases, the work of the Department of Families, Youth and Community Care and of hundreds of church and community based organisations does make a positive difference in the lives of these children. Sadly and tragically, there have been occasions where the abuse has continued at the hands of those charged with healing the hurt.

Within this context, as I have already said, the Children's Commissioner could have been much more than it is likely to be. As far as I can ascertain, the Children's Commissioner is expected to act largely at the behest of the Minister, who will refer matters of concern to her or him. In turn, once the commissioner believes an offence has been or is being committed, the matter must be referred to the police. As the Bill currently stands, there is a very real fear that the commissioner would be little more than a post box rather than an agency which actively and constructively investigates and resolves complaints and issues.

The commissioner must be free to initiate inquiries as and when required, not just refer matters to other agencies for their attention. The commissioner should, of course, work closely with the police and other authorities but

should have an overriding advocacy role. I note that Minister Lingard has already made public commitments to refer allegations of former State wards to the commissioner for investigation. I support this approach with the rider that adequate resources are allocated for this specific purpose. It would be a source of considerable concern if the commissioner was fully tied up investigating past cases and would be unable to give attention to what is happening now, let alone participating in measures which will prevent future abuse occurring.

In his second-reading speech, the Minister referred to the Norwegian Children's Commissioner. The Minister may or may not be aware, but the Norwegian Children's Commissioner adopts a very broad role advocating for the interests of children generally. The Children's Commissioner should be drawing attention to the frustration and challenges facing families as we hurtle towards the next century. He should be an agent to change systems for the better, to improve things for children and their families, rather than waiting for problems to be brought to his attention—pro-active rather than reactive. Prevention work is vital, but it requires that the commissioner have a broad general role, and such a role will sometimes bring him into conflict with the Government of the day.

The independence of the commissioner can only be assured if his office is not dependent upon the department for administrative support and if funding is sufficient to allow him to fulfil the full range of his functions. If the commissioner has to go cap in hand to the very department whose actions he may be investigating, his independence will always be suspect. I believe that, at some stage in the future, the commissioner will need to criticise the Government of the day or to suggest significant changes to current systems. He needs to be sufficiently independent to feel safe in doing so without risking his job or the viability of his office.

To bolster the commissioner's powers in relation to prevention and education, the Bill would be enhanced with an objects clause establishing his or her role as including general advocacy for the rights and interests of children and systems monitoring and enhancement. Nevertheless, while prevention and advocacy are of fundamental importance, priority must go to children who are experiencing abuse and neglect or who have done so. This is the group to whom the commissioner should give most attention.

This being the case, I believe the ambit of the Bill is too narrow. The commissioner is empowered to investigate complaints and conduct inquiries in relation to the delivery of children's services, but the term "children's services" is defined by reference to a series of Acts, all of which fall within the Minister's portfolio. There is a strong case for extending the scope of the Bill to cover children, wherever they are, and not simply in relation to a set of services which happen to fall within a particular portfolio. During the Committee stage I will be moving an amendment which, if successful, will ensure that all children are covered, not just the children whose circumstances place them within a particular portfolio.

In summary, I have to say that even though we will not oppose this Bill, believing that in this important area something is better than nothing, the Bill is somewhat of a disappointment for the reasons I have outlined. I do believe it could have been much more pro-active in its approach to children's interests. The opportunity for bipartisan support does not come too often in this Chamber. It is a pity that the opportunity appears to have been squandered somewhat. Nevertheless, the Opposition supports the Bill.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (2.55 p.m.): Child abuse is one of the most insidious and destructive crimes which occurs in society today, and child sexual abuse and exploitation is the most hideous form of abuse that can be imagined. Children who are victims of child abuse are damaged and scarred for the rest of their lives. Only with very loving support are they able to overcome the tragic misuse of the trust which a child has for an adult, and far too often, as we have seen in many cases, child victims grow up to become abusers themselves.

When we speak of sexual abuse of children, many of us immediately think of grubby old men hanging around schools. Now, that does happen; children are enticed from the safety of their homes and schools by perverts, but all too frequently sexual child abuse is organised and its disgusting practitioners are protected by networks of similarly evil creatures, some it seems likely in very high places, as we have seen from other commissions around this country.

Participants in the August World Congress Against Commercial Sexual Exploitation of Children held in Stockholm encountered stories of rampant child prostitution, child pornography, trafficking in children and tourism

for child sex, which all honourable members know is a worldwide phenomenon. This is happening throughout the world. While for decades Asia and South America have faced enormous problems, eastern Europe is now emerging as a new area of concern. The tragic and horrible fate of those young children in Belgium in particular has affected each and every one of us.

We cannot say that Australia or Queensland is immune from this scourge. We know that Queenslanders travel to other parts of the world to indulge in their perverted appetites for children. Thank goodness the previous Federal Labor Government introduced domestic penalties for Australian nationals involved in these practices, but we also have to fight the exploitation and abuse of children here in our own backyard.

The reasons for growth in child sexual abuse are many and varied. For instance, the belief that sex with a child will not lead to an HIV/AIDS infection is said to be one factor adding to child abuse in eastern Europe, but underlying everything is the devaluing of children as thinking individuals with rights. Children are treated as objects, as commodities, not citizens with inherent rights. It is not just paedophiles who are at fault. Many in the community contribute to this vile practice. Those who contribute include: the businesses who provide venues where young people are lured for the use of perverts; the puppets of child pornography in print, video or on the Internet; family members who suspect abuse but do nothing; Governments which fail to provide either the laws or the resources to enforce those laws; public officials who fail to act on evidence; those who protect and collude through distorted views about the capacity of a child to make free choices about his or her own sexuality; and community leaders who sweep the problem under the carpet. Society as a whole contributes to this problem through indifference, ignorance or values and attitudes which deny children any independent human rights and treats them as economic and sexual commodities.

There are two aspects that need to be considered when stamping out these practices. To use the economic term, we need both demand side and supply side management. Families need to be supported through times of stress and vulnerability so that children are not cut loose from a loving home too early before they have the confidence, knowledge and ability to make their own way safely in the world. When families do break down, the children need substitute care. That care must, above all, be in a place of safety. When the State takes a child from its family and, through negligence or stupid ignorance, places it in a situation of danger, then the State is as much a child abuser as any paedophile.

The other aspect which needs to be tackled is the detection, prosecution and punishment of child abusers. The paedophiles and their chain of allies, such as the seedy and underground businesses, the pimp, the procurers and the pornographers, are all criminals who must be pursued and must be punished. For this to succeed, the police must have the specialised and sufficient resources that are necessary. Evidence shows that paedophiles are frequently protected by well-developed and well-connected networks which seem to be able to thwart investigations unless there is a strong resolve to combat this evil and insidious danger to children at the very highest level.

Because of the existence of networks of protection and influence, the Children's Commissioner should not be constrained in his or her task. There may be occasions when referral to the police is not entirely appropriate. The commissioner needs the discretion to act in ways which best protect the interests of the children. The Children's Commissioner should have more than an investigative role after the abuse has occurred. The commissioner should be an advocate for the rights of children to live free of abuse and exploitation. The commissioner should be able to arrive unannounced, just like an official visitor, in one of our institutions. Making the system work in the best interests of children should be one of the commissioner's main functions.

I must agree with the shadow Minister that, after moving the original motion and getting the support of the Parliament through the member for Gladstone, it was pleasing to see the Minister forthrightly take up this issue. I understand that, in some cases, he did that reluctantly, but he grew to the task with a will that I believe was driving the formation of this Bill. But when I brought this forward, it was my belief that the commissioner should have far more powers than are evident in this particular Bill. I suspect that, after seeing the first draft, the Minister did have in mind what I was looking for in terms of my motion. However, this Bill does not deliver it in any way, shape or form. While it is a first step—a positive, pro-active and very important first step—to use an old cliche, we should not throw the baby out with the bathwater. I still believe that we have missed a golden opportunity to give someone

the powers to be able to deliver what I regard as a reasonable outcome for children in this State.

I intend to ask a number of questions at the Committee stage. I hope that, in time, the Minister will review this particular piece of legislation and the activities of the commissioner; that the Minister will look at the commissioner's powers and whether or not he is actually achieving the aims and objectives that I believe are important. I know that, deep down, the Minister probably agrees that these issues are just as important. I know there are reasons why the Bill is in its present form. I suspect that a few Ministers were not happy with the types of powers that the commissioner would have had in the first draft of the legislation. I believe that they probably thought, "Hang on a minute. We are not going to allow you to range across our portfolios." I believe that was a mistake; that it was poor, narrow-minded thinking on their part. However, I can understand why the Minister found himself in this position.

The commissioner must have the capacity to carry out independent research, if warranted, or to engage specialists to carry out particular tasks. I say that for a number of reasons. There are some things that immediately come to mind as requiring further consideration. No doubt there are members on both sides of this House who have further ideas in relation to the role of the commissioner. I do not have a panacea or any answers for this, but let me outline a few aspects on which I believe extra work needs to be done so that we can make informed decisions.

For instance, in relation to the mandatory treatment of child sex offenders after gaol—clearly there are major public policy and civil liberty issues to be weighed up against the need to protect children. I do not have the answer, but I think we need to do some work in terms of that. As to a register of child sex offenders—if a person has served his or her time and is not likely to reoffend, would that person's inclusion on a public register be too gross an invasion of his or her rights? Again, though, what about the rights of possible victims?

Mr Johnson: What about the rights of the child they offend against?

Mr ELDER: That is what I just said. What about the rights of the possible victims—the children? I have no easy answers. However, I am saying that someone needs to be doing that work. There are no answers out there. People are lost in the system. The community is crying out for a response. There are no straight answers. That is why I believe that the commissioner's role could be enhanced to actually have people doing that ongoing work so that, as members of this Parliament, we can make some informed decisions about these issues, and not just shoot from the hip when it suits us politically. We should be able to make some informed decisions that have, in the long term, some reasonable outcomes for all people involved.

As to notification of a community when a child sex offender moves into that community—this is already an issue. It is occurring in some parts of the United States, but it is not without its critics. We need to be doing work——

Ms Bligh: And New Zealand.

Mr ELDER: I understand it is occurring in New Zealand, too. We need to be doing work so that we understand it and have a far better grasp of the issues so that we can make informed decisions when the time comes to look at this legislation one, two or three years down the track.

As to better screening methods for employment and volunteer activities with children—that is important. There can be no excuse when a sex offender is employed as a teacher or Government welfare worker with children. But if that person is a rail worker with a minor offence, where does that leave us? Where does it leave that person in terms of prospective employment in that type of agency? The issue of volunteer work is much more difficult. I do not have any answers, but this issue is worthy of further thought and further work. I do not have enough information to know whether or not we should begin to experiment with some of those ideas that I have raised. However, research into this should be undertaken. I would be comfortable with an independent Children's Commissioner who could ensure that that work is done for us.

I said earlier that the commissioner's ambit is too narrow. Abuses occur in all settings where children are: schools, hospitals, sporting groups and families. Some of these settings have never—and would not—come under the attention of this department. I understand that the Minister originally wanted to give the Children's Commissioner a very wide assignment. I would hate to say that the Minister was rolled in Cabinet. However, it seemed to me that, after looking at the original draft and seeing what we now have to debate in the House, I could come to no other conclusion. This is not meant as a criticism of the Minister, but I just wish that his colleagues

had the same commitment as he does to fighting child abuse. If they did, they would realise that this was a missed opportunity; that this was an opportunity for us to actually deliver for young people and children in this State.

In common with the shadow Minister, I hoped to be able to stand in this House today and give this Bill my unqualified support. When moving the original motion, I had an objective. As I said, this is a step, but I cannot give that support today. The scope of the commissioner's powers is just too constrained for me. The position is insufficiently independent. As the shadow Minister said, having to rely for much of its administrative support on the department which it may be investigating is just a nonsense. It does not give the commissioner the necessary independence. There are other matters in relation to this which I will raise at the Committee stage.

There is another disappointing side to this, and I hope it is changed by the time members finish debating this particular Bill. It disappoints me to look down the speaking list on an issue as important as this and see that the Opposition is providing the speakers.

Miss Simpson: That's not the end of the speaking list.

Mr Lingard: If you don't take too long, we will have speakers, too.

Mr ELDER: This speaking list was distributed by the Government Whip. I take it that the member for Maroochydore will be contributing to this debate.

Miss Simpson: Yes, I will be.

Mr ELDER: I am pleased at that. However, this speaking list originally disappointed me. If the member does take part in this debate, that is fine. The Opposition does not intend to drag out debate on this important issue.

Mr Malone: That would be a change.

Miss Simpson: So you are going to waste our time.

Mr ELDER: I regard this issue as extremely important. The member for Maroochydore is one of the prime hypocrites in this House. Here is an opportunity for her to get up and stand on her dig—something about which she preaches long and loud in this House. Here is her opportunity. She is not on the list at the moment. She should get on the list, get up, and at least have something to say and make some commitment to young people in this State.

I say to the Minister and the member for Mirani: if they have the courage of their convictions, rather than interjecting on me they should be getting up and supporting this as well. They should not sit there and smugly make interjections if they have no commitment to the legislation. As I said, the Opposition will not drag out the debate. This is an important issue. I cannot give the unqualified support that I thought I may have been able to give when this was initially brought on, because the Bill has changed substantially. I foreshadow amendments being moved at the appropriate time at the Committee stage. Unfortunately, this is a missed opportunity, and the children of this State will be the big losers.

Hon. J. FOURAS (Ashgrove) (3.10 p.m.): I am pleased to take part in this debate on the Children's Commissioner and Children's Services Appeals Tribunals Bill. As both the speakers from this side of the House who preceded me said, the Opposition supports the legislation. We believe it is a good base, a good starting point; nevertheless, this legislation displays many missed opportunities. When this Bill is enacted, many individuals and groups around Australia will be watching with great interest because the proof of the pudding will be in the eating. They will all want to see how the legislation works and what outcomes will be achieved. Will the legislation contribute to better resources for children's services? Will it contribute to better processes, better service standards and more accountability? Ultimately, this legislation will be judged by whether all children receive a fair go—which children around Australia are not getting now.

If one reads only the so-called Explanatory Notes to this Bill, the legislation seems quite promising. The Explanatory Notes state—

> ". . . Children's Commissioner . . . experience in New Zealand, is to serve as a pivot in a 'network of agencies and interests incorporating:
>
> - a complaints mechanism;
> - a research programme;
> - lobbying both within government and without;
> - a public articulation of children's rights; and
> - a public presence of children.' "

The complaints mechanism of this legislation is limited, and I will refer to that a little later. The fact that it is mandatory has problems. As to the research program—the Bill provides no research mechanism. We see no

process for lobbying. In fact, there is no mention of children's rights in the section dealing with the Children's Commissioner's functions. In that regard, the very important values exhibited in the New Zealand experience are not articulated or spelt out in this legislation. The Explanatory Notes state—

> "The Commission is required to perform its functions within a framework of recognition that it is the parents, or legal guardians, of children who have the primary responsibility for the upbringing and development of their children; the role of the State is to support and assist."

Nobody would argue with that, but it must be put into context. This legislation fails to do that. The context is stated in the Convention on the Rights of the Child, which we presume is the paramount motivating force for bringing forward this legislation—

> "The best interests of a child shall be a primary consideration in all judicial and administrative actions concerning children."

It states "all". That is not spelt out in the section dealing with the complaint mechanism. I am concerned about the narrow definition of "children's services". Detention centres are not covered by this legislation because they are covered under their own legislation, so I will leave my concerns about that for another debate.

I turn to the most fundamentally important part of this legislation—the appointment of the commissioner. I do that because we will not be able to reshape this legislation into the shape that I would have thought this Bill would have taken. I am referring to the fact that the commissioner is to be appointed by the Governor in Council. As to the qualifications of the commissioner, the Bill states that he or she must have experience in child protection, community services or child welfare. That is fine, but I wonder why experience in education, law or medicine have been included in the list? Would a teacher or a person who has worked in the Education Department have the necessary qualifications? Would a person who is a commercial lawyer handling very menial legal tasks have the necessary qualifications? The test of the willingness of the commission to be independent will be tested by how the commissioner is selected, the make-up of the selection panel and whether an independent process is involved. If the position is advertised Australiawide and the selection panel does not consist of people controlled by the Executive, we may then feel that the Children's Commissioner is independent. That is a concern, as the previous two speakers have said, when one considers that this commission is to be serviced by the Department of the Minister for Families, Youth and Community Care. The person selected must have backbone and independence.

I turn now to the basis of the Bill, that is, complaints and investigations. There is nothing new in people complaining about alleged offences involving children or the delivery of children's services. It is interesting that one of the clauses of the legislation—and proper debating procedure prevents me from mentioning the clauses by number—provides that the commissioner must immediately refer a complaint to the Commissioner of Police. I will quote from another section of the Convention on the Rights of the Child which states—

> "A child capable of forming his or her own views shall have an opportunity to be heard in judicial or administrative proceedings."

This legislation does not provide young people with the right to consider whether it is proper for the matter to be directed to the Police Commissioner straightaway; there is mandatory reporting. There could be cases in which the Children's Commissioner ought not refer the matter to the Police Commissioner. A child may want the complaint dealt with in another way and have other avenues explored. The legislation does not provide those options.

I am intrigued by another interesting aspect of complaint handling, which perhaps the Minister will explain in his reply. When a child takes a complaint to the Children's Commissioner, the Children's Commissioner refers it to the Commissioner of Police who may ask the Children's Commissioner to assess that complaint and decide whether that complaint warrants further investigation. I am concerned that that is a circular process.

I am also concerned that two sorts of complaints are dealt with: offences against children and the delivery of services. I will treat each of those differently. As I said before, this is the crux of the legislation. As the Deputy Leader of the Opposition said, the genesis of this Bill was in his concerns about the level of paedophilia occurring in Australia. We must understand that paedophiles select their victims from among children who are homeless, who are detached from or deeply unhappy in their families. Most paedophiles pose as father figures. They entice children who are not only victims of abuse and neglect

but a large proportion of whom are State wards entitled to our special protection—homeless children and children who have come under the attention of the State. The fodder for paedophiles are the flotsam and jetsam of this generation of children who have been neglected by States' not meeting their statutory obligations to protect those children from neglect and exploitation. This is fundamentally important, because it is no good our talking about appointing a Children's Commissioner when the State has failed those children so badly that they are being picked up by and are subject to father figure paedophiles.

I am sure that the Minister understands that the best prevention of child exploitation is support for vulnerable and struggling parents. We have talked about prevention and intervention. I applaud the Minister's program of increased numbers of family support workers. I think that that is a very good step. We need adolescent and family therapy and mediation services. We need more family support services. We also need to involve the community more. Scandinavian countries have a much better record than we do. In those countries, in eight out of 10 cases, when a child's parents cannot or will not look after him or her, that child goes to live with a family member. As a result, those children are kept in their own community; they are not hived off. In Australia, that figure is 10 to 20 per cent of such cases. In Scandinavian countries, children who cannot live with family members have fair-dinkum options that are tailored to suit the interests of those young people. That includes better funded foster care. It is ludicrous for foster families to attempt to look after four or five young people with urgent needs. We have heard examples of that happening. Five young people being fostered by one family is really not on. We need more avenues for independent living and supported family living. The needs of those young people must be tailored to meet their wants. That is very, very important.

We should consider what happens after a complaint is made by the Children's Commissioner to the police. What are we going to see? A department with stretched resources; a department that is not able to cope and deliver justice to those children.

In New South Wales, as a result of the problems exposed by the Wood commission, the Government set up the Child Protection Enforcement Agency. That agency has 52 staff members and a budget of $3.4m. The head of the Child Protection Enforcement Agency stated—

> ". . . there was a much higher incidence of child sexual abuse than was previously thought."

Although some people may have said that the size of the problem is overstated, the head of the agency went on to state—

> "We still don't know how big this problem is . . . but we have been amazed at how prolific the number of people involved in these groups is becoming.
>
> We are targeting people now who might become newsworthy if charges were pressed.
>
> . . .
>
> It will surprise people to see who might be arrested down the track."

My view is that the investigation of child sexual abuse is a job for the police. However, in New South Wales, the establishment of the Child Protection Enforcement Agency was a natural progression from the work carried out by the joint investigation teams, which stretched across departments. Originally, the joint investigation teams were seen to be a reactive response to reports of abuse. I think, through legislation, to use the words of the shadow Minister, we need pro-active responses. I think that that is the way in which we should be heading—being pro-active rather than reactive.

As I said before, the Child Protection Enforcement Agency commenced just four months ago—in July this year. It has been set up to protect children against serial sexual abuse and to provide the people of New South Wales with an improved policing response to paedophile activity by pro-actively targeting offenders of serial child sexual abuse, child pornographers and others who exploit children. The highly specialised staff of the Child Protection Enforcement Agency include experienced investigators, surveillance and support staff who aim to achieve best practice in each of their fields. In addition, the Child Protection Enforcement Agency has a multi-agency approach, maintaining professional liaison with other law enforcement agencies and organisations involved in the protection of children and the detection of paedophiles. Victim care is paramount.

The Child Protection Enforcement Agency's dedicated intelligence unit, with strategic and tactical capability, makes this agency unique. Analysts deliberately seek information pertaining to child sexual abuse from sources both within and external to the Police Service. Maintaining this information on a sophisticated information management

system will enable timely dissemination and provide a mechanism for feedback and follow up. In addition to ongoing research, information will be used to advise and inform the Police Service of the strategic direction for preventing and responding to serial child sexual abuse.

The Child Protection Enforcement Agency has an environmental overview plan, which lists its core business as education and research; intelligence, surveillance and analytical support; victim support; and safety and custody. The environmental plan also outlines the roles of the department and the roles of the community and other agencies. It is all integrated.

So I believe that we are not going to really attack the Mr Bigs of the paedophile world—the smarties out there who are using children to satisfy their depraved needs—unless we set up an agency such as the Child Protection Enforcement Agency.

The second matter about which I want to speak is the delivery of children's services. Since I was elected in 1977 for my first stint as a parliamentarian, and since coming back as a recycled politician after my enforced sabbatical, I have been sounding like a broken record: we have never done enough, not just in this State but in other States, to provide adequate children's services. As politicians, and as was mentioned in the Convention on the Rights of the Child, we have a duty to take care of children and to make sure that there is an adequate level of children's services. However, we are living in a world which is experiencing very rapid change. As was stated in the Burdekin report—and I was a member of that study—

> "The failure of the States . . . both to provide appropriate nurture and support to children committed to, and leaving their care, is a serious indictment on the willingness and capacities of those authorities to properly discharge their legal and social responsibilities."

That report stated that children between the ages of 13 years and 16 years were falling through cracks in the system. They were too old for the State to look after them and too young for the Commonwealth to look after them. The highest rate of sexual abuse in our society is committed against 13-year-olds and 14-year-olds, particularly girls. I think that is because those children have been left to roam the streets. It is interesting to note the words of Justice Fogerty of the Family Court, who said—

> "Young people move from placement to placement without any State control and influence and have really been abandoned by the State."

In 1985, the Morris report, which was tabled by the Commonwealth Parliament Standing Committee on Community Affairs, stated—

> "It is particularly disturbing that in six years since the release of the Burdekin report, little, if anything, has improved."

Recently, an article in the *Sunday Age* referred to a research project conducted by a Melbourne university lecturer. That university lecturer interviewed 50 protection workers and 50 young people who had been the subject of abuse. Her findings were quite startling. The article stated—

> "She found that in most cases they had continued to suffer abuse after the department had been notified of the problem."

That is indicative of points that have been raised in reports all the time. The article stated further—

> "This ranged from 80 per cent re-offending in cases of psychological abuse to 57 per cent for physical abuse and 35 per cent for sexual abuse cases."

So one in three children who are seriously sexually abused who come to the attention of the State are going to be abused again. That is the reality. In my view, an independent Children's Commissioner who has status in the community can appeal to people and say, "This has been going on for too long. In a country as rich as Australia, we can afford to protect our children. We can afford to protect the vulnerable." I think that the way in which we have been protecting children has just not been working.

As I said recently in this place, many young people have Buckley's choice—the choice of ending up in the court system and being under the care and control of the State, being institutionalised, being fostered in circumstances that are not always optimum, or living on the streets. I am not supporting the concept of more institutional care, I am saying that that has been the reality. That is what has been happening to our children. They have Buckley's choice. Anybody in any pub in this country would say that if one has Buckley's choice, one has no choice at all.

In 1984, Graham Zerk, who was then the Director of the Department of Children's Services, said unequivocally that child-care officers were finding it increasingly difficult to

meet the department's statutory responsibilities. I can assure Mr Zerk that nothing has changed to a large degree since then. Departments of Children's Services have not been adequately funded. As that study that was conducted in Victoria, to which I have referred, revealed, three-quarters of the Department of Health and Community Services workers felt isolated because of a lack of departmental back-up, the poor public image of their work and the lack of resources.

I hope that the person chosen to be the Children's Commissioner will use a network of agencies such as the Youth Advocacy Centre, conduct research programs and lobby people with goodwill to demand that the prevention of child abuse be put on the agenda. These homeless and abused kids are not able to vote. They have not been on the agenda because they do not have a lobby group, they are powerless, they are voiceless and they are voteless. I think that it is about time that we acknowledged the fact that, if the parents of these children cannot or will not look after them, we have a responsibility to care for them. Those children have rights. I think that too many parents forget that they have a duty to care for their children, not rights over their children. They have to understand that.

Time expired.

Miss SIMPSON (Maroochydore) (3.30 p.m.) I wish to congratulate the Honourable Minister for Families, Youth and Community Care on bringing legislation before this Parliament which will establish a Children's Commission in the State. Over the years many have spoken about the need for such a role, but no-one has gone the hard yards to bring it about.

It is a sad fact that history does not record very favourably the way that Governments have dealt with child abuse. In fact, the further back in history we go, the lower the level of child care and the degree to which children were being killed, abandoned, beaten, terrorised and abused was disturbingly high. Of course, records of child abuse can be traced back in history to Persia in AD900 and Greece in the second century, Italy and Switzerland in the seventeenth century and England, North America and Europe in the eighteenth century. In the nineteenth century, medical physicians preferred not to acknowledge that parents could harm their children. However, a French physician, Ambries Taint, published evidence from the study of a sample of 32 children who were injured by their parents, 18 of whom had died.

In the past, parents could treat their children as property and punish them as they saw fit. Domestic matters were looked upon as something that was well outside the realm of legislation. It is a sad indictment on those dark times that legislation to protect animals dated from 1823, whereas legislation, which was aimed at protecting children from cruelty, was not introduced until 1889. Eight years before, in 1881, in England attempts to introduce legislation to prevent child cruelty were entirely rejected. At that time, Prime Minister Lord Shaftsbury stated—

> "The evils you state are enormous and indisputable. But they are so private, internal and domestic in character as to be beyond the reach of legislation, and the subject would not, I think, be entertained in either House of Parliament."

It was not until the mid to late 1880s that severe forms of abuse began to emerge publicly and people began to act. Societies for the prevention of cruelty to children were set up in the United Kingdom and North America. Around the turn of the century, some further legislation was introduced, but any real progress in the field of child protection came to a virtual standstill until after the Second World War.

In the 1960s, the incidence of child abuse came back onto the agenda and the high incidence of child abuse in all forms—physical, emotional, sexual—and neglect started to surface. Australia was not exempt from this movement. Recognition of this fact in Queensland led to the establishment of statutory child protection services to address the problem. In this State, the Children's Services Act 1965 evolved from three previous acts introduced in the late nineteenth century and early twentieth century. Its primary focus is protection from neglectful acts and behaviour by parents and protection from unacceptable living conditions. The Act is currently under review with the intention of overhauling it to better reflect the community standards of the 1990s.

In 1981, Norway became the first country to appoint an independent official to watch over the rights and interests of children. In 1986, Jerusalem appointed a Children's Ombudsman and in 1989 New Zealand appointed a Commissioner for Children. Now, in 1996, this Parliament is in the final stages of introducing meaningful legislation in the form of the Children's Commissioner and Children's Services Appeals Tribunals Bill. Once again, I congratulate the Honourable Minister on his

efforts and those of his staff in the formulation and presentation of the Bill now before us.

Ultimately, we must acknowledge that caring and loving parents will provide the best home for any children, and that must not be usurped. However, as a caring community we must ensure that there is a safety net of protection for those who are the most vulnerable, particularly our children. Looking back through history, this legislation is long overdue. I am pleased to be part of a Government which has had the fortitude and the commitment to face up to the deficiencies of the past.

Mrs EDMOND (Mount Coot-tha) (3.34 p.m.): I support the Bill and the establishment of a Children's Commissioner. I congratulate the Minister on picking up this idea from the Deputy Leader of the Opposition and on carrying it forward into legislation. I know many of my colleagues feel that the legislation does not go far enough and they have and will continue to make their feelings known in relation to that point. I have other related concerns that I want to raise in the context of this debate.

My major criticism is that, no matter how well established or how excellent a concept, in reality the concept of a Children's Commissioner is an admission of failure. It is a sad indictment of today's society and an abrogation of our responsibility, because we are establishing ways of dealing with the sad symptoms and consequences of society without really attempting to deal with the origins and forces that cause those consequences and those saddest of results—the abused child, whether that abuse be physical, sexual, mental or neglectful abuse. If one talks to child workers, kindergarten teachers, teachers, nurses, doctors, parents and police, over and over again they will say that they can predict which children are at risk of abuse and which parents are at risk of abusing, but there is no way to step in to help or to prevent it.

Earlier this year, the Australian Institute of Criminology published one of its "trends and issues" sheets on children as victims of homicide. The institute has been examining the statistics of child victims of homicide since 1989. While these statistics obviously look at the extreme end of child abuse, they are revealing and frightening. For those under one year of age, the number of deaths by homicide equals or exceeds the number of deaths caused by motor vehicle/traffic accidents, accidental poisonings, falls or drownings. Regularly, health departments around Australia target these very areas for education programs and public awareness campaigns. We enforce the wearing of safety harnesses in cars, the building of swimming pool fences and the use of childproof safety caps on bottles and containers of dangerous substances. However, these incidents still tend to be random and fairly unpredictable.

Unfortunately, child abuse is not so unpredictable and random. An analysis of offenders' relationships to their victims in child homicide cases reveals that 86 per cent of the offenders were family members or close family friends. Only 4 per cent were strangers. Therefore, only 4 per cent were random events, with another 10 per cent unknown.

Further analysis reinforces what is generally well known to child and health workers—the youth of the offender is another striking feature. Often we are dealing with two children who are facing tragic circumstances. In the study of homicides which I mentioned earlier, all but one of the female offenders were under 21 years of age and most of the male offenders were, similarly, younger than 21. There was an overrepresentation of non-biological fathers, and the parents of victims were often very young and living in uncertain relationships with poor financial circumstances. Only one of the offenders in the study was employed at the time. It becomes quite apparent that these young people are significantly economically and socially disadvantaged.

From other studies we also know that the offenders in all forms of child abuse are highly likely to have been victims of abuse themselves. They lack the appropriate parenting knowledge and skills or appropriate role models. They most often lack any family support or backup. The tragedy is that these at-risk families are often discernible during the time of pregnancy, in the maternity setting. That means that these cases are to a degree—and I am not saying totally—predictable and preventable. It is certainly predictable which parents are going to need support and help.

In the cold statistics of the paper I have quoted, from July 1989 to December 1993 there were 108 known child homicide victims in Australia. These tragedies attract massive media publicity, and many are prepared to point the finger. However, it appears that few are prepared to accept the challenge of preventing these tragedies and breaking the cycle of abuse in these at-risk groups.

In many cases, young parents may lack knowledge and skills, as I indicated earlier.

They have not had the benefits of a loving home and appropriate parenting themselves, and they are in great need of access to non-judgmental parental training and support. One of the groups which most reveals this is the Aborigines whose parents were taken away from their parents at a young age, so they have no role models. They do not know what parenting should be about, other than being stuck in somebody's kitchen and kept out of the way. A recent study of adolescent mothers in Toowoomba revealed that many of these young mothers—and they were very young mothers—were prevented from receiving or put off appropriate maternity care and post-natal assistance by the judgmental attitudes of some of the health workers that they dealt with. This is really regrettable. These are the people most in need of assistance and they were the most put off.

Contrary to popular belief, most of these children who were having children were in their first sexual relationships. They were not promiscuous, and through those relationships they were often seeking evidence of love and affection. They were prepared to love their children. However, they were not ready for parenting and tragically lacked those skills. However, it is even more regrettable that the Minister for Health does not yet understand that it is far better to tackle this problem by preventing it rather than by trying to piece together the damaged relationships and children after the tragic event and, in many cases, after many events that lead on to tragic circumstances. I would be grateful if the Minister for Families asks the Minister for Health to listen to what I am saying, because it is important.

Parents want their children to enjoy the benefits of having a good start in life. To achieve this, parents do everything they can to provide a nurturing, encouraging, supportive and strong family environment. Conversely, in a minority of cases, children miss out on such a nurturing and supportive environment. We know that those children are the most likely to be alienated from society, to be abused and to go on to commit criminal offences and become abusers.

The previous Labor Government recognised this ongoing community problem and did something about it. In 1993, it provided funding to the Behaviour Research and Therapy Centre and the University of Queensland for the development of a positive parenting program, which was funded from both Queensland Health and the National Health and Medical Research Council. The aim was to break that cycle of abuse, to provide parenting skills to those who lacked appropriate role models and to help at-risk families. The program also aimed to help the parents of difficult children by giving them skills to handle the child without resorting to violence or abuse. Some people do not understand that hitting or shaking a six-month-old baby will not stop it crying, make it eat its food, sleep, or anything else. As a result of the trial program, some 400 families across Queensland were helped.

The Positive Parenting Program—PPP—was a success and, under the Labor Government, there were plans to extend it to about 30 centres across Queensland. That major preventive program was aimed at breaking the vicious and sad cycle of abuse. The intent was to make it available free of charge to anybody who felt the need, for example, to any parents who felt that they did not have the skills, to anyone who felt at risk or who other people felt were at risk, and to prevent the tragedy of child abuse.

It is one of the sad indictments of the Government that it has wiped out the funding for that program. The program can now only be accessed privately through the University of Queensland for a fee of about $350. That fact reflects that the Government believes that health relates only to acute hospitals and that the prevention of child death by abuse is not, as the Minister said at the time, core health business. I cannot think of anything that is more core health business than preventing the abuse or death of a child.

As a health worker, I have been at bedsides to conduct bone scans, under the direction of the scan teams at hospitals, to identify the dozens of tiny bone fractures that some of these pathetic children carry. Undetected and untreated fractured ribs and even broken arms caused by hits and kicks can cause limbs to twist. Over 20 years ago, when I was in Adelaide, I was also involved in brain death studies. We conducted brain scans of people and children who were apparently dead to determine that they had died as a result of shaking. I have never experienced anything as personally traumatic as when I was doing those studies on tiny bodies to determine whether there was any functioning brain left. If the children undergoing scans are considered to be core health business, the prevention of such injuries should also be considered core health business.

I call on the Health Minister to reinstate this very worthy prevention program across the State. It would take only about $2m to $3m a

year to prevent this tragedy across the State. Surely that is money worth spending. The Minister for Families, among others, wastes a lot of money on inquiries and doing up his office. Surely the Minister for Families could put pressure on the Health Minister to reinstate this scheme. It represents a very small cost in the scheme of things and is a far lower cost in both social and health terms.

Once again, I support the Bill, but I urge the Minister for Families and the Minister for Health to place more emphasis on prevention and to take a positive stance to prevent this tragedy and to not simply buck-pass between Ministers.

Mr T. B. SULLIVAN (Chermside) (3.45 p.m.): I support the Bill, although I have certain reservations about a couple of aspects of it. I will therefore support the amendments to be moved by the shadow Minister.

In speaking to this legislation to establish and provide for the operation of a Children's Commission, consisting of the Children's Commissioner and the staff of the commission, and to consolidate mechanisms for appeals against administrative decisions made under the children's services legislation, I hope that the introduction of this Bill by the Minister will remove the practice of ministerial interference in children's services cases.

I make this point in relation to quite justified criticism in the community that has occurred in recent times since the Minister took over the Families Services portfolio. Probably with good intentions, through his office the Minister has regularly made decisions concerning specific cases into which he is not qualified to delve and which affect children and families who come into contact with his department. I certainly do not object to the Minister giving his ministerial office over to the hotline service. I believe that is a good way to communicate with the public and to allow them to communicate with the Minister directly. However, the serious nature and ramifications of allegations of child abuse and other Family Services problems demand independent investigative actions which must be thorough, prompt and carried out by responsible and qualified people.

I know that the Minister believes his role as Minister entitles him to make judgments about individual caseworkers and that, if a complaint arises, he should decide what action to take. But in the minds of most fair-minded Queenslanders, that is a role that politicians should not play and must resist. Decisions about the lives of children at risk or families with domestic issues of concern to the department in relation to the welfare of children must be made free from political interference and personal judgment. At all times, decisions must be made by a professional in the best interests of the child at risk.

What if the Health Minister, in response to a hotline that he might establish, started giving advice on what surgery was needed, what medication should be given or what physiotherapy should be carried out on a patient? People around Queensland would say that that is not an appropriate thing for the Minister to do. Similarly, the Education Minister would not give individual advice to a student on subject choice or suggest questions to be asked for a Year 10 maths exam. The Ministers would leave that to the professionals. The Minister should guide and direct policy and make sure that the proper processes were in place, but leave the individual casework to the departmental officers. I would hope that the Minister would carry out that process in his department.

There is a danger in that the politicians who buy into this sort of hands-on approach, but without the full knowledge of professional training and support, run the risk of making decisions that have detrimental effects. It is for this reason that I support the Minister's decision to establish an independent authority to be vested with the powers to investigate accusations of child abuse, including paedophilia and neglect of children. While the Children's Commissioner should be afforded complete independence in the conduct of the commission's affairs, it is important that the Minister have the power to refer matters to the commissioner for investigation. I would hope that, under this legislation, the Minister is able to do that.

My confidence in the Government to stand up for and to respect at all times the independence of any commissioner with statutory authority has been severely shaken by the Premier's recent disgraceful politically motivated interference in the Carruthers inquiry, which came to a head in recent weeks. I certainly hope that Minister Lingard will not be following the example set by his leader in any future matters concerning the work of the Office of the Children's Commissioner. The commissioner must retain independence from Executive interference.

The Minister says that this legislation covers individuals who come under the jurisdiction of the Children's Services Act. I think it would be advisable for there to be some broader definitions afforded to the

scope of those to whom this legislation should apply. In saying this, I think the Minister should seriously consider the amendments proposed by the shadow Minister aimed at ensuring that allegations of abuse against children will not be ruled out on the grounds that they do not fall within the scope of the Children's Services Act.

In addition to having responsibilities for advising on how best the entities should deliver children's services with regard to systemic issues, the commissioner should have some clearly set out discretionary powers in clause 8 of the legislation, which deals with the functions of the commissioner, and in which it should be stated that it is possible for the commissioner to receive complaints and take appropriate action which may be considered to fall outside the jurisdiction of the children's services legislation. It should be broad enough to deal with any contingency with respect to the presentation of allegations of child abuse to the Children's Commissioner.

The rationale behind the argument advanced by the Opposition is to guarantee that all the children of Queensland will have access to the office of the Children's Commissioner and the services it will provide. It would be a shame if a child in need of our protection was not able to gain protection because of a technicality in that the coverage may not be sufficient. This could be achieved by simply having the discretionary power written into clause 8 under the commissioner's functions. However, these powers would need to be drafted in such a way as to override the limited definition created by the legislation's explicit reference to children's services or those services provided under the children's services legislation. Of course, this Bill should make special mention of the children's services legislation as the key Act guiding the Children's Commissioner in pursuit of his or her objectives, but there needs to be some acknowledgment that the commissioner will from time to time be confronted with a matter requiring investigation which does not necessarily fall within the narrow jurisdiction of the children's services legislation. I hope that the Minister will give serious consideration to the amendments in this regard to be moved later by the member for Kurwongbah.

I would also like to draw the attention of members to clause 25(3) of the Bill, which refers to the reporting functions of the commissioner. I think it would be advantageous for the compulsory review of the Act to include an interim evaluation within the first three years to be tabled in Parliament so that members of the House will have an opportunity to make an assessment of whether any further legislative amendments or changes are required. I think it is important that the performance indicators and other relevant information upon the implementation of this legislation be made available to all members of the House to ensure that the issue of child abuse continues to receive informed bipartisan input and attention.

I hope that subclauses 8(i) and 8(j), which refer to the responsibilities of the Children's Commissioner to liaise with other bodies, will be utilised with a view to entrenching effective and responsive interagency coordination for the benefit of a whole-of-Government approach to the serious issues associated with child abuse. Too frequently we all experience the situation in which one Government agency is unaware of certain actions being taken by another, and it would be an excellent advantage if the Children's Commissioner could help to make interagency coordination a reality.

In relation to the commission's duties to conduct research and inquiries involving children's services as defined by the Bill—there is great potential here for research work to be undertaken that looks at some of the causes of family breakdown, which all too often leads to occasions of child abuse or neglect. In other words, the office of the Children's Commission presents many opportunities for research work aimed at developing and enhancing mechanisms in our community and agencies responsible for children's services designed to allow for early detection and prevention of child abuse wherever possible.

If the Minister is serious about his focus on keeping families together, there must be more of a commitment from the Government to measures such as positive parenting—which I know the Opposition has a particular interest in—which address some of the social issues which contribute to incidents of child abuse. The devastating impact that unemployment can have on families is one of the most pertinent examples of what I am talking about. Unfortunately many Queensland families, and particularly the children, are hurting due to Government inaction in this area. Job creation has not rated very highly on the coalition's agenda and, indeed, the recent reinstatement of Labor's Accelerated Capital Works Program for Queensland after eight months of freezing Government activity in the State's economy is a sad indictment on the Premier's decision-making ability.

Regular income through a job is one of the best preventions of child abuse that we

can have. The latest unemployment figures for Queensland are quite clearly nothing for the Treasurer to gloat about, and I must say that the comments by the Treasurer and the Premier in the House earlier today on unemployment failed to inspire any confidence in me about their ability to deal with the issue seriously. It is families that are suffering economically that often have the greatest emotional trauma, which can lead to abuse of children.

I would also like to take this opportunity to mention Mr Sturgess, QC, who completed a report into sexual offences involving children in 1985 as referred to in the Explanatory Notes to this Bill. In his report, he found that the tightening of criminal laws was an insufficient response to protect children from sexual harm and recommended that the matter be approached from a number of different angles to gain best results. I think the same can be said of most of the social problems in our society, including the unruly behaviour of some children and younger people who find themselves in contact with the Minister's department for what are broadly known as juvenile delinquency matters. I think it is important for the Government to understand that tougher juvenile justice laws of a primarily punitive nature are just one way of dealing with some of these social ills most frequently caused by social dislocation and family breakdown. I hope that the advent of this legislation signals a more mature and considered approach to be taken by the Government in relation to the welfare of children and young people.

My only other concern with respect to this Bill relates to the allocation of resources for the office of the Children's Commissioner. I am particularly looking to the Government for some assurances that the processing of complaints and investigations will be adequately resourced to ensure efficient and prompt service delivery. I note that Budget cuts made in this year's State Budget have had an adverse impact on the ability of the Ombudsman's office to process a backlog of complaints. I would not like to see the Children's Commissioner confronted with the same fate, considering the serious nature of child abuse matters to be referred to the commission.

I would like to move on to some thoughts and ideas of a more personal nature. In recent times child abuse which has been carried out by members of various church agencies, in particular clergy and religious, has been brought to the notice of the broader community. Any such abuse must be addressed and must be addressed head-on. I urge the various churches and their agencies to implement a strict protocol which must allow for the bringing of civil authorities—namely police and family services—into the action to be taken. I speak from the personal experience of 47 years of contact with priests and religious through my church and eight years as a member of the Order of Christian Brothers. I am proud to say that I thoroughly enjoyed my years in the Christian Brothers and was fortunate that I had no experience of homosexuality, paedophilia or abuse. Perhaps the use of the strap was seen as an abuse, as was the use of the cane in schools at the time, but I think in this——

Mr Veivers: You didn't get enough of the strap.

Mr T. B. SULLIVAN: I take the interjection from the Minister, who said that perhaps I did not get enough of the strap. In the tradition that we came through, the hand went out on many an occasion when the studies were not done or when the mouth opened at the wrong time.

On a more serious note—what we are referring to here, as we all know, is the abuse of children, particularly paedophilia. While not having had that experience or having seen it at first-hand, I know of friends who have in fact suffered. I have also taught with two people who, in the years subsequently, have been charged and gaoled for offences against children. Perhaps in the sixties and the early seventies, in my early teaching days, my naivety of what was involved in homosexuality and paedophilia prevented my seeing what was going on. But I believe I was not alone in that, as, in speaking with many adults my own age today, it is only now that we are recognising events that occurred in our past for what they really were, namely, the sexual abuse of children.

I will finish my comments on religious orders by saying that most of the clergy and religious with whom I have dealt over my whole life span have been good, honest, caring and loving people, just as most of the teachers with whom I have taught have been good, honest, loving and caring people, and most of the people in the swimming club, the P & C and P & F associations with whom I have dealt fall into that same category.

Mr FitzGerald: Members of Parliament?

Mr T. B. SULLIVAN: Members of Parliament fall into that category, too. Just as some members of this House have worked with people who have been abusers—I, too,

have taught with some teachers who have abused. We must address those abuses and we must protect our children.

I confess now to be a member of another group, a group which is responsible for most instances of child abuse. This group carries out the greatest number of sexual assaults on children and inflicts the majority of physical and psychological scars. That group to which I refer is mainstream, heterosexual males living in apparently normal family relationships. Most members of this House, most Queensland males, belong to this group. This group has such a shameful record, for it is from this group that most sexual abusers come.

Fortunately for our society, most men do not participate in acts of child abuse. We must also recognise that the rantings of some extreme Right Wingers who equate paedophilia and child abuse with homosexuality are plain wrong. There are a group of homosexual friends in whose care my wife and myself have left our young children and we could leave them in no safer care. There are some other people in apparently normal, heterosexual relationships with whom I would not leave my children in a fit. We heterosexual, mainstream males must stand up to those among us who carry out such base actions of abuse on those who need our protection.

The family home can be the most dangerous place for children. The family home is where most sexual, psychological and physical abuse of children occurs. One concern I have is that we spend much of our energy when dealing with abuse by looking at the past. If in fact we look back thoroughly enough, we would find that orphanages, boarding schools and presbyteries were not the main venues for abuse, but that it would be suburban homes from where the most horrific secrets would be revealed.

In recent years, I have been amazed at the number of people aged 50 or more, most of whom were women, who have said to me that they were abused as a child. Within what was apparently a normal, suburban, loving, Christian family environment, those people were abused by a member of their family or a person who was trusted by the family. As previous speakers have said, children were regarded as chattels, they were owned by their parents and they were to be treated in any manner desired by the parents. Fortunately, that view has changed. Part of the change has meant that children have learnt to speak up for themselves more, and sometimes they can be a bit smart with their comments. Sometimes I hear people say that all children need is a good swift kick up the backside and they will be right. Unfortunately, the good swift kick was only the tip of the iceberg. There was much more abuse— physical and sexual—that occurred of which we were not aware.

I have no regard for assaults on children—physical, sexual or emotional—by any person. We must tackle that issue and we must put some energy, resources and money into detecting and, where appropriate, prosecuting offenders. However, social support for families must be our highest priority, because it is only through social support that we will prevent the abuse. I do not want to see a record number of people gaoled for abusing children; I want to see the number of cases of child abuse reduced. We can do that if we maintain the variety of family relationships which occur.

I would suggest to the House that if we maintained our motor vehicles as poorly as we maintained our families, the number of dead bodies on the roads would shake the whole of society into doing something about proper maintenance of our vehicles. In a social sense, the dead bodies of child abuse are there for everyone to see; we must put similar effort into maintaining families. Unfortunately, the maintenance of a vehicle is not seen to have its effect until the crash occurs; it is hard to justify the outlay. It is more difficult with families, but we must put that support into families. We must get the media to join us in the difficult and long task of changing society's attitudes so that our children will have the greatest protection, because our children are the most vulnerable in our society. Children expect love from adults. As adults, we must give that love and give children the protection they deserve.

Mr HOLLIS (Redcliffe) (4.05 p.m.): I am pleased to rise to speak to the Children's Commissioner and Children's Services Appeals Tribunals Bill because it gives me the opportunity to record my total abhorrence of child abuse of any kind, whether physical or sexual. In some ways, I suppose my speech is a plea for all the abused children of the world. As members of Parliament, we recognise that, throughout the world, children are being and have been abused.

On 1 May 1996, the Queensland Parliament resolved to call upon the Government to immediately establish an independent authority to fully investigate accusations of paedophilia in this State. This Bill is the result of the actions of the Deputy Leader of the Opposition, Jim Elder. It is also

a result on which I congratulate the Minister, because I believe that whatever help we can give is worth while. The Explanatory Notes state—

> "Experience with a Child Sexual Abuse Hotline, established shortly after the resolution of the Parliament, has demonstrated, as already revealed in New South Wales in the Wood Royal Commission proceedings, that the extent of child abuse in Queensland was perhaps greater than might have been expected.
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> . . .
>
> Significantly many of the callers to the Hotline have reported that they have never previously reported the alleged child abuse as they regard the available mechanisms as inappropriate."

I want to talk about why this sort of thing happens. In recent months, through the media we have heard of many 20, 25 and 30-year-old sexual abuse cases where people are now starting to make authorities aware of what happened to them as children. As a former street kid from the London slums, I can recall back some 45 or 50 years ago what was happening to me in the Dr Barnardo Home, where people were taking advantage of young children and sexually abusing them. I could go back to my times on the streets of London where, as the son of a single parent family of three boys, the scoutmaster took us on a trip to Brighton and then tried to play with us on the way home. I can talk about those things.

I can talk about my early days as a young, 16 year old seaman going to the sea school where many of the officers were paedophiles. There is no doubt about that. People who go to sea find that some of the people in power—for example, the chief steward or the purser—are homosexual paedophiles. Those officers were interested only in the young lads who came onto their ships. In those days, that went on and it still goes on in our society today. Bills of this type do not protect young boys in those types of circumstances.

Abuse of this type occurs time and time again. We have heard the honourable member for Chermside say that a lot of abuse occurs in the family home, but a lot of abusers are people in positions of power, and there is plenty of evidence of that. I remember once being on a coastal ship; twice a week, I used to travel from London to Dunkirk and Boulogne and, just like all young seamen at the time, we were paid about 8 pounds a calendar month for our 60 hours a week.

Mr Woolmer: Very generous.

Mr HOLLIS: It was very generous. We always used to smuggle a little bit extra Scotch or cigarettes onto the ship to sell later. I can remember a very senior customs officer checking the ship. He went straight to my cabin and said, "I've got you." I had the goods, and he had got me, but his reward for that was to take me out that night. He said, "You come out with me and we will sort this out." Of course, he did not know that at that time—I was probably 17— I had spent many years around London escaping those sorts of people and knew exactly what they were after. It was all about being streetwise. I have never forgotten going out with that guy. All night, I was wondering what I was going to do to avoid this fellow because I knew what he was up to.

That night was my first visit ever to the Parliament. We drove past the House of Commons in his car and the light was on above the dome. I said, "Parliament's sitting." He said, "Would you like to see that?" I said, "This is the first time in my life I've had the opportunity; I would love to see Parliament." So into the public gallery of the Parliament we went and we sat there. Of course, my mind was going over and over. I thought that at some time the night had to end. We left the Parliament. Then I thought, "I have an uncle who lives in Camden Town, and I know the hotel he drinks at." All members would know that the poms go out for a drink at 9 or 10 o'clock at night. They are very different from Australians. We ended up in that hotel and, all of a sudden, who should happen to be there but my uncle—my great saviour. I was saved. I went home with him. That fellow came back again and again. He would have prosecuted me, had he had the opportunity, because I did not give in to his sexual advances. This is the sort of thing that goes on throughout the world. It does not happen only in England; it happens here in Australia as well.

The shameful thing about paedophilia is that people use their power to impose their will on young people. The social status of young people is one of the major problems. In boarding schools, which are usually attended by the children of wealthier families, the children are sometimes imposed upon by their teachers, school masters, etc. This is mostly the case with the poor—the poor kid, the one who has no home, the one who is vulnerable to the excesses of these people. That is the great difficulty with legislation for a Children's Commissioner.

I believe that we need a Children's Commissioner. However, that is not enough.

The problem is that that Children's Commissioner is going to hear only from the intelligent young person who reads or hears that there is a Children's Commissioner out there. What is needed more than just a commissioner is somebody out there in the community who can educate young, disadvantaged people—someone who can let them know that that man is there and that there is an avenue for them to complain about the treatment that they are receiving from adults who have some sort of power over them. The difficulty with this legislation is that perhaps there is not enough in it to allow the average or the poorer young person access to the commissioner.

In his second-reading speech, the Minister said that the position of Aboriginal children is of particular concern. He said—

> "In terms of health, living conditions, education and the justice system, much remains to be done."

I want to make a comment on that. I am not sure that the Aboriginal children in the community are subject to many instances of paedophilia and abuse. However, they are suffering abuse in many other ways. This abuse has been brought about by us, the people of Australia. For many years we have neglected the needs of Aboriginal communities. There is no doubt that, in the past three or four years, there has been exposure by the media of the awful conditions that exist in some of our communities, where Aboriginal children are suffering greater deprivation than some of those refugees in Africa. That is a shame on the whole of Australia.

I did not want to enter the Hanson debate. However, I was interested to see that woman on TV the other night when Palm Island was being discussed. I know that the Minister and other members of this House have been there. I was there earlier this year. There is something about Palm Island that was not shown. When the school principal came outside, the media focused on a pile of rubbish. That is virtually all that was shown, together with the poor condition of the houses. They did not interview that principal. We spoke to him while we were there. He told us that in 1989, 20 per cent of the young people on Palm Island were attending school; however, that number has now increased to 80 per cent of young people on Palm Island attending school and wanting to learn. That is the sort of message that we as parliamentarians should be getting out to the community.

There is another issue that did not arise during that interview. While we were there, the chairman of that council—I think his name is Alf Lacey—was talking to us about the drinking problems on the island. We all know that there are drinking problems associated with Aboriginals. There are also white Australians with drinking problems. What was not said during that interview—and what Alf Lacey told us—was that 50 per cent of the people on Palm Island are teetotallers. We did not hear that on TV, we heard only about the excesses. We also did not hear that 25 per cent of those people are problem drinkers, and 25 per cent are like us—social drinkers.

The difficulty with this racial debate is that the truth has never been told by the media. We have a responsibility, as leaders of our community, to get out there and tell people the truth. We should tell them what really happens in places such as Yarrabah, where one can see beautiful rows of nice little houses in which people would be proud to live; where young people are trying to get an education so that they can better themselves in this world. They are trying to get jobs so that they can educate their kids. As community leaders, we should be getting out there and refuting all the claims made by Ms Hanson. We should let people know the true story.

The other matter that I want to mention is the Sturgess report. The member for Chermside touched on this. He said that, in his 1985 report, Sturgess noted that the criminal law was insufficiently strong to protect our children from sexual harm. He also advocated that the issue be approached from a number of directions. High on his list of the other approaches was strengthening traditional family life. That is probably the crux of the problem. I spoke earlier about the problems of dysfunctional families, kids without parents, kids on the street, and whatever. There is also another element to this. It is an element with which I have come into contact on quite a few occasions during my time in this House. I suppose that most members would have some sort of story to tell about the actions of Family Services workers—our own welfare workers. One case in particular comes to mind.

About three or four years ago, a person whom I knew came to me and said, "We are in terrible trouble." The story went like this. Nine years before that approach, that person's sister-in-law and brother-in-law were killed in a car accident, leaving a child who went to live with her uncle and aunt and was fostered by them. When she reached the age of 14, she started to feel attracted to the opposite sex. She wanted to engage in all-night absences

from the house, and whatever. So those people did what anybody should do when wanting to preserve a traditional family life. They said, "No way. You're not going out. If you're going to do things like that, we are going to ground you. You will stay here and obey our instructions." That young lady complained to Family Services, and they took her away and put her in the care of somebody whom the girl and her family did not even know. If that is not destroying traditional family life, I do not know what is. The happy ending to the story was that, within 48 hours, after strong representation from me, that girl was reunited with the family she had known from a very tender age until the age of 14.

That is just an indication of what can happen if we go overboard with welfare services. We must be very careful that, when we look at what we are doing for the care and protection of young people, traditional family structure is maintained. We cannot have a situation in which, when there is some disagreement between the foster-child or the child in care and the parents, the child is immediately taken away because that child is always right. I know that when I was a child I was not always right. I know that my children were not always right. I know that everybody's children will never always be right. Family Services have to be careful to make sure that both sides of the story are examined very carefully before drastic action such as that, which happened three or four years ago, is taken.

My other concern about this Bill and the Children's Commissioner is that, after a long period with the Public Accounts Committee, I am always worried about the cost and the extent of bureaucracy. I know that there are bureaucrats sitting around this place. It is a great concern to me that, once again, we are establishing another bureaucracy. As I said, we should have people out there telling young people who are at risk about the benefits of the Children's Commissioner. They should be told where they can go to report abuse against them. It is also incumbent on us not to establish a large bureaucracy.

All members would be aware that, when one starts to chip away at the edges, it takes probably two or three hours to get through to the people who matter. This is one of the problems associated with establishing a new regime of a Children's Commissioner. I do not mean this as a criticism of the Minister, but I hope that, when this commission is established, steps will be taken to ensure that the best use is made of the resources that already exist. In other words, some of those people who are not doing a great deal of work now should be trained in how to deal with cases of child abuse, child negligence and all those sorts of things, so that they can assist the commissioner without creating another army of bureaucrats. There is nothing more daunting for any young person than to face up to a succession of bureaucrats. By the time their case is heard and their allegations reach the right person, they are probably sick of it, anyway, and are asking themselves, "What's the use?" I am sure that many members have had people come to see them about a variety of issues who have said, "We have tried this. We have gone to this person who told us to go to that person, who told us to go around the corner and see the other person. Finally, we gave up." It would be a shame if, following a very good initiative such as this, we established a bureaucracy that caused people to give up before their case is heard. I urge the Minister to take that into consideration as the Children's Commission develops.

The alternative to this Bill is an inquiry into paedophilia. I agree that such an inquiry would not solve many problems. As the honourable member for Chermside said, one cannot keep looking to the past; we have to look to the future. We must do that so young people can feel safe and secure in their environment wherever it may be, whether it be in a family home, a boarding school, a juvenile justice centre, a normal school or out on the streets. We must set our minds to ensuring that every single young person and every child in this State and country feels safe from child abuse whether it be sexual or physical. I congratulate the Minister on the establishment of this commission. It is a great step forward but it is certainly not enough.

Mrs WILSON (Mulgrave) (4.22 p.m.): It is with great pleasure that I support the legislation and congratulate the Minister. The legislation will protect the interests and welfare of young people and provide them with an effective voice. It will also provide them with the safety that young children should be afforded at home, in school and in some of the other places that previous speakers have mentioned. It will be the model which other Parliaments will be watching closely with a view to adopting similar legislation in their own States and Territories. This legislation is not a hastily drawn up document; in fact, quite the reverse: it is the product of extensive research, investigation and consultation in a genuine and determined effort to provide long-overdue protection to children who suffer at the hands of uncaring and often unscrupulous adults.

Nine years ago I was involved in the formation of a group called Stop Child Abuse Today—SCAT—which is still in operation. The number of instances of child abuse in the Cairns regions was escalating and there were grave concerns about children who were being abused in many ways. Even then, legislation was needed, so this legislation is long overdue. Children have needed support and somewhere else to turn. Over the years, people have not gone to family services for a number of reasons. They felt that, if they approached welfare, serious repercussions would follow. I believe that the Children's Commissioner will provide another avenue for people to visit where they will not feel that the repercussions will be too strong. I certainly take on the concerns of the member who preceded me in this debate, the member for Redcliffe, who shared his experience with us. I believe that the Children's Commissioner will provide an opportunity for people who have concerns to approach that office, rather than having to approach welfare.

The Children's Commission will address a much-needed void and play an active, vital role in protecting children from the insidious patterns of abuse which have crept into our society at all levels of the socio-economic scale. In the past few years, people have begun to speak about child abuse. Some 10 years ago, it was a no-no subject and people certainly did not discuss it. It is out in the open now and people do talk about the issues.

Children and young people under the age of 18 years number almost 850,000 in this State. That is 26 per cent of all Queenslanders. They constitute a very large group of people without a voice. The role of the Commissioner for Children is to listen to these people and provide that voice. The commissioner will deal with complaints from children and young people generally—and the adults assisting them—to remedy their grievances and promote their interests. As a watchdog for the rights and interests of children, the commissioner will monitor laws, policies and practices affecting children and in so doing will evaluate our State's compliance with the United Nations Convention on the Rights of the Child. The patterns of child abuse—physical, sexual and emotional—that have emerged in recent years simply cannot be ignored by any responsible Government.

Recently, the trends I refer to were the subject of an international congress in Stockholm, Sweden. Australia and this State of Queensland were represented at that congress and joined the other 120 countries that also attended in signing a declaration and agenda for action which mounts a global attack against child abuse, in particular, the commercial sexual exploitation of children. We are certainly hearing more and more about that currently. We are kidding ourselves if we believe that that sort of behaviour only goes on in other countries. It happens right here in Australia, and undoubtedly it happens here in Queensland. That was the focus of a television program last night.

Mr Tony Culnane, a member of the Australian delegation to the world congress, tells of a police investigation that links Melbourne and Sydney with a worldwide trade of children for prostitution. Mr Culnane is helping New South Wales, Victoria and the Australian Federal Police to smash one of the most organised paedophile groups ever to operate in Sydney and Melbourne. Who can guarantee Queensland is not also on that list? The group is believed to be bringing in dozens of girls from Asia aged between 12 and 14 to work as prostitutes. That is a disgrace by anyone's standards. Child pornography is a basic form of sexual exploitation of children. Anybody who has had anything to do with child pornography should be locked away and left to rot.

Mr Johnson: That's too good for them.

Mrs WILSON: The member is right: it is far too good; they should be put in gaol and be dealt with accordingly.

Numerous studies on the subject have concluded that child pornography is the fuel that feeds the addiction of the heinous acts of paedophilia. The number of paedophiles, those monsters and mongrels of society, is growing. Child pornography is not simply the possession of so-called dirty pictures. It is invariably linked with and perpetuates the sexual abuse of children. I believe it should be understood for what it is and judged in a far more serious light.

In recent years, child pornography is being created and distributed through electronic means via the Internet and computer bulletin boards. The Internet has no nationality and operates within no moral or sociological framework. While there has been little research into the Australian situation, a Swedish researcher has found that over a seven-day period no less than 5,651 messages about child pornography were contained in four bulletin boards. Young children have access to those bulletin boards.

The Children's Commission is not just about child pornography or paedophilia. The Commissioner for Children will represent all matters that impact on young people. Such an

initiative has been spoken about for a long time. For children and young people in Queensland it is time to translate the rhetoric into reality. Today is the day. I see this legislation as our chance to dismiss the adage that children should be seen and not heard and embark on a new understanding of inclusion and protection for the children of Queensland. Children suffering any forms of child abuse must and will be heard. I thank the Minister for his foresight and members of the Opposition for supporting in general the thrust of this legislation.

Hon. M. J. FOLEY (Yeronga) (4.29 p.m.): At the outset, I salute the courage of the member for Redcliffe, who made a very fine speech in this Parliament. The courageous approach taken by the member for Redcliffe in speaking of his own experiences as a young lad in London I am sure will give heart to those in our community who feel that the hurt and exploitation that they feel is not shared by others in powerful positions. I think the willingness of the member for Redcliffe to speak out as he did shows compassion for the sufferings and tribulations of others. I think he is to be greatly commended in this debate for so doing.

It is some 27 years ago that I first started work in the Department of Children's Services in this State—for some six weeks as a temporary file clerk and then for a bit over a year and a half as a child welfare officer. Over more than a quarter of a century in various roles as a social worker and as a lawyer, I have had occasion to work with families in distress and, in particular, with children who encounter hardship and suffering as a result of family problems of one kind or another. That experience tells me that the intervention by the State into family life is often crude, is often confined to protecting life and limb and, with all of the best intentions in the world, the services which the State can provide directly or through the instrumentalities of church groups or community groups can never be a substitute for the rich warmth that a family provides.

Nowhere is that more the case than in the impact that intervention has on Aboriginal and Islander families. If there is one thing that the past quarter of a century of practice in this field has indicated, it is that we need to do very much better in the way in which we approach Aboriginal and Islander families. In saying this, I welcome the approach taken by the Minister in some of his public statements that I have heard in respect of Aboriginal and Islander families in that he expresses a desire to support traditional authority structures in dealing with the administration of justice in Aboriginal and Islander communities. For example, one need only go to the Cleveland Detention Centre in Townsville, as I did with the shadow Minister for Police and Corrective Services but a couple of weeks ago, to have the most melancholy experience, namely, to see that centre chock-a-block with young Aboriginal and Islander people, many of them estranged from their communities—hundreds of kilometres, if not a thousand kilometres away from their homes and their families. I do not think that anyone would believe that our response to those children is as good as it should be.

In saying that, I make no criticism of the staff of that centre. In fact, I was very pleased to see the work that those staff members were doing in relation to literacy skills and assisting the young people who were there. I simply make the point that it drives home to me just how many contradictions there are when our State systems of intervention try to provide, in that case, corrective services, and it is to be greatly hoped that work can be done to ensure that so far as possible those young people are not removed from their families and communities.

The provision in the Bill for a Children's Commissioner is a modest step in the right direction. The Opposition has identified problems, namely, that the Government's Bill does not provide for the independence that such a commissioner should have from the wishes of the Government of the day, nor does the legislation provide the breadth of the role that such a commissioner should have. However, in the scheme of law in which we can respond to the needs of children—both the general courts and the Children's Court—I express the hope that this legislation, which provides for the office of Children's Commissioner, can make a positive contribution to the framework of law and to the practice on the ground in providing for a better life for the children of Queensland.

I think that there has been no time in the history of humankind when the challenges facing childhood have been greater. On the one hand, children have the opportunity to experience images and information that was simply not available to previous generations. That can be a very rich and rewarding thing for children. On the other hand, children now have to cope with rapid change. That change in our economic, social and cultural structures makes childhood a much more complex thing than it was for most of us. I think that it is an indictment upon our society that the youth suicide rate among young teenage men is so

high. That is a reflection of the great changes that sweep through society. We are on the rim of the Asia/Pacific and, as such, we participate in the benefits that come from the great economic revolutions of the last two decades. However, we also participate in the social dislocation that flows from that. Just as traditional families in China are now trying to come to terms with the care of their children after the huge economic upheavals following the Cultural Revolution and the more recent liberalisation of their economy, so, too, in a less dramatic way the economic changes that have shaped the workplace here in Australia have meant that life for the child born in 1996 is very different from life for the child born in 1946.

I turn to the appeals tribunal. I welcome this initiative, continuing as it does the initiative that was foreshadowed by the member for Kurwongbah when she was the Minister for Family Services. It is very important in any system of administration that people have a right of appeal. I am sure that there are those people within the Minister's department who well recall the debates about the hidden courts of administrative discretion that were the subject of much criticism throughout the 1980s. Wherever an administrative discretion is exercised, there should be an opportunity for a review or an appeal. Nowhere is that more important than in the case of decisions affecting the liberty and welfare of children. It is quite important in the process of helping a family that one goes about empowering the parents even when those parents may themselves have been guilty of neglect and abuse. Part of the process of helping, part of the process of restoring those bonds of authority and trust, is to enable those parents to speak up, to understand their duties and to assert their duties to provide care, even against the department which is providing it. Certainly in my experience, both within the department and with the Aboriginal and Torres Strait Islanders Legal Service as a social worker and as a lawyer in private practice, the process whereby a family can summon the wherewithal to actually challenge a decision can itself be a very important process for the wellbeing of the child. In so doing, the family has to think about the welfare of the child to help to put its case to the appropriate authorities.

Therefore, far from being seen as something which is threatening to the good administration of the department, providing a vehicle for challenge is, in fact, quite consistent with the aims and objects of the department, namely, the paramount principle being to provide for the welfare of the child. I know from my experience with Aboriginal families that it is most important that they feel that at the end of the day they have an opportunity to take their matter to the Children's Court, if need be, to revoke an application for care and protection that may have been made so that their children can be returned to them. Of course, in this area it is important that there be as little pettifogging formality as possible. It is important that the process is not bogged down in legalisms, which will be a challenge for the members of the tribunal. It is equally important that the tribunal proceed with sufficient formality to ensure certainty on the part of the families lodging appeals.

Many families find the experience of negotiating with child welfare authorities for the return of their children rather like negotiating with a column of smoke. The uncertainties that must inevitably flow from applying the principle of the best interests of the child can cause frustrations all round. However, it is important that those frustrations are not allowed to detract energy from restoring the child to the family and from providing the family with appropriate supervision or appropriate social resources and supports so that the child may be properly cared for.

I wish whoever occupies the office of Children's Commissioner well. I hope that the commissioner can help to make a change for the better in the treatment of Queensland children. I am confident that the appeals tribunal process will help to ensure that decisions made which affect our children are rendered more open and thus better for the children and the families concerned.

Mrs CUNNINGHAM (Gladstone) (4.44 p.m.): On 1 May 1996, the Parliament passed a motion calling for the Government to, among other things, "establish an independent authority to fully investigate accusations of paedophilia in this State". The outcome of the resolution was the decision to create the position of the Children's Commissioner, which is the subject of this debate. I acknowledge that the motion was moved by the Opposition.

During the debate on that motion, I made the following statement—

> "The oft-repeated statement that children are our most valuable resource is a genuine belief of every member here tonight. I could do nothing other than support any plans to deny the low-lifes who prey on our kids even a glimmer of opportunity to satisfy their degraded

> interests. We say that we live in an enlightened society, but does an enlightened society offer our kids to perversion? In some areas our children are particularly vulnerable, and they must be protected."

Today, a lot has been said about this proposal and most of it has been very positive. Rather than repeat what has been said, I will add to it.

It is essential that the position of Children's Commissioner does not become weighed down by bureaucracy. It is essential that the issues of that original resolution—pornography and paedophilia, and particularly paedophilia—be addressed for the protection of our children. The resolution of 1 May was aimed specifically at an inquiry into paedophilia. I ask the Minister, and perhaps he will comment later, to recognise that part of the resolution which called specifically for an investigation into paedophilia in this State to look at ways of addressing those problems. Certainly, one of those ways will be through the establishment of the office of the Children's Commissioner.

It would be a tragedy if, as a result of the establishment of the Children's Commissioner, the agencies that currently carry out the responsibilities of protecting our young people and our families felt disempowered. In spite of the establishment of the Children's Commission, the agencies that currently do that work need to feel, rather than competed with, complemented by the Children's Commission. Centralising the investigative body for children in Brisbane has some disadvantages and the network that has already established through the Department of Families needs to be continued—although I am not saying that there has been any talk of discontinuing that network. Those agencies must continue to be empowered to fulfil their very strong and important roles in protecting young people in the regions, cities and towns. The Department of Families does a wonderful job in giving protection and assistance to young people and families.

I commend the Minister for a number of things that he has done as Minister for Families. I cannot speak too strongly in support of what the Minister has done—and I hope continues to do—to strengthen the role of the family. Not only in this place but in other forums, the Minister has re-emphasised the importance of the family unit. With so many issues around today which try to destroy that unit, I can only commend the Minister for his work.

In his 1986 report, Des Sturgess said—

> "The traditional family, then, is a very resilient institution and the chances of its disappearing from human society are remote. But it is clear the rather thoughtless buffets it has been receiving in recent times have injured too many people."

Referring to the proposal of another bureaucracy, he said—

> "The last thing it needs is for a new bureaucracy to settle upon it; but it does need a good advocate in the corridors of power with adequate resources to appraise and advise upon the mistakes of the past and measures contemplated for the future that may affect the family . . ."

I can only support Des Sturgess' comments. We do not need another bureaucracy; we need another avenue to support and enhance the role of the family, to support children who are under threat and to give a positive voice to the family institution.

The other point that I raise—and I know that others have touched upon it—is that paedophilia must have a good environment to thrive in. One of the ingredients of that environment is pornography. Where pornography prevails, other perversions prevail. I reiterate the concerns of many in the community who want to see the censorship guidelines reinforced to protect the family. Where there are strong values and a strong moral ethos, it is very difficult for paedophilia and the like to gain any strength.

In July/August 1996, a magazine referred to the *Age* which had featured an article on a child centrefold. The headline of the article was a quote from one of our chief censors: "I was wrong." Although he did not sound apologetic, he stated that he was wrong to allow a 16-year-old girl to pose nude for *Hustler* magazine. The censor was quoted as saying—

> "The fact of the matter is . . . 16 is the recognised age of consent. At 15 it would have been a very different matter."

Mind you, the girl cannot see the magazine until she is 18. Kids are still kids at 16 and 17 years of age, and they still need some protection. There is no magical line that says that, suddenly, they will be able to defend themselves and that they will be able to ward off any approaches made to them. Some kids can do that at 12; some kids cannot do it at 20. Therefore, as decision makers we need to take an active and responsible role to ensure that—although it is not the Minister's portfolio—censorship issues do not feed

issues like paedophilia and other matters which try to invade our young people's lifestyles.

That is all I wish to say, other than again to commend the Minister for this action to reinforce the need for the commissioner to address the specific issue of paedophilia. The issue has been looked at in other States. It needs to be targeted in this State. Some practical and very active measures need to be put in place to stop it. We all recognise the value of our young kids. We recognise the need to protect them. But words are valueless; we have to take action. I look forward to the commissioner taking action. The commission should not just be a bureaucracy to process statistics; it should protect our young people.

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (4.51 p.m.), in reply: For a long time, many of us have seen the need for a Children's Commissioner, or a separate statutory body sitting outside the role of departments and the Government. I am very pleased to be able to introduce this Bill to the House. It appears to have the support of all members.

I noted the comments about the role of the family. I refer members to the fact that the second function of the commissioner emphasises the role of the family. We believe that is the primary role. I support the comments about the fact that the commissioner needs to be a pro-active rather than a reactive person. That will depend on the person who is appointed as commissioner. I say "person", because I would certainly like to appoint a woman who has the ability to fill that role.

I note the comments about paedophilia, which was raised by many members of the House. At this stage, I give a guarantee to the House of two things. I will ask the commissioner, as I am allowed to do, to revisit the Sturgess report and see what issues can now be reviewed. Secondly, I will guarantee the House that, within 12 months, the commissioner will report back to it on the issue of paedophilia within this State. However, I hope that by that stage most of the problems have been investigated and fixed. I give the House a guarantee that in 12 months' time I will report to it the commissioner's findings on the issue of paedophilia in Queensland.

I noted the emphasis of the member for Yeronga on the role of appeals. That is something that not many members have noted. I have expanded the ability for people in the community to appeal, for example, against decisions in respect of foster care. That is an area in which I see many problems. Many aggrieved people need to be able to appeal to and obtain a decision from a body which they regard as being separate.

I noted the criticism by members, particularly the member for Ashgrove, that research and inquiry would not be possible. I ask the members for Ashgrove and Capalaba to look at clause 8(m), which gives a specific role to the commissioner to conduct research and inquiries. As the Minister, I would also have the power to refer matters to the commissioner. I believe the commissioner has the power to hear complaints of abuse from all areas. That is very important, because I know that the member for Kurwongbah will be moving an amendment. However, at this stage, I indicate that the commissioner would have the ability to refer matters from all levels of society about anything to do with children and abuse.

As a result of this Bill, I believe that Queensland will be seen as the leader in Australia. Many people have spoken about the need for a commissioner for children. This legislation will be a first in Australia. It is something that I believe will improve the services for children and, therefore, it needs 100 per cent support from members of the Assembly.

Motion agreed to.

Committee

Hon. K. R. Lingard (Beaudesert—Minister for Families, Youth and Community Care) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—

Mrs WOODGATE (4.55 p.m.): Clause 8 refers to the commissioner's functions. I seek an assurance from the Minister that the commissioner will have the power to instigate inquiries. For example, would the commissioner have the power to mount what I would call a mini-Wood inquiry? That is not specifically stated under the functions of the commissioner. I would like to hear the Minister's comments about the instigation of inquiries.

Mr LINGARD: I refer to clause 8(m), which says that the commissioner has the ability to conduct research and to inquire into matters relating to any of the commissioner's other functions. Certainly, I believe that what the shadow Minister has said would fall within the role of the commissioner.

Mrs WOODGATE: I understand that the commissioner can inquire into any matters. However, do I take that to mean that the commissioner can set up an inquiry as opposed to inquiring into a matter?

Mr LINGARD: Yes. If the commissioner believes that there is a need for that, the commissioner would certainly be able to do that.

Mr FOURAS: I thank the Minister for drawing clause 8(m) to my attention. More generally, there is a danger in that the commissioner could stand alone unless, as the Explanatory Notes state in relation to New Zealand, the commissioner serves as a pivot in a network of agencies and interests. For example, the Youth Advocacy Centre has been involved in juvenile justice matters for a very long time and has some expertise. Although that group was consulted on the Juvenile Justice Act, it was ignored in respect of this piece of legislation we are debating. That group, the Youth Affairs Network and other groups in the community dealing with children would like to become part of a network, with the commissioner as the pivotal point, in which information flows backwards and forwards. Does the Minister feel that a part of the consultation process could include addressing the delivery of services and programs with respect to children in our State?

Mr LINGARD: As I have said, we regard children's services as those services which fall under the four Acts of the Department of Families. But I have also said that the commissioner has the right and ability to review any complaints about children's services, and certainly services relating to children, as may be referred to the commissioner. Certainly, I would agree that that gives the commissioner a very wide role. Any department which criticised that position and said, "No", could certainly expect a lot of criticism. The commissioner has the right to review problems referred to him or her.

Mr FOURAS: My point was more specific than that. As part of this process, will there be a networking of other agencies with the commission? Will the commissioner be encouraging debate and consultation with groups interested in this area and which have been interested in this area for a long time? For example, I cite the Youth Advocacy Centre. If the commissioner looks at, for example, the provision of services, if he is concerned as to how adequately resourced they are, would the commissioner consult with these groups? That is what I am asking.

Mr LINGARD: I believe that would come under what I regard as the pro-active role of the commissioner, that is, the need for the commissioner to refer back to departments other than mine and to say that he or she believes that such services are not being provided and that they need to be provided. Of course, a department might say that it is not going to do that. However, the commissioner has the ability to report to the Parliament that that is not being done.

Mr ELDER: I take the Minister back to his answer to a question raised by the shadow Minister. The Minister said that under clause 8(m) the commissioner will have the power to inquire into matters. Given that the Minister said that the commissioner has the ability to then investigate further, where does the Bill actually give him the investigative role that the Minister said he was able to undertake? The question was asked specifically about a Wood-style commission of inquiry. I cannot see where the Bill states that the Minister would provide witnesses——

Mr Foley: Legal protection.

Mr ELDER: Legal protection for witnesses appearing before such an inquiry. The Minister is saying one thing, but I cannot see in the Bill where the commissioner is given that power or where that protection is provided.

Mr LINGARD: If the Children's Commissioner wanted to look at a major issue and if it was an issue which had the implications to which the member refers, then the commissioner can request the Government to set up an inquiry under the Commissions of Inquiry Act. That is the role on top of what the commissioner can do himself or herself.

Mr ELDER: Then essentially what the Minister said earlier in response to the shadow Minister is not the case—the commissioner does not have the powers under this legislation, nor does he have the ability. He can make a request; it is up to the Government as to what happens after that. In other words, the commissioner does not have that power inherent in this Bill.

Mrs WOODGATE: Apropos these investigative powers—I cannot see that the commissioner has any power of entry into premises. In the department, child-care officers have that power of entry. I cannot find where the commissioner has that power of entry. I take it that he would have to go into premises with the police. Could the Minister comment on that? I feel that the commissioner should have equal if not greater

powers than departmental officers, who do not need the protection of the police when they enter premises.

Mr LINGARD: The member would realise that the investigatory powers of the commissioner would need to rest with the investigatory powers of the police, and that is why any investigation of that sort of matter would have to be done through the police.

Clause 8, as read, agreed to.

Clause 9, as read, agreed to.

Clause 10—

Mrs WOODGATE (5.03 p.m.): I move the following amendment—

"At page 10, after line 5—

insert—

'(6) The office of commissioner is not a statutory office under the Public Service Act 1996.'."

This amendment would certainly secure the independence of the Children's Commissioner. If this amendment is successful, the commissioner would not be able to be terminated by the Governor in Council according to the criteria that apply to statutory officers covered by the Public Service Act. If this amendment is successful, the commissioner would only be able to be terminated using the provisions of clause 16.

Ms BLIGH: I rise to support the amendment proposed by the member for Kurwongbah. The purpose of this amendment is to seek to protect the independence of this newly created office from the effects of clause 110 of the Public Service Act and the powers that it provides for the Executive of Government to remove statutory office holders from office. Members will recall that the effect of clause 110 is that statutory office holders can be removed from office by the Governor in Council without any reason, without any notice and without any reference to the Act under which they are appointed.

It has been the view of the Opposition for some time in relation to the Public Service Act and the new powers that it creates that statutory offices and the degree of protection that they warrant ought to be considered on their merits, that each individual case ought to be subject to discussion and debate in this Parliament and that the Bills which create the offices themselves are the correct place for the termination provisions to be placed. The proposal being put forward here will do exactly that.

I would like to briefly address the need for independence of this office. The Bill before the Parliament makes a feeble attempt, in my view, to protect the independence of this office at clause 7, which states—

". . . the commissioner is not subject to the control or direction of a Minister or a department in carrying out the commissioner's functions."

I understand that the Government will be opposing this amendment. If it does so, it will in my view make absolutely transparent the failure of the Government to conceptually grasp the notion of independence in public administration or, indeed, the doctrine of the separation of powers.

An Opposition member: They grasp it, all right.

Ms BLIGH: They grasp it, all right; they just do not agree with it! Clause 7 may in fact protect the commissioner from the Minister, but in my view the Bill does not protect the commissioner from the long arm of the Premier, who, through the Governor in Council, can sack him overnight.

An Opposition member: They can be sacked overnight.

Ms BLIGH: Indeed.

Let us consider for a moment why the independence of this office is important. I turn to the functions listed in clause 8 of the newly created office. At clause 8(d) the commissioner will be responsible for investigating complaints. At clause 8(f) the commissioner will be responsible for investigations in conjunction with the police and the Australian Bureau of Criminal Intelligence. Under section 8(k) the commissioner will be involved in establishing tribunals to hear appeals of reviewable decisions. The commissioner will be investigating allegations against the Crown. This is where the separation of powers comes in. The member might like to listen to this carefully. It is proposed under the commissioner's functions that the commissioner will have the power to investigate allegations made by members of the public against the Crown, allegations against Government institutions and services and allegations against officers of the Crown such as police officers and judges.

It is the very purpose of this position to shed light on issues and activities which would otherwise remain hidden—activities which have not been remedied or adequately addressed by any of the existing legislation or existing institutions in this State. In these circumstances, where investigative powers may involve the Crown, the independence of

such a position is paramount. Where those investigations could involve child sexual abuse, child pornography or paedophilia, independence in my view is of even greater significance. Such allegations and investigations can cause significant damage to individuals, institutions and Governments, as we have seen from recent events surrounding the Wood royal commission in New South Wales. It is not beyond the scope of probability that Governments into the future may well seek to avoid such investigations.

In addition, both the Wood commission and the recent tragic deaths in Belgium have illustrated that the sexual exploitation of children and violence against them in our community is often systematic. It often flourishes because those who have the power to stop it—including the police, the judiciary and often politicians—either turn a blind eye to it or actively participate in these disgraceful activities. The member for Mulgrave gave a number of examples in her response to this Bill which demonstrate the need for such investigations in the Queensland context.

If this Parliament is seriously committed to establishing a commission that is equipped with the necessary powers to grapple with the insidious nature of the systematic abuse and exploitation of children, then the absolute independence from the Crown of this position must be paramount. The member for Gladstone quoted Des Sturgess and the need for a strong advocate in the halls of power if we are to really look at protecting our children. In my view it is the basis of a strong advocate that they be independent from their employer—the State. Independence is the basis of strong advocacy. If we are serious about giving children and their families a greater say about their dealings with the State through the Department of Families, Youth and Community Care, then those children and their families must have confidence that when they appeal to the commissioner their case will have equal footing with that being presented by the Crown. This confidence cannot be there when the holder of the office is subject to the whim of the Government of the day.

When I spoke in opposition to the provisions of the Public Service Bill which this amendment seeks to evade, I raised the possibility that the appointment and termination of statutory officers would become a dog's breakfast, that officers would in fact fall into one of four classes: firstly, those who are protected by the Acts which establish their office; secondly, those protected by the Public Service Act in line with the amendments moved by the Premier; thirdly, those protected by a regulation made under the Public Service Act; and, fourthly, those who are subject to section 110 of the Act and therefore unprotected.

The proposal being put forward by the member for Kurwongbah seeks to ensure that the office of the Children's Commissioner remains in the first category—that is, that it remains protected by the Act which establishes the office. The Act, at section 110, outlines a range of qualifications required for the appointment of the commissioner. Subsequently, in section 16, it provides that the commissioner's appointment can be terminated in the event that the commissioner is incapable of performing the duties, is guilty of any misconduct or is absent without leave for 14 consecutive days. Similarly, the Governor in Council must terminate the commissioner's appointment where the commissioner is convicted of an indictable offence or engages in paid employment outside of his or her duties.

It is my view that those are the circumstances in which a commissioner should be removed and that there are no other circumstances which ought to be contemplated for the removal of a commissioner from that office. To do so would impair the independence of that office, and I think that I have outlined sufficiently the absolute paramountcy of independence in relation to that office. I urge the Minister and the Government to support the amendment before the Parliament.

Mr T. B. SULLIVAN: I rise to support the amendment moved by the shadow Minister, the member for Kurwongbah. We have seen in other arenas where politicians, judges, police and other powerful people in society have not just been involved in child abuse but have been organisers and major perpetrators of it. I ask the member for Gladstone in particular to support this amendment because, as we saw in clause 8 relating to the functions, it is most probable that the commissioner will at some stage have to investigate police, politicians, judges and other people in society, and it must be that the commissioner is independent.

The commissioner must have his or her independence guaranteed. There must be a distancing of this role from that of the Executive Government. I do not think it is reasonable for the Minister to say that the normal course of events should take place, because what we have seen in the worst cases that have come to light in recent times is that it has been politicians, police and

judges who have been right in the midst of some of the worst cases of abuse. We must give that independence to the commissioner. The Bill does allow for the commissioner to be removed if he or she is not performing the role properly or cannot perform the role, but we must give support to the shadow Minister's amendment.

Mr LINGARD: As the Premier indicated in the debate on the Public Service Bill, it is quite proper that quasi-judicial bodies should not be subject to automatic dismissal. The draft regulation which he had circulated and which exempted the bodies specified therein from Part 8 of the Public Service Act contains the names of 10 such quasi-judicial bodies. Significantly, the draft regulation listed the chairperson and members of the panel of the Adoptions Appeals Tribunal.

At the time, the Premier foreshadowed inclusion of further officers to those already listed in the draft regulation. He went on to reiterate that no quasi-judicial tribunal will be subject to Part 8 of the Public Service Act. The regulation was the mechanism for securing such exemption. As honourable members will know, once the Children's Commissioner legislation is enacted, the Adoptions Appeals Tribunal will be discontinued, along with the Child Care Review Tribunal. These bodies will be superseded by the Children's Services Appeals Tribunal.

The Government intends to include both the Children's Commissioner and members of the panel of the Children's Services Appeals Tribunal in the regulation exempting bodies from Part 8 of the Public Service Act. This approach is consistent with that of the draft regulation circulated by the Premier which included both the chairperson of the Adoptions Appeals Tribunal and members of the panel for that tribunal. The Government's approach moreover will remove what I believe is the precarious position of the Child Care Review Tribunal resulting from insertion in relevant legislation of a provision enabling the tribunal to be sacked at the whim of the Government of the day.

The Government has clearly shown its intention of treating all quasi-judicial bodies in an even-handed way. They will all be included in the regulation exempting them from Part 8 of the Public Service Act. The Government therefore cannot support the proposed amendment to the Bill.

Ms BLIGH: I rise with a query because I suspect that we might be at cross-purposes. I draw the Minister's attention to page 41 of the Bill. It is proposed to insert the Children's Commissioner into Schedule 1 of the Public Service Act. I have only just had this drawn to my attention. The Minister is saying that he would be including it in a regulation, but it is my recollection that Schedule 1 of the Public Service Act actually lists officers exempted. Can we get some clarification on that because if that is the case, then the Minister would not need to include it in a regulation.

I take it from what the Minister is saying that he is seeking to protect the office in one way or another from the operation of section 110, and on that he is to be congratulated, but can I clarify the means by which he will do it? I suspect that that Schedule may well have that effect.

Mr LINGARD: I think I made it very clear that at present the Adoptions Appeals Tribunal and the Child Care Review Tribunal are mentioned. Therefore, they would be removed and replaced by the Children's Commissioner, and therefore the Children's Commissioner would be covered by regulation. I have given a guarantee that that will be done.

Ms BLIGH: I am not doubting the Minister's guarantee; I am seeking a technical response. In my view, the proposal at page 41 of the Bill before the Parliament to insert the Children's Commissioner into Schedule 1 of the Public Service Act would actually obviate the need for the Children's Commissioner to be included in the regulation. I understand that this is complicated because, as I have said before, the way that the Premier has gone about doing this is a dog's breakfast. There are more than four categories of people now, but it would appear from page 41 of the Bill that the category under which this commissioner is going to be protected is in fact via the Schedule to the Public Service Act, not by regulation.

Mr LINGARD: I am advised that the exemption will be in the regulation, not in the Schedule. As far as I am concerned, there is nothing on page 77 which states that there is an exemption from section 8.

Mr ELDER: I want to follow up the query from the member for South Brisbane. Page 41 states—

> "2. Schedule 1—
>
> *insert—*
>
> '. . . Children's Commission
>
> Children's commissioner'."

That is to be inserted into the Public Service Act 1996. It is a technical question. We are not concerned about whether or not the Minister has made a commitment. Quite

clearly, the Bill states that it will be protected, but it will be protected in the Schedule. If that is the case, if what we are reading is true, then we would be much happier with that. Essentially, though, what does it mean?

Ms Bligh: If it does not mean what we think it means.

Mr ELDER: What does it mean if it does not mean what we think it means?

Mr LINGARD: I have given a guarantee that the Government intends to include both the Children's Commissioner and the members of the panel of the Children's Services Appeal Tribunal in the regulation exempting bodies from Part 8 of the Public Service Act. That guarantee certainly covers the Opposition's concern.

Mr ELDER: I do not want to be pedantic. Essentially, there is a Bill before the Parliament which we are debating, and in the Bill there is a Schedule, and in the Schedule it states that the Children's Commissioner will be inserted into the Public Service Act to give it the protection that we are looking for. All we are asking for is clarification of that; it is not a matter of whether the Minister puts it in a regulation. I would much prefer to have the commitment that the Minister makes contained in this Bill than in a regulation. What we want is clarification.

Mr LINGARD: I am advised that what the Opposition is referring to has nothing to do with exemption; it simply lists the Children's Commissioner.

Mr FOLEY: I will proceed for the moment on the assumption that the Minister is correct. If he is correct, then this Bill is grossly deficient. For the reasons that were outlined by the member for South Brisbane, it is necessary and desirable that the Children's Commissioner be independent of the Government of the day. That is pretty obvious, because part of the duty of the Children's Commissioner is to monitor and review children's services—"children's services" being defined as the service provided under children's services legislation, that being adoption, child care, the Children's Services Act and so on. In other words, this Children's Commissioner has the job of monitoring and reviewing the actions of the Government. That job must, of necessity, make that person unpopular from time to time if he or she is doing his or her job. It is for that reason that such a person should be able to be sacked only on a number of specified grounds, which are set out in clause 16; for example, if that person becomes incapable of satisfactorily performing the commissioner's duties, if that person is guilty of misconduct, if that person is absent without leave, and so on.

The effect of putting the Children's Commissioner in a regulation and offering that to the Parliament as a means of protection is basically this: when the Children's Commissioner writes an unpopular report, or thinks about writing an unpopular report, then the Government of the day can sack him or her. The effect of section 116 of the Public Service Act is that that decision cannot be reviewed in the Supreme Court or anywhere else. In other words, the Children's Commissioner can be sacked without reason and without recourse.

What protection does a regulation give? What it means is that the Governor in Council has to change the regulation at the same time as sacking the person. That is all it means. It means that two pieces of paper go through the Governor in Council instead of one: one to change the regulation, knocking off the Children's Commissioner position, and one to sack the person concerned. How on earth can we expect someone to be independent of the Government of the day, and to be monitoring and reviewing the actions of the Government of the day, if that person can be sacked without cause and without even a right of judicial review in the Supreme Court?

During the debate on the second reading of the Bill, I said that this was a modest step in the right direction. There is much to be modest about in this Bill. This is probably the greatest thing about which the Minister should feel modest. If the Government were fair dinkum, it would give to this commissioner independence. The Government would say that such a commissioner can be sacked only if he or she has fallen foul of one of those categories. But that is not what the Government is saying at all. It is saying, "We will simply pop that position into a regulation, not protected by the force of statute, able to be changed by the Governor in Council."

What are the practical implications of that legal set-up? The practical implications are that the Children's Commissioner could well feel overborne and intimidated, because the Children's Commissioner will know that he or she can be sacked without reason, without notice and without a right of review in the courts. How can we expect the Children's Commissioner to argue the case for children and to make himself or herself unpopular? For example, the commissioner could say that the Department of Families is not doing its job in this area or that area. The commissioner could say, for example, that adoption services need

to be improved in a certain area. How can we expect the Children's Commissioner to do that when that commissioner will be looking over his or her shoulder wondering whether the displeasure of the Minister at getting the bad news will result in that commissioner getting the chop?

It is not a technical or a fanciful concern that the Opposition has, it is a very practical concern. Either we are fair dinkum about standing up for the position of children or we are not. If we are fair dinkum about standing up for the position of children through establishing a Children's Commissioner, then it would be nonsensical to have that Children's Commissioner able to be sacked by the Government of the day without cause, without notice and without even a right to have the lawfulness of that decision called into question in the Supreme Court.

This clause goes to the very heart of the Bill. If the Children's Commissioner is not independent, then why are we going through the whole rubric of calling that person a commissioner? Why are we purporting to the Queensland people that we are doing something other than putting a cosmetic position in place?

Ms Bligh: They like the illusion of democracy, not the reality of it.

Mr FOLEY: I note what the honourable member for South Brisbane says. It may be the case that they like the illusion of democracy rather than the reality. It may simply be that this Minister has been rolled in Cabinet on the issue, because this is something on which the Premier has been sorely embarrassed throughout the debate on the Public Service Bill.

The loss of the independence of the Children's Commissioner in the Government's Bill may be the price that the Queensland people are paying for the Premier's arrogant refusal to accept the criticism of the Public Service Bill. Honourable members would recall that, when these matters were drawn to the attention of the people by the Opposition, the Premier dismissed the criticism as ill informed or politically motivated and steadfastly refused, for a number of days, to accept the legitimacy of the criticism, until one after the other, the Law Society, the Director of Public Prosecutions, the Criminal Justice Commission and the Bar Association said that what the Opposition was saying was correct and that this was a real problem about the Public Service Bill and the way that it destroyed the independence of statutory appointments and ousted the role of the Supreme Court.

Mr FitzGerald: This was debated in the Bill that's already gone through the House in this same session. This debate took place then.

Mr FOLEY: That is so. That debate took place. The point that I am making is that the children of Queensland are being made to pay the price for the Premier's arrogance during the course of that debate. Had the Premier been willing to say that he had made a mistake and that he accepted the force of criticism, we would not be in this position now, because the Government would do what a proper Government should do, namely, respect the independence of the Children's Commissioner. How does one seriously expect the Children's Commissioner to be an independent monitor and reviewer of children's services knowing all the time that that commissioner faces the sack? It is a flaw which goes to the heart of the Bill, and I ask the Minister to reconsider.

Mr ELDER: We have now had time to look at the Public Service Act. Our concerns are now even greater, because the insertion of that regulation does not give the position the protection it needs. The member for Yeronga has quite clearly articulated the reasons why the commissioner should be independent and have that protection. A regulation is not sufficient in terms of the role that we see the commissioner playing in the State. However, I am sure the member for South Brisbane would agree that we might accept an amendment to the Public Service Act if the Minister has now seen the light of day and has more concern for the children of Queensland than he necessarily does for maintaining a position that is just not right.

Mr LINGARD: Clearly we are revisiting the Public Service Act once again. Obviously, I will be placing the Children's Commissioner in the same position as I am placing the Electoral Commissioner, the Anti-Discrimination Commissioner and all of those commissions that I believe relate to Part 2 of the Public Service Act. There is obviously a difference of opinion. The Government's approach is that we believe that the nature of the Child Care Review Tribunal is precarious as it sits now—which is where the ALP inserted it in its relevant legislation—in that there is a provision enabling the tribunal to be sacked at the whim of the Government of the day. Most definitely, there is a difference of opinion. Members opposite argued about this during the debate on the Public Service Bill. Quite honestly, I believe that we cannot accept the amendment as proposed by the shadow Minister.

Mr FOLEY: I draw the Minister's attention to his claim just made that this puts the Children's Commissioner in the same position as the Electoral Commissioner.

Mr Lingard: It is in Schedule 1 of section 2 of the Public Service Act; that is where it will go.

Mr FOLEY: Do I take it from that that it is simply his intention to proceed with the making of a regulation to provide such protection as a regulation may provide?

Mr Lingard: I explained that before.

Mr FOLEY: Let me make this observation, Mr Chairman. What this does is put the Children's Commissioner into a less secure position than, for example, the Director of Public Prosecutions, the office of which is provided protection under the Public Service Act. In this respect, I draw the honourable Minister's attention to the provisions of section 110 of the Public Service Act, which provides that the Governor in Council may remove a term appointee from office at any time. I draw the Minister's attention also to the provisions of section 109 of the Public Service Act. Section 109(3)(c) specifically provides that the Electoral Commissioner is not a term appointee because of appointment under the Act. What that means is that the Electoral Commissioner cannot be sacked overnight without cause and without right of review in the courts, nor can the Director of Public Prosecutions, nor can an Electoral Commissioner appointed under the City of Brisbane Act, nor can the Solicitor-General, nor can a member of a panel of the Misconduct Tribunal, nor can a member of the Police Service, nor can an officer of the Parliamentary Service. In fact, what this does is put the security of tenure of the Children's Commissioner on a less secure footing than that of the local constable. The Government's sense of priorities really is a bit puzzling.

There is no justification for denying to the Children's Commissioner the independence that the amendment moved by the member for Kurwongbah would provide. The effect of persisting with the Government's current position is to deny to that commissioner the basic protections that are afforded to those officers pursuant to section 109 of the Public Service Act, which I have mentioned. This is the Achilles heel of this Bill, and it will be greatly to the detriment of the Government if it fails to move to respond to the opportunity that the member for Kurwongbah has given it to cure this defect.

Question—That the words proposed to be inserted be so inserted—put; and the Committee 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, 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**.

Mr FOURAS (5.42 p.m.): During the second-reading debate, I said that pivotal to this Bill was the independence of the Children's Commissioner. This debate has revolved around the independence of that commissioner. I would like the Minister's assurance that the person selected to be the Children's Commissioner will not be chosen by members of the Executive but by people who have a knowledge of child protection and children's services. I would like the Minister's assurance that the selection of the person to be the Children's Commissioner will be independent of Executive Government and that it will be a decision based on the skills and the ability of the successful applicant rather than a decision based on somebody who could then be seen as being beholden to the Executive arm of Government. It is a simple question: will independent people select the person to be the Children's Commissioner, or will the Minister and his director-general make the appointment?

Mr LINGARD: The answer to that question is that the position will be advertised. Certainly, a committee separate from the Executive Council will be set up to select the Children's Commissioner.

Clause 10, as read, agreed to.

Clauses 11 to 16, as read, agreed to.

Clause 17—

Mr LINGARD (5.43 p.m.): I move the following amendment—

"At page 12, line 2, after 'person'—

insert—

', who is qualified for appointment as the commissioner,' "

Clause 17 provides that the Governor in Council may appoint a person as acting Children's Commissioner during a vacancy in the office or during periods when the appointee is absent for any reason. The chairman of the Scrutiny of Legislation Committee has been advised of my intention during the Committee stage of the Bill to propose that clause 17 be amended to provide explicitly that the appointment of an acting Children's Commissioner be an appropriately qualified person possessing qualifications as specified in clause 10.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clauses 18 to 85, as read, agreed to.

Schedule 1—

Mr LINGARD (5.44 p.m.): I move the following amendments—

"At page 38, lines 7 to 14—

omit, insert—

'2. After section 131—

insert—

'Information about whereabouts of a child in care

'131A.(1) A parent of a child in care may ask the director for information about the child's whereabouts.

'(2) The director must give the parent the information unless, in the director's opinion, it is not in the best interests of the child to provide the information.'.'.

At page 39, line 8, 'section 131'—

omit, insert—

'section 131A'.

At page 40, after line 14, '131(2)'—

o*mit, insert*—

'131A(2)'."

In relation to the proposed amendment to section 131, it was proposed initially to delete section 131 of the Children's Services Act and replace it with a section which provided explicit grounds for appeal. As again suggested by the Scrutiny of Legislation Committee, it is now proposed to retain section 131 and add a new section 131A, which provides grounds for appeal. This amendment comes from a recommendation of the Scrutiny of Legislation Committee.

Amendments agreed to.

Schedule 1, as amended, agreed to.

Schedule 2—

Mrs WOODGATE (5.45 p.m.): I move the following amendment—

"At page 42, lines 15 and 16—

omit, insert—

' "children's services" means—

(a) a service provided under or in relation to children's services legislation; or

(b) an educational, health, recreational or sporting service provided primarily for children (whether by a public or private entity).'."

Under this Bill, the Children's Commissioner is empowered to investigate complaints and conduct inquiries in relation to the delivery of children's services. "Children's services" is defined under the Bill as services provided under children's services legislation, in particular, those services provided under the Adoption of Children Act 1964, the Child Care Act 1991, the Children's Services Act 1965 and the Family Services Act 1987. Those Acts all fall within the Minister's portfolio.

However, I believe that there is a very, very strong case for extending the scope of the legislation to include schools, children's hospitals and so on. Children should be able to be protected wherever they are and not simply in relation to a set of services which happen to fall within a particular portfolio. I urge the Government to adopt a whole-of-Government approach in relation to this legislation. In my opinion, the Bill as it is drafted creates two classes of victims—those who are fortunate enough to take advantage of this legislation because they are victimised in an area covered by children's services legislation, and the second, poorer class of victim, namely those in the broader expanse of facilities, who are not covered. My proposed amendment spreads the net much wider so that any child wherever he or she is being victimised, particularly in boarding schools, can take advantage of the provisions of this legislation.

Mr HOLLIS: I support the amendment moved by the member for Kurwongbah. During the debate, I spoke about the needs of all children. During the discussions that were held leading up to the formulation of this legislation, we tried to find a universal term that would include all children. The Bill covers the Adoption of Children Act, the Child Care Act, the Children's Services Act and the Family Services Act. At the time of those discussions, we also wanted the legislation to cover youngsters in juvenile detention centres. After consultation with Mrs Woodgate, I found out

that those youngsters are protected under the Juvenile Justice Act.

We are talking about protecting all children, and essentially that is what this Children's Commissioner should be doing. However, we are still left with the problem that in some areas children are not protected. I am sure that the Government would agree that to exclude any child from the protection of the Children's Commissioner would be a folly to say the least. I believe that the Government should support this amendment.

Mr ELDER: During the debate, I can recall that at least one member on the Government side said that children in educational facilities—and I think that was the term that was used—would be protected by this Bill. That is clearly not the case. I am aware that the Minister's initial intention in relation to this Bill was for the responsibilities of the Children's Commissioner to include educational and health services—much broader scope than what we now see contained in this piece of legislation.

I ask the Minister to recall his original commitment in relation to this matter and his initial definition of "children's services" when this Bill was being formulated and to support this proposed amendment that has been moved by the shadow Minister. I am sure that the Minister, by supporting the amendment that has been moved by the shadow Minister, would be supporting his personal views in relation to the responsibilities and roles that the Children's Commissioner should have, and that would include responsibilities for educational and health service areas and sporting and recreational areas. I believe that was the Minister's original intention in relation to the responsibilities of the Children's Commissioner.

Mr T. B. SULLIVAN: I ask the Minister: does he believe that incidents of suspected abuse of children within boarding schools, scout troops or local football clubs will be covered by the Bill? The legislation is intended to cover such incidents. If, in fact, the reading of the Bill is such that incidents of abuse in those sorts of places are not covered because of a narrow technical reading of the earlier section of the Bill, then the intention of the Bill will fail. If it comes to an interpretation by the court, I believe that the Minister's response now will be taken into account in coming to a decision. My basic question is: are those instances that I have mentioned covered by the other elements of the Bill?

Mr LINGARD: I appreciate the concerns expressed by the members who have just spoken. I think that all members would admit that we have gone a long way to get to the stage of establishing a Children's Commissioner. People have had difficulty even getting this far. However, having got this far, some members now want us to go the whole way.

Mr Elder interjected.

Mr LINGARD: I can say, certainly——

An Opposition member interjected.

Mr LINGARD: I am watching; I am being careful. The Bill is obviously premised on the four specific pieces of children's services legislation, that is, the Adoption of Children Act, the Child Care Act, the Children's Services Act and the Family Services Act.

In answer to the member for Chermside, I say this: the legislation allows the Children's Commissioner to receive and deal with complaints of alleged offences involving children which might arise in relation to any service, including education, health, recreation and sporting activities. I have been most adamant that that must be in the Bill. This provision is clearly made in functions (d) and (e) specified in clause 8, where complaints about the delivery of children's services and alleged offences involving children are separately categorised. I know what the member for Chermside has said and I am aware of the statement that I am making now. Quite obviously, we are referring to any service including education, health, recreation and sporting services.

The cooperation of the Children's Commissioner with the Queensland Police Service and the Australian Bureau of Criminal Intelligence envisaged by functions (f) and (g), also specified in clause 8, in relation to sexual abuse of children, child pornography and child sex tourism, are similarly not restricted to the provision of particular services provided for children. I think that that is very important. Obviously, I know the implication of making this particular statement. I am aware of what the member for Chermside said.

In this context, I advise the Committee that, consistent with my second-reading speech, I intend to request the Children's Commissioner to review the Sturgess report at an early stage and to give effect to whatever recommendations are practicable. Moreover, consistent with the debate that occurred in this place on 1 May—and I acknowledge that debate—I intend to ask the commissioner to report within the first 12 months of the commission's existence on paedophilia in

Queensland. I shall table that report in the Parliament.

At present, I cannot accept the amendment, but if experience shows that the commissioner is severely limited in dealing with these concerns, I will certainly bring the legislation back to the Chamber. The honourable member may be assured that I shall keep the proposed amendment in mind for consideration in the context of any future amendments that appear desirable.

Mr T. B. SULLIVAN: I am heartened by what I have heard the Minister say. On a point of clarification, can the areas of education, health, recreation, sport and so on include services provided by private as well as by public providers?

Mr LINGARD: The answer is: yes.

Mr FOLEY: The Minister is resorting to some arguments of last resort——

Mr Lingard: Some decency.

Mr FOLEY: Arguments of decency?

Mr Lingard: No, I said, "to some decency".

Mr FOLEY: I see. The Minister is seeking to defend the indefensible and, as such, he has to rely upon the wording of clause 8(d) and (e).

Let us go back to the hard question that was asked by the member for Chermside, because it was a very good question. He said, "What about the children in boarding schools, in scout troops or on the local football teams?" They are the children whose welfare is being advanced by the amendment moved by the member for Kurwongbah. The answer given by the Minister was that they can be picked up by subclause (d), of course, where there are alleged offences. They can be investigated by the police or the children's services department. This legislation really does not progress the matter at all. It does not allow the Children's Commissioner to monitor and review the provision of educational services for children in boarding schools, except in that very limited class of cases where complaints of an alleged offence are made. Similarly, it does not allow the Children's Commissioner to monitor and review the operations of scout troops, except in that very limited class of cases where an alleged offence has occurred. Nor does it allow the Children's Commissioner to have a look at what is happening to kids on local football teams, except in that very limited class of cases where an alleged offence has occurred.

If there is one lesson that we should have learned over the past couple of decades it is that one cannot wait until an alleged offence is reported. One cannot simply allow the system to turn a blind eye to practices that have developed over a period. If the Children's Commissioner is to be able to cast an eye over the welfare of children, he or she has to be able to look at educational, health, recreational and sporting services.

Mr Lingard: For six years you sat over here and you did nothing, absolutely nothing.

Mr FOLEY: It is disappointing that the Minister now resorts to the familiar reaction that this Government has of simply pointing the finger.

A Government member: It's a big target.

Mr FOLEY: I seem to recall that it was a motion of the Labor Party in this place that put this on the agenda. I have not sought to make political capital of this to date, but it is a pretty funny argument. It really demonstrates that the Minister does not have an answer to this problem, because he knows that there is no answer to the points that were raised so effectively by the member for Chermside.

What is wrong with giving the Children's Commissioner this power? There is nothing wrong with it. It is quite an appropriate role for the Children's Commissioner to have. It may be that this is simply an exercise in bureaucratic politics. It may be that the Education Department and the Health Department do not want the Children's Commission poking its nose into these areas. If that is the case, the Minister should come out and say so, so that we can find out the real reasons why he is opposing the amendment. The questions posed by the member for Chermside are right on the mark and we have not heard an effective answer to them.

Progress reported.

UNEMPLOYMENT

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (6 p.m.): I move—

> "That this House condemns the minority State Government for its inactivity leading to the highest number of jobless in Queensland's history and calls on the government to immediately implement all of the projects in Labor's $745m Accelerated Capital Works Program which the Treasurer scrapped upon coming to office in February."

In moving this motion, I again point out to the House that in Queensland there are now 172,600 unemployed. For Queensland, that is a record number of unemployed. It is more than the entire population of the Gold Coast City and it is more than the entire population of Logan City. It is a disgraceful indictment of this Government's lack of action—a Government which promised to hit the ground running but which has sunk into a quicksand of indecision.

That number of unemployed is the disgraceful result of a Government which, after a nine-month gestation period, has given birth to nothing more than reviews, inquiries and excuses. So far, there have been more than 140 reviews and inquiries, and Queenslanders have lost count of the excuses. The bush and the city have joined forces to condemn this Government for its complete lack of action and its failure to develop any policies to create jobs. Its only policy is to turn back the clock to the corrupt days of the past. It has failed to develop a cohesive policy to encourage business.

Let us look at what this means for young people in particular. I pulled out some statistics for the South and East Brisbane statistical division. In the period from February this year—when the coalition came to office—to September, the unemployment rate for men has gone from 9 per cent to 12 per cent. For young women aged 15 to 24 years, the unemployment level in February was 15.6 per cent. In September, it had risen to 26.9 per cent. One of the groups most devastated by this increased unemployment in Queensland under the coalition has been young women aged between 15 and 24 years. In the South and East Brisbane statistical division, the overall unemployment rate rose from 8.9 per cent in February to 13.6 per cent in September. Those figures are a condemnation of any Government and in particular this one.

Treasurer Sheldon succeeded in putting Queensland into a deep freeze for the four months up to the end of June. She is on record as ordering the freeze. That is when the trouble started. The trouble is that the Treasurer, the Premier and the rest of the incompetent Government do not know how to get Queensland's circulation moving again. The Government has no ideas and no policies. Business is still paralysed. The big chill has frozen development. Businesses are unanimous in their opposition to this incompetent Government. This Government has frozen growth, and it has resulted in 172,600 people being out in the cold—jobless. That is the legacy of the Treasurer and the Premier.

Unlike the coalition Government, from day one the next State Labor Government will have an Employment Minister whose main role will be to ensure that we maintain a major focus on job creation so that we can boost employment. As well as introducing positive job creation policies, if unemployment unexpectedly blows out we will accelerate our capital works program, bringing forward the building of planned police stations, hospitals and schools so that jobs are created when they are urgently needed, instead of some time later.

That is why in Government we had a $745m Accelerated Capital Works Program—something which this Government should reintroduce and pursue. We tried to do this last year, but the Borbidge/Sheldon Government callously froze Labor's Accelerated Capital Works Program, taking $400m out of the economy from March onwards. These are the seeds of the problem. This is where the incompetence started. Thanks to the coalition there are now 12,200 more people unemployed in this State.

The question is: is it a coincidence that the unemployment rate started its steady rise the month after the freeze started? Of course it is not a coincidence; it is a direct result. A Government which cared about reducing unemployment would have taken notice of the terrible damage that it was causing to families, to young people and to the economy and taken urgent action months ago. I repeat that I have no joy in performing my duty as the scrutineer of the Government in drawing attention to these sobering facts. However, the people of Queensland need to know the truth.

I offer the hand of bipartisanship in seeking a resolution to this unacceptable stagnation of employment. Labor understands that something needs to be done, and it cannot wait until we are re-elected next year. I urge the Government to understand that as well and accept any offer of bipartisan discussions in good faith. The motion calls on the Government to immediately implement Labor's $745m Accelerated Capital Works Program. That program was designed to generate a new wave of growth and create more than 16,000 new jobs.

The centrepieces of the strategy were 16 Government infrastructure projects worth $542m and a Statewide Accelerated Capital Works Program of $203m. This was complemented by a package of four new employment incentives aimed specifically at

creating jobs for young Queenslanders, and extra tourism promotion to encourage Queenslanders to take their holidays within the State. The strategy was designed to be the most effective and timely way to minimise the effects of an economic slowdown.

The State Labor Government provided a similar stimulus in 1990 with a $400m Accelerated Capital Works Program. More than 80 per cent of the work generated by these programs would have been available to the private sector, and more than one-third of the increased spending was in regional Queensland. For all Government contracts worth more than $100,000, 10 per cent of the labour component would have gone to apprentices—young people who need jobs.

The Accelerated Capital Works Program included increased spending on roads, schools, hospitals, public housing and Government offices. The new projects included public housing in rural and remote areas, a Queensland College of Art, a dingo barrier fence, fences, facilities and weed control, transport and water infrastructure, accelerated upgrading of the Pacific Highway, further enhancement of South Bank, development of the Roma Street parklands and a number of Government buildings. I remind members that a new building at 75 William Street in Brisbane was included on our list last December—a project which has only just been re-announced by this do-nothing Government.

Under a Labor Government, there would be a four-point youth employment package to expand the State Government's training and employment incentive strategies. That four-point package consisted of these things: $1.2m for jobs training and placement to assist community organisations to help 450 unemployed young Queenslanders to find a job; $1.2m for public sector trainees, which would create an additional 150 traineeships in the State and local government sectors; $1m for the Youth Conservation Corps, which would assist an extra 120 long-term unemployed young people with training and work projects in national parks; and $750,000 in 1995-96 for Department of Lands data processing, which would provide employment for up to 40 recent computer literate graduates.

Those are the sorts of things that the Government should be doing now to solve this problem. Special additional tourism promotional funding of $1.5m was included to respond to increased domestic competition. The Queensland tourism industry is also a significant employer of young people. This increased funding would bring a double dividend for the State. Those are the sorts of things that we had in our Accelerated Capital Works Program. Those are the sorts of things that this Government should now implement to turn back the unemployment tide which is unfortunately spreading across this State.

It is not just the Opposition that is critical of this Government's incompetence. Let us look at what the business sector is saying. Let us look at what those people who are examining where the Government should be going are saying. On 6 November 1996, on the Cathy Border program, Michael Davoren, of the Real Estate Institute of Queensland, stated—

> "Well I think over the last 12 months, as I said, the real missing ingredient in the market has been confidence."

He further stated—

> "Queensland has been in the past sold very, very well compared to the other states and I think there is a risk at the moment that the southern states might be outselling us at the moment."

He could hardly be accused of being a Labor Party supporter. Don Keough, the Managing Director of Business Queensland, said—

> "There is a wish in the business community that these sorts of things could be set aside and the Government should get on with improving the economy."

He said also—

> "I think the business community thinks the Government's had its time and it is time to get moving."

Mr Keough continued—

> "I believe the Government has a staffing problem at some of the Ministerial levels."

He went on—

> "There's some feeling in the business community, fair or unfair, that some of the Senior Ministers including the Premier just don't have as strong a staff as they need."

Again, that was on the Cathy Border program. The Premier tried to dismiss those criticisms this morning. To those criticisms we can add the criticisms of Ron Paul, the Evans Deakin/South Bank Chairman.

This Government no longer has the support of the business community or Queenslanders generally. Any Government that has a legacy of creating 12,200 extra

unemployed in nine months is a Government that does not deserve the support of the people of Queensland. It is little wonder that Ron Paul said there should be an election so that something can be done about this problem.

Time expired.

Hon. D. J. HAMILL (Ipswich) (6.10 p.m.): I rise to second the motion moved by the Leader of the Opposition. I, too, am aggrieved to have to bring this matter to the attention of the Parliament, because any Government worth its salt would be very sensitive indeed to the growing tide of unemployment that is out there in the community. Unfortunately, this Government seems to believe its own propaganda in relation to economic management in this State. The Government has had a track record over the past nine months of trying to fudge and obfuscate when it comes to the economic data. We saw it in relation to the Budget debate that went on week after week, month after month when the Treasurer tried to make out quite falsely that Queensland was facing some sort of budgetary crisis. But when the Government is confronted with a real crisis, that is, a real crisis in relation to growing unemployment, it again tries to fudge and fiddle with the figures rather than going to the very heart of the problem at hand.

It is important that honourable members do appreciate just how serious this unemployment situation has become. There are two sets of statistics which are very relevant when we look at the unemployment issue. It is interesting that the Treasurer likes to try to jump from one set to the other, on some days selecting seasonally adjusted figures and on other days trend figures when it suits her argument. I suggest that it does not matter which set of figures one actually uses; if one is comparing like with like, both sets of figures indicate that there is an unemployment crisis in the Queensland community.

When this Government came to office, in seasonally adjusted terms unemployment in Queensland was running at 8.8 per cent. That figure was actually announced in March, and at that time we had the Treasurer—who had held that position for only a couple of weeks—rushing out there and taking credit for what she saw was an 0.8 per cent drop in the unemployment rate, presumably 0.1 per cent for every day that she had sat at the Treasurer's desk! I know that the Treasurer is prone to this sort of exaggeration, but if she wants to claim the figures, let her claim all of the figures, and let her be responsible for the figures that followed on from February, because in March unemployment grew; it grew again in April; by August it was running at 9.8 per cent; and now, in October, in seasonally adjusted terms unemployment has reached double digits. We have double-digit unemployment—10.1 per cent—under this do-nothing coalition Government.

If we look at the trend in unemployment—and the Treasurer likes to look at the trend—it is even more worrying. The trend figure for unemployment in Queensland in February this year was 9.2 per cent. It had grown to 9.3 per cent by June, 9.4 per cent in July, 9.5 per cent in August, 9.7 per cent in September and 9.8 per cent in October. Let us compare that with the situation of 12 months ago, when the former Labor Government sensed the problem with unemployment out there in the community and introduced its Accelerated Capital Works Program. Unemployment at that time was running at 9.6 per cent in trend terms, yet 12 months later, with unemployment trending upwards and above the level of unemployment of 12 months ago, this Government still sits on its hands.

If one looks at its track record over the past nine months, one sees that this Government has been one which has undermined employment generation in this State. Not only did it abandon, as one of its first acts in Government, the $745m Accelerated Capital Works Program, which was outlined by the Leader of the Opposition, but also it could not even deliver on the capital works budget that was in the 1995-96 Budget.

Mr T. B. Sullivan: That's right.

Mr HAMILL: Indeed, that is correct. In fact, there were carryovers totalling $461.7m. During the Estimates committee hearing I put it to the Treasurer that given that back in March she promised that there would be no capital carryovers under a coalition Government, how was it then that capital carryovers alone totalled almost $200m in 1995-96? That was $200m of facilities and services——

Mrs Edmond: And jobs.

Mr HAMILL: —which had been frozen by this Treasurer in her capital works freeze. I take the interjection of the member for Mount Coot-tha: it meant jobs that were not delivered—facilities that were not delivered, services that were not delivered and jobs that were not delivered; jobs that were not delivered on top of the 16,000 jobs that had been callously thrown away by the coalition Government when it came to office by

abandoning the Accelerated Capital Works Program.

Time expired.

Hon. M. J. HORAN (Toowoomba South—Minister for Health) (6.15 p.m.): I move the following amendment—

"Delete all words after 'This House'

and insert:

'notes the unacceptably high level of unemployment and calls on the Government to continue to urgently implement the $4 billion Capital Works program and the $1.6 billion Infrastructure Rejuvenation package contained in this year's State Budget'."

It gives me great pleasure to join this debate to speak about the $4 billion capital works package that the coalition Government is putting into place, the $1.6 billion infrastructure rejuvenation package and, in particular, the work that Queensland Health is doing in its massive $2.1 billion Hospital Rebuilding Program. I will outline quickly the problems that we inherited and the financial mess we had to straighten out. There was a $1.7 billion Hospital Rebuilding Program under the previous Government, of which $150m had never been approved by Treasury. We found project after project that had not even been properly planned, project after project with no money—fresh air. Promises had been made but the former Government did not have the cash to pay for them. We found project after project without any architects, without any engineers, without any project directors, and even without any bed numbers organised. How could the former Government design and draw up a building when it did not even know how many beds were going to go into it? What about the PA Hospital? All that existed there was a watercolour drawing of what was proposed. That project had a budget of some $225m, and we have already shown that it is going to cost far more than that.

We have properly and professionally straightened out the financial and planning mess that we inherited. We have already announced a 10-year plan of $2.1 billion and, on top of that, $270m of minor capital works. Week by week, month by month we are announcing consultants, getting the jobs done, and we are starting to see cranes in the sky.

Mr Beattie interjected.

Mr HORAN: I am sure that the Leader of the Opposition has never even driven by the Royal Brisbane Hospital, which is in his own electorate. He should walk past that hospital. He will see the big crane in the middle; he will see the concrete pour under way; he will see the formwork as we build the $30m central energy plant.

This year we will spend $295m on capital works, including $254m on major capital works, $27m on minor capital works and $14m in Commonwealth works—an increase of $100m. What this program means is 145,000 people days of employment this financial year. Next financial year we are spending $400m. That means 285,000 people days of employment—a massive project by anyone's measure, and only a small part of the $4 billion Capital Works Program.

I turn to some of the important things we have done since sorting and straightening out the mess that we inherited. I heard the Opposition spokesperson say one day that the Labor Government would have started building the PA Hospital project. It must have thought that it was a garden shed! There were no architects, there were no engineers, there were no hydraulics, there was no gas piped in—there was none of the normal planning one would do for a $300m project. We have fast-tracked projects like the PA. We are bringing forward the demolition next year. We have fast-tracked projects like Redlands. We are bringing that forward by six months. We are fast-tracking Logan and bringing it forward. We are putting a fast-tracking system into Toowoomba and also into the Royal Brisbane Hospital so that these works can be undertaken as soon as possible. Over the next 12 months, this $700m program of direct expenditure is going to mean an indirect economic benefit of $600m alone.

Twice a year we have meetings with the construction industry—something that Labor never did. We had over 250 people at the Brisbane meeting. We told them of all the works and the timetable of programs so that they can put their hat in the ring to tender. We also had a meeting in Townsville, attended by almost 90 people from the construction industry. We advised them of the program—told them what is happening and when it is happening so that they can put their hat in the ring as well. These private-sector briefings are telling them exactly what is happening and the amount of work that will be created.

We can expect a massive amount of construction throughout the next year, because all of our first six months in Government have been spent straightening out the mess left by those opposite—putting in place consultants, making sure that things are properly programmed, and making sure that

bed numbers are dedicated. Projects such as these need consultants like engineers and architects; major hospital projects just have to have them. As I said, they are not garden sheds!

I believe that the business and construction industry leaders around Queensland have great confidence in this Government. I meet regularly—almost every week—with people involved in the construction industry. They know that things are happening. They see that we are straightening out the mess. They see that the projects are coming on line. They know that $300m will be spent this year and all the corresponding jobs——

Time expired.

Ms WARWICK (Barron River) (6.20 p.m.): I second the amendment moved by the Honourable Mike Horan, the Minister for Health. The outlook for the Queensland economy in 1996-97 is positive. Following an easing in economic growth in 1995-96, Queensland growth is set to exceed the national growth rate in the coming year. Queensland Treasury forecasts Queensland's gross State product to grow by 4 per cent in 1996-97, a 0.5 percentage point higher than the national forecast of 3.5 per cent.

This stronger growth is supported by an improvement in seasonal conditions, an increased contribution from the housing sector and continued strong business investment throughout the State. Following good rainfall over much of the State, the drought situation has improved markedly. As at 31 October 1996, 22 per cent of the State remained drought declared, compared with an average of 35 per cent in 1995-96. The better seasonal conditions have resulted in a greatly improved outlook for the Queensland rural sector.

In 1996, Queensland is expected to harvest a winter crop of 2.3 million tonnes, which is up from 0.78 million tonnes the previous year. In addition, Queensland sugar production in 1996 is expected to reach a record 5 million tonnes, which is a significant increase from the 4.6 million tonnes in the 1995 season. The expected recovery from drought conditions of recent years will provide a significant boost to the Queensland economy. It is forecast that the recovery could contribute as much as 1 percentage point to the 4 per cent projected growth in Queensland gross State product in 1996-97.

Following a substantial cyclical decline in dwelling investment during 1995-96, Queensland Treasury expects dwelling investment to recover in 1996-97. Treasury estimates that dwelling investment is at the bottom of a current cyclical decline and will increase modestly throughout 1996-97. The improved outlook for the housing sector is supported by the latest June quarter 1996 Queensland State accounts which show a seasonally adjusted 3.9 per cent increase in dwelling investment in this quarter—the first increase since the June quarter 1995. In addition, the number of dwelling units commenced rose 3.1 per cent in trend terms in the June quarter 1996—a second consecutive quarterly increase.

The recent cut in official interest rates will add further support to the Queensland housing sector in 1996-97. Housing will also receive a boost from the recently announced stamp duty changes that will benefit those purchasing or refinancing a principal place of residence.

Recent retail trade data indicate that consumption expenditure—a major component of gross State product—is also likely to make a solid contribution to GSP growth in coming quarters. Retail trade in Queensland rose 0.8 per cent in the June quarter—the third consecutive quarterly rise.

Investment in projects throughout the State remains strong. The September quarter 1996 *Investment Monitor*, produced by Delta Electricity and Access Economics, shows Queensland recorded a 10 per cent increase in projects under construction, under consideration or possible from the previous publication. This compares with a 7 per cent increase for Australia as a whole. Further, Queensland recorded a 58 per cent increase from the September quarter 1995 issue of *Investment Monitor* compared with 33 per cent for the nation as a whole. At present, over $25 billion of investment in Queensland is either under construction, under consideration or identified as possible in the near future. This figure is second only to Western Australia.

The mining sector continues to attract significant investment while the large and diverse range of smaller projects bodes well for the future prospects of the manufacturing sector in Queensland. Exports of goods and services from Queensland are expected to increase by 7 per cent in 1996-97. This growth reflects the supportive world environment, an expected stronger growth in some agricultural exports and exports of coal and other mineral products.

Despite recording an unacceptably high level of unemployment during October, Queensland's employment growth remains strong. Queensland's annual employment

growth strengthened from 1.1 per cent in May to 1.9 per cent in October. Queensland has now recorded stronger than national annual employment growth in each of the past six months. Since the coalition Government assumed office in February 1996, 19,600 jobs have been created in Queensland in trend terms. For Australia as a whole, 56,100 jobs have been created.

Time expired.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (6.25 p.m.): It gives me no great pleasure to support this motion. I have looked at the amendment moved by the Health Minister, and only the Health Minister would move an amendment that actually calls on the Government to implement its Budget. That is what he has moved in the House. He wants to amend the motion to call on the Government to implement its own Budget. That is the second hospital pass today for the Treasurer. If I were the Minister for Health, and if he has any leadership aspirations at all, I would keep miles away from the Treasurer. This morning it was the Minister for Environment and this afternoon it is the Minister for Health. What a classic!

If one Minister can be held responsible for any of those lost 12,200 jobs, it has to be the Minister for Health, because he has done nothing with the health capital works program since the day he started. He says they are fast-tracking it. Members of the coalition are fast-tracking themselves right out of Government because the business community and everyone in the broader community realises who is responsible for the demise of Queensland and the position in which they find themselves today.

Over the last nine months we have seen the coalition grind many sectors of the Queensland economy to a standstill. It has achieved this through creating confusion and by a total paralysis in decision making. In fact, many business people are now referring to Queensland as the State of confusion and the State of indecision. It is no longer the leading State, it is now the laughing State. It is the business leaders who are pushing that argument, not members of the Opposition. We hear from and talk to those people on a regular basis. That is their view of the coalition in Government—totally inept and bungling performances from a collection of, as they say in their words, fools and shysters. They jokingly refer to them as the Queensland Cabinet.

The coalition has destroyed business confidence in this State. If only it were a joke, because it is far from being a joke. The destruction of business confidence means no new private sector projects—none are emerging in this State. Instead, what we have is a Premier who parades around, talking about a list of programs, re-announcing Labor initiatives.

An Opposition member: And the Health Minister.

Mr ELDER: I will take that interjection. The Health Minister does it, too. The Premier announces these Labor initiatives, trying to claim them as his own. This week, the Premier went interstate, trying to convince national business groups that he was responsible for the projects that he was re-announcing. They were all Labor projects. It was a joke but, more importantly, when he does it on the national stage, it becomes an embarrassment.

Mr McGrady: What about Tully/Millstream?

Mr ELDER: Tully/Millstream is a classic example. There is a decision that the Government made—but it took it only nine months.

Last week, the Premier made a series of unconvincing attempts to defend his Government's record. On several occasions, he listed project after project, and he said that they were the great economic achievements of the Borbidge/Sheldon Government. One project was Korea Zinc. That was a Labor initiative. Who did all the work? A Labor Government did! The Premier claimed the north-west gas pipeline. That was another Labor initiative. He went on to claim new power stations in north Queensland. If I can recall, that proposition was put forward by the previous Labor Party Minister. That was another Labor initiative.

Among the Premier's claims—and I will give him credit for this—was the Suncorp/QIDC/Metway merger. He claimed that as an initiative. Does he know what that will cost Queenslanders? It will cost them jobs—1,000 of them. Instead of 12,200 lost jobs, throw another 1,000 on there and make it 13,200. Even the Government's own Treasury advice states that 1,000 jobs will be lost as a result of that merger. That is a great initiative, a great achievement!

Mr Harper: You wanted it to go down to Sydney.

Mr ELDER: I see the member is on the speaking list. Every time the Government needs someone to take a dump, out comes the member for Mount Ommaney. Had the Government left Suncorp, QIDC and Metway alone, those jobs would be remaining in rural

constituencies. He is another Liberal Party member who has no appreciation or concern for the bush. Time after time, they jump up in these debates, but they have no appreciation of how their actions impact on rural Queensland.

Time expired.

Mrs WILSON (Mulgrave) (6.30 p.m.): I point out that Queensland's trend unemployment rate in October 1996 was 9.8 per cent, compared with 8.7 per cent for Australia. This compares with a Queensland rate of 9.6 per cent and a national rate of 8.4 per cent a year ago. In seasonally adjusted terms, the Queensland unemployment rate rose to 10.1 per cent during October, compared with 8.8 per cent nationally. It should be noted, however, that this rate is identical to that recorded in October 1995, when the previous Government was in power.

This time of the year generally sees an increase in unemployment due to school leavers and people moving around. Queensland's higher than national unemployment rate reflects growth in the Queensland labour force, exceeding the economy's capacity to create jobs. In the 12 months ended October 1996, the Queensland labour force grew by 36,500, while employment rose by 29,200. Consequently, unemployment in the State increased by 7,300 persons in that period. This is also translated in north Queensland. Queensland's ability to reduce its unemployment rate has been limited by its strong growth in the labour force, driven primarily by interstate migration beyond the control of the State Government. This is constantly happening in Queensland. The Queensland labour force grew by 2.2 per cent in the 12 months ended October 1996, compared with a 1.3 per cent increase nationally. Queensland's labour force growth was exceeded only by that of Western Australia, at 2.6 per cent.

Another factor constraining the reduction of the unemployment rate is Queensland's high participation rate. In October 1996, Queensland's participation rate was 64.8 per cent, 1.2 percentage points higher than the national average. Trend monthly employment was steady in October, compared with a 0.1 per cent increase recorded nationally. This is the first time since October 1995 that Queensland's unemployment growth has been below the national level.

Queensland's annual employment growth has eased markedly during 1995-96, but has strengthened from 1.1 per cent in May 1996 to 1.9 per cent in October. Queensland has now recorded stronger than national annual employment growth in each of the past six months, with the growth differential increasing from 0.1 percentage points in May to 0.9 percentage points in October. Queensland's annual employment growth in October was exceeded once again by Western Australia, at 2.4 per cent.

Whereas the unemployment rate is unacceptably high, since the coalition Government assumed office in February 1996, 19,600 jobs have been created in Queensland in trend terms, with over two in every three of those jobs being full-time positions. This is over double the 8,100 jobs—I will say that again: the 8,100 jobs—created by the previous Government in the eight months to February 1996. The 19,600 jobs created by the coalition Government represent 35 per cent of all new jobs created in Australia over that eight-month period. Without the strong boost in employment growth in Queensland, national job growth would be weak.

Queensland Treasury expects employment to grow to 2.5 per cent in 1996-97, exceeding the national employment forecast of 1.5 per cent. This outlook is supported by a strengthening of economic growth, a $4 billion public capital outlays program—a 25 per cent increase on the previous year—an improvement in the housing sector and an easing of drought conditions across Queensland. However, as labour force growth will remain relatively strong—at a rate similar to the forecast employment growth—there is limited scope for a significant reduction in unemployment much below the average rate of 9.3 per cent in 1996-97.

The latest labour force figures highlight the critical need for industrial relations reform in Queensland. The figures spell out the fact that Queensland is ready to reap the rewards of industrial reform. The new industrial relations legislation, which the Government intends to have passed through Parliament by the end of this year, will be a circuit-breaker to our inherited economic difficulties and will promote employment growth.

Reform of our unlawful dismissal procedures in particular will remove disincentives for business to employ. The new climate of work force cooperation will create conditions conducive to economic growth. Increased productivity will promote the creation of employment opportunities—new jobs, full-time jobs, real jobs. I ask honourable members to remember that, despite the high unemployment rate in October, 36,000 more people were employed in Queensland in that

month compared to October 1995. The figures speak for themselves.

It is also a fact that Queensland's employment participation rate of 64.8 per cent is 1.2 percentage points higher than the national average. Our annual employment growth has strengthened from 1.1 per cent in May to 2.4 per cent in October.

Time expired.

Hon. P. J. BRADDY (Kedron) (6.35 p.m.): Unfortunately, what we have in Queensland at the present time is a Government that continually confuses rhetoric with reality, argument with action, and mere words with wisdom. But when it comes to the debate on the most important issue facing Queensland and Australia at this time—particularly here in Queensland where, for six successive months, we have had rising unemployment—how seriously do we see the Government treating this particular issue? Where is the Premier in this debate? Where is the Treasurer in this debate? Where is the Minister for Economic Development and Trade in this debate? We have in the House the Minister for Public Works and Housing, but he is not participating in the debate. What we have here is a Government that cannot even defend its record with the senior Ministers involved.

I note that on the speaking list is the Minister for Training and Industrial Relations—the Minister from whose title and portfolio the word "employment" was deleted. When this Government arrived in office, it had no idea, no plans, no capacity and no ability to set about creating employment in this State. Nothing has changed. So we have the absence of the senior Ministers, the Premier and the Treasurer. Of course, it makes it even more of a joke when we realise that the Honourable Ray Connor is the Minister supposedly responsible for creating public sector work in this State. If this Government was serious about creating work in the public sector, that responsibility certainly would not be given to that particular Minister.

What we have is a Government that does not even take its role seriously. It does not have an employment Minister. Together with its coalition colleagues in Canberra, this Government has refused to set a target for unemployment. It has refused to say how it will improve unemployment over the next one, two or five years. This is a disgraceful situation. What do we get in response? First of all, we get a seven-month freeze on capital works. That brought about a complete lack of work for that period on projects that were to go ahead under the Labor Government. It also created a complete lack of confidence in the business community, to the extent that senior business people, such as Mr Ron Paul, are calling for an election in this State less than halfway through the term of this Parliament to remedy the lack of confidence in the community. It would appear that the business community is probably right, that there will be no confidence while this Government continues to dither.

What do we have in relation to this debate? We have a mantra that has been chanted by every one of the Government members who have spoken today, either in question time or here this evening. We have the mantra of an unacceptably high level of unemployment. Chanting that mantra does nothing. We need this Government to actually do something about it.

What has this Government said that its answer will be? Its answer will be to bring in new industrial relations legislation. That is going to be the complete and total answer to the problem. Nine months after its coming to Government, that still has not been brought in. We do not accept that the Government's response will be the answer. But if it genuinely believes that industrial relations legislation is the answer, where is it? It is time for a debate on that particular piece of legislation. All we hear are promises from the relevant Minister that it will be brought in some time this year. I find that hard to believe. It is over four months since Kennedy reported on workers' compensation, and that legislation is still not before the House. The Government is totally incompetent.

What did we hear from several members, including the member for Mulgrave? Government members have been boasting about the high level of employment that Queensland creates. Of the new jobs that were created in Australia over the period of the Goss Labor Government, 50 per cent were created in Queensland. This Government is now boasting because the current figure is now about one-third of that percentage. The number of new jobs created under our Government was considerably higher than the number of jobs created under this Government. This Government has succeeded in raising unemployment to what it calls unacceptably high levels, but has done nothing about it.

Time expired.

Mr HARPER (Mount Ommaney) (6.40 p.m.): It is a pleasure to rise tonight to join in this debate and especially to talk about some of the employment initiatives that this

Government has introduced. Before I do that, I reflect on the parting words of the Deputy Leader of the Opposition who made comments about speakers being rolled out. Unfortunately, I notice that he has rolled out of the Chamber. I am more than happy to be rolled out for this debate and any other debate in which I may wish to speak. It seems that, when the Opposition wants to bring in the rough stuff, it rolls out the Deputy Leader of the Opposition. He seems more interested in personal attacks than in facing up to the facts. He would not answer an interjection from me with a true answer; he had to come back at me with rough stuff and personal attacks. He did not answer the question, "What would the Opposition do?" The Opposition was quite happy to let St George Bank take over Queensland's banks and export jobs from Queensland to Sydney. Of course, he would not face up to that, and he retorted with some rough stuff. We have become used to that from the Deputy Leader of the Opposition. As I said, whenever the Opposition wants to debate at that level, it rolls him out. So roll on the Deputy Leader of the Opposition!

The Queensland Government has actively initiated a number of direct and indirect measures to help foster employment growth in the State. Let us consider some of those initiatives. A range of significant initiatives for business and the wider public are outlined in the 1996-97 State Budget. They include tax relief measures consistent with the Government's commitment to providing Queensland businesses with a substantial competitive edge through maintaining the lowest tax regime in Australia. The tax-free threshold for payroll tax will be increased by $50,000 from 1 January 1997 to $800,000, thereby providing relief to the business community and providing further incentive for employment creation. As part of the Government's commitment to phase out land tax, three-year averaging of land values on which the tax is based will be introduced to smooth out sharp increases in times of changing land values.

The 1996-97 State Budget also introduced a substantial capital program. The 1996-97 State Capital Works Program involves almost $4 billion in outlays, an increase of 24.6 per cent over the 1995-96 Budget. On an indicative basis, the 1996-97 capital program will contribute to the continued provision of some 44,072 full-time jobs in Queensland. The Capital Works Program includes a special three-year, $1.6 billion infrastructure rejuvenation package, which will provide a stimulus for Queensland's economy while providing much-needed economic and social infrastructure.

The Capital Works Program will provide a direct boost to employment in the State, while the business sector will benefit from the economic stimulus provided by transport funding for a wide variety of infrastructure works. Further, an improved transport network will assist the efficient operations of Queensland businesses. Together these measures will boost business confidence and promote continued economic growth for Queensland. A number of business development initiatives were outlined in the Budget to promote export development and business links with Asia and other overseas markets. In addition, increased funds have been allocated to facilitate research and development in high technology in order to attract and support high growth, high value-added business and industry to Queensland.

Tourism initiatives also introduced in the Budget will provide a stimulus for business through increased tourism spending in Queensland, in particular a $1.8m per annum increase in the allocation to the Queensland Tourist and Travel Corporation to market Queensland as a domestic and international tourist destination and to continue convention and exhibition marketing programs. That takes the Government's funding allocation to the QTTC for promotion and marketing to $30m per annum.

The Government has also introduced initiatives to upgrade the skills of the State's work force and promote a flexible industrial relations environment. To provide a skilled, adaptive and responsive work force for business and industry, Government is making a significant investment in intellectual infrastructure. In 1996-97, a total of $521.4m is allocated to the vocational education and training system, an increase of 6 per cent over 1995-96. That is a good initiative by the Minister. That will provide an additional 16,270 Government-funded training places. An allocation of $1.83m for implementation of the Modern Australian Apprenticeship and Traineeship system will provide a more flexible, industry-led training system, with courses tailored to meet the specific needs of individual industries. The sum of $1.4m has been allocated to implement an effective Queensland industrial relations framework that provides for a fair, balanced and truly flexible industrial relations system. Key reforms include revised unfair dismissal procedures based on a fair go all round, and the ability of employers and workers to negotiate specifically tailored enterprise agreements at the local level.

Time expired.

Mrs EDMOND (Mount Coot-tha) (6.46 p.m.): I support the motion moved by the Leader of the Opposition. Despite denials of any capital works freeze in Queensland Health by the Health Minister, the Treasurer and the Premier, the fact remains that, after nearly 10 months in Government, employment-generating capital works projects in Health have been either deferred indefinitely, curtailed or bastardised, resulting in many contracts drying up. According to the Government's own Budget papers, projects to the value of approximately $48m have been stopped in Health alone. That figure does not include——

Mr Horan interjected.

Mrs EDMOND: The Minister will get it. That does not include programs that have been wiped altogether. Government members should speak to members of the building and construction industry. They are prepared to tell the Opposition what they think of this Minister. They are certainly prepared to tell us that they think that the Minister for Health, more than any other Minister, has been responsible for slowing capital works, and that he is simply incapable of making a decision. He is so consumed by his quest for the Premiership that the whole department has ground to a halt. Other leading figures in the business community have highlighted publicly the Minister's inadequacies in recent weeks.

It is quite astounding that for months on end the Government has refused to heed the advice of all of the commentators and observers, including all honourable members on this side of the House, urging them to restart the economy and the Capital Works Program. It took Ron Paul's comments last week to finally convince the Government to stop pretending and to get on with Labor's Accelerated Capital Works Program, which needed to be reinstated, instead of just issuing media releases. The sad irony is that there is no feasible explanation for the across-the-board freeze on capital works in Health. The State Budget papers demonstrated once and for all that the Queensland economy was not in any crisis under Labor's administration. It has only come into crisis under the coalition's administration.

Some of the groups that have had such a gutful of the coalition's freeze on everything in Health bar the bedpans, including the Panadol, have taken the risk of speaking out in support of Labor's claim that public works and the economy have been paralysed for the past nine months under the new Borbidge minority Government. That has been reported repeatedly in the media. The Treasurer and the Health Minister, however, do not accept the advice of the industry, the *Australian Financial Review* or anyone else who criticises them. They persistently deny that any such freeze was imposed by the coalition. They still do not realise that issuing a press release is not constructing a building, that issuing a press release is not making a decision.

In order to try to set the record straight, and for the information of the Minister, I have prepared a summary of some of a small number of the projects in Queensland Health that have been held up or not even started due to the freeze that we are not having. As to the Royal Brisbane Hospital—for the Minister's information, I point out that, at a recent briefing for residents affected by the Hospital Redevelopment Project, the consultant said that nothing had really changed from last year's briefing, that all that had happened was that the project itself had been put on ice due to the change of Government and Minister. That is what the Government's briefing said. The first stage of the car park has been delayed so much that the staff will now have to move their vehicles at regular intervals in the evenings at great loss of bedside time and patient care. The car park has been so delayed that the council is now bringing in its residential parking regulations, which were timed to come in when the car park was finished in October.

Mr Horan interjected.

Mrs EDMOND: Rubbish! Did the Minister not listen? Mr Speaker, I cannot help it if the Health Minister is so stupid that he cannot listen to what I am saying. I have already told him that it is the same plan.

In relation to Nambour Hospital, the Minister put out press release after press release saying how the capital works project was delayed owing to a two-thirds overrun by the Labor Government's estimates and costings. That is a blatant lie. The Government, in its own Budget papers, uses the former Labor Government's own figures—not the inflated ones used by the Minister, but the former Labor Government's figures, which shows up the Minister for the fraud he is. The Minister is a fraud; he is a fraud; he is a fraud.

Mr T. B. Sullivan: And people know it.

Mrs EDMOND: And everybody knows it. In Health, people call the Minister the "Sick Joke". In the Estimates committee hearings, the Minister's own staff identified that.

Time expired.

Hon. S. SANTORO (Clayfield—Minister for Training and Industrial Relations) (6.51 p.m.): What a totally pathetic, shrill performance we have seen from the members opposite. All they managed to do was utter obscenities, outrages and hypocrisy.

During the early days of the Labor Government, the member for Burdekin told the Government that if it wanted Queensland to get out of the recession that we had to have, courtesy of a Labor Prime Minister, it had to pump extra funds into capital works. The response by the then Treasurer was, "That just will not work."

The member for Burdekin kept on reminding honourable members opposite that, in fact, an expanded and accelerated capital works program was the way to go. Of course, it is history that a few weeks after those comments were made in November 1990—at long last—the then Treasurer heard the message, backflipped and instituted a $400m acceleration of the Capital Works Program. Obviously, it was a failure because the 1991 Capital Works Program was $2.3 billion. Even with that alleged acceleration in mid year, the actual expenditure for 1991 was $2.2m. So even with the acceleration that that new injection of funds represented, the then Government could not even meet its Budget. Those are the actions of the people who have been criticising the Minister for Health and other people on the Government side for an alleged—I stress "alleged"—inability to meet their Capital Works Program.

That dismal lack of performance in 1990 remained the record of the Labor Government throughout its tenure. It would say one grandiose thing after another about capital works, and then fail to deliver. For example, this morning the Opposition Leader—and he should listen to this—said that we should be building police stations. There certainly is a need to build police stations, whether they should be located in Mount Ommaney, Burleigh, or anywhere else in Queensland where they are needed, because those people opposite, when they were in Government, did not build them.

Let us consider the performance of the Labor Government in the important area of law and order. In the first four Budgets of the Labor Government, the allocations for law and order and public safety not only declined but also in each and every year the amounts actually spent went into free fall. Let us consider the figures: in 1990-91, the law and order and public safety allocation was $92.9m but only $88.3m was spent. Maybe the honourable member for Mount Coot-tha should judge that performance against the perfect performance of the Minister for Health. In 1991-92, the allocation was $91.2m, but $70.7m was spent. In 1992-93, the allocation was $62.9m, but just $34.9m was spent—barely half of the allocation. I see the honourable member for Kedron, the former Minister for Police, sitting meekly and mildly as I go through his disgraceful record of performance. In 1993-94, the allocation was $47.4m, but the expenditure was $31.7m. The figures to which I refer are not figures that have been plucked out of the air, but figures plucked out of the Budget documents of members opposite.

So in four consecutive Budgets, in an area that the Opposition Leader just this morning dared to suggest that the current Government ought to take some action, his own Government let the capital works commitment slip from $88m, which was in line with the last Budget of the National Party Government in 1989, to $31m in 1994-95. What a disgraceful performance! The cheek of the Leader of the Opposition to say that this Government needs to spend, and spend more!

I am very happy to say that the coalition has well and truly started that job. It overspent the 1995-96 allocation of $129m in the area of law and order and public safety by almost $30m. This financial year, the capital works budget for the area of law and order and public safety is $271,978,000. That is an 80 per cent increase on the money actually spent last year and more than double the money allocated by the Labor Party in 1995.

By the end of this year, this Government will have introduced the industrial relations legislation and it will have introduced the workers' compensation legislation. There has been land tax reform and there has been a $4 billion Capital Works Program. This Government will introduce amending legislation in relation to retail trading hours.

Those honourable members opposite—those lazy, incompetent, inefficient, derelict former Ministers who could not meet their own capital works budget—will have to eat humble pie because we will, indeed, be performing.

Time expired.

Question—That the words proposed to be omitted stand part of the question—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**.

Motion, as amended, agreed to.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (7.02 p.m.): I move—

"That the House do now adjourn."

Suncorp/Metway/QIDC/Merger

Mr W. K. GOSS (Logan) (7.03 p.m.): I rise to speak of my concern over the proposed Suncorp/QIDC/Metway merger, which will be voted on tomorrow. It seems to me that important questions are escaping critical scrutiny.

Between 1989 and 1996, the Labor Government worked hard to establish, for this State and Government, a national reputation for sound economic policy and financial responsibility. In relation to this merger proposal, my concern is that the Government is throwing our hard-won reputation aside and will follow the sorry example of some other State Governments of the 1980s and, in crossing the boundaries of propriety and competence, will lose hundreds of millions of dollars of Queensland taxpayers' money.

My concerns fall into two broad categories. Firstly, the cost to Queenslanders—unemployment, closed branches, a low sale price and the guaranteed dividend scheme to benefit Metway shareholders, but at a loss to the public of over $100m. Queensland's unemployment rate has passed 10 per cent and business leaders complain that the Government is not performing. In these circumstances, is it good policy for the Government to pursue an agreement which will result in the direct loss of at least 1,000 jobs? Is it good policy to close approximately 100 branches? Is it really in the public interest to accept shares to an estimated value of approximately $300m less than the then independent valuation of $1.7 billion? Is it really in the public interest to forgo the taxpayer's right to dividends on Metway shares behind those of other Metway shareholders? Is it in the public interest to transfer Suncorp/QIDC debt to Metway as second tier capital to meet the record high RBA capital adequacy ratio? The Treasurer trumpets the share price, but with so much public financial support being injected—not directly, but through the back door—is the increase in the price surprising? One cannot criticise Metway for looking after its shareholders, but my concern, and our concern here, should be for the loss to the Queensland public.

My second area of concern relates to allegations within the Brisbane financial community that the Government has entered into an agreement or agreements with Metway, that such agreements are still confidential and that when information in relation to one of these agreements came to the knowledge of officers of the Bank of Queensland, legal representatives Allen Allen & Hemsley, acting on behalf of the Treasurer and Under Treasurer, threatened a court injunction to prevent any detail being published to the Australian Stock Exchange. Therefore, the question to the Treasurer is: what other agreements were entered into and will they be disclosed to the public? Did they contain potential obligations for the Government—for example, in the event that the merger with St George did not proceed—that would have the effect of putting political and financial pressure on the Government to press ahead with the merger regardless, and, for example, overbid St George's offer? In the interests of Queensland's reputation in the investment community and full disclosure to the public, I call on the Treasurer to issue a statement detailing—

(a) the number of branches to be closed;

(b) the number of jobs to be lost;

(c) the cost and justification for sale the price/valuation differential;

(d) the potential cost to the public of Metway shareholders dividend guarantee;

(e) the reason for the Reserve Bank imposing a very high 11 per cent capital adequacy ratio and financial requirements to meet it;

(f) the repayment time frame and potential risk estimate of the conversion of the Suncorp/QIDC debt to the Queensland Treasury Corporation to second tier capital to meet the RBA capital adequacy ratio; and

(g) any other obligations or contingent obligations entered into by the State with Metway at any stage.

Any plan to establish a major financial institution is to be welcomed. However, this is information that should be in the public arena and, if it is not, then it must raise serious questions over the propriety or competence, or both, of the Government in the management of one of the most significant interventions by Government in the market in Queensland's recent history.

Our investment reputation requires that this information be made public and that there be a disclosure of matters which have not been disclosed. The public should know because, in the end, when these sorts of scandals have hit in southern States like Victoria, South Australia and Western Australia, it has been the average working family who have paid the bill through reductions in services and increases in taxation. I fear that what we are seeing here, unless there is full disclosure—and I put that proviso on it—is a backdoor attempt to boost this merger to the benefit of Metway shareholders, but at substantial undisclosed cost to the public. I call on the Treasurer to make a detailed statement.

Queensland Ambulance Service

Mr HEALY (Toowoomba North) (7.07 p.m.): Members opposite have had a lot to say in regard to a perceived freeze on capital works. The Opposition has opened yet another chapter of its ever-growing list of fairy tales, with stories of freeze after freeze and the upcoming ice age. Fantasy has become the speciality of Opposition members, and in no other area are claims of a freeze more ridiculous than in the area of ambulance capital works. There never has been, and never will be, any such freeze on any avenue of Government in this State, let alone in the vitally important area of capital works.

Under the guidance of the Honourable the Minister for Emergency Services, a significant Ambulance Capital Works Program has been commenced, and it will continue this financial year and into future years under this Government. The provision of ambulance services to all persons throughout the State is a fundamental obligation of Government. I assure all members that both the Government and the Minister recognise this obligation and are determined to provide a first-rate ambulance service for all Queenslanders.

As part of this Government's total commitment to the improvement of emergency service delivery throughout Queensland, the Honourable the Minister for Emergency Services has implemented, and will oversee, the steady growth of the Ambulance Capital Works Program. In line with the Government's commitment to improved emergency service delivery, the Honourable the Minister is delivering the goods with the implementation of major capital works to modernise ambulance stations throughout the length and breadth of this State.

Within the 1996-97 Budget, more than $12m in funds has been allocated for ambulance facilities. This significant contribution highlights beyond a doubt the commitment of the Government to enhance ambulance facilities in Queensland. The Minister has advised that a new ambulance station at Emerald has been completed and of the commencement of a major renovation of the Kirwan station. I am pleased to advise the House that the Minister expects to open the new Kirwan station later this year when the renovations are completed. The Government's objective of improving emergency service delivery has been further enhanced with the recent completion of a joint ambulance/health facility at Dunwich. This facility will be officially opened on Saturday, 16 November.

There are many new ambulance stations currently on the drawing board. Designs have been finalised for new ambulance stations at Proserpine, Bundaberg, Cloncurry, Mission Beach and Edmonton. Tenders have been called for a new station at Proserpine and, in the near future, tenders will be called for facilities at Mission Beach and Edmonton. As this Government seeks complete community input into ambulance service delivery, I have been further advised by the Minister that consultation is continuing with local user groups to finalise a design for the new Cleveland station.

There is no doubt that this Government is serious about increasing the number of ambulance stations servicing the people of Queensland. Just three weeks ago work commenced on the new Pimpama station. A $600,000-plus tender for a new station at Maryborough has been recently awarded, and

the station is expected to be completed by February next year. On top of all these achievements, in August the Minister opened a new station at Raceview in Ipswich.

The real question is: what has happened to the Opposition's perceived freeze on capital works? The answer must be that spring has certainly thawed the Opposition's ill-perceived freeze on capital works. The Government is indeed 100 per cent committed to improving our emergency service delivery.

I wish briefly to mention the recent renovations in my electorate of Toowoomba which were opened some months ago by the Minister for Emergency Services. I wish to draw attention to the achievements of the Queensland Ambulance Service and the Queensland Fire Service in their operation of a joint communications facility in that area. The project is certainly not unique in Queensland, but it will gain more and more popularity as it is seen that the two services can operate together in such a vital area as communications. There is no doubt that ambulance service delivery will be improved through increased capital works projects. There is no doubt that Opposition claims of there being a freeze on capital works are complete fantasy.

Marymac Children's Arts Festival

Hon. M. J. FOLEY (Yeronga) (7.12 p.m.): The Marymac Children's Arts Festival held last Saturday, 9 November, was a triumph of artistic delight. For the first time in my period as the area's member of Parliament, the schools throughout my electorate were brought together. I was delighted to see State and Catholic schools combining for the benefit of local children.

The Yeronga State School, the Junction Park State School at Annerley, the Moorooka State School, St Sebastian's at Yeronga, St Brendan's at Moorooka and Saint Elizabeth's at Ekibin came together with the Mary Immaculate Primary School at Chardon's Corner to hold a marvellous event in which children from all the schools participated.

The local community had the benefit of song, dance and theatre in a day in which the performances by schoolchildren in the main hall were paralleled by a series of cultural workshops which children were able to attend. For example, this meant that the local children could have the benefit of a workshop with such celebrated writers as Sue Gough. That workshop enabled them to develop the literary flair and skills that characterise the young. Similarly, a workshop was given by the very gifted Aboriginal storyteller, Maureen Watson. Those workshops given by Maureen Watson were an opportunity for the local children to learn of Aboriginal culture, to learn the craft of storytelling and to participate in that exercise.

Moreover, there was an opportunity for children to learn cartooning skills from the renowned cartoonist Noel Hill. The workshops enabled children in small groups to have the benefit of cultural experiences that were enriching for both the children and parents alike. In this respect, I pay particular tribute to the coordinator of the festival, Ms Lea McKnoulty, who was ably assisted, I have to say, by none other than Lesley Foley, my wife, who took a particular interest and worked very hard to support the work of the festival. The festival was made possible by representatives of all of the schools working on a committee. This showed the potential of parent power. The exercise was organised by parents with the full-hearted support of local school administrations and teachers.

I am reminded of the poet William Blake and his *Songs of Innocence* and *Songs of Experience*. Listening to the children perform last Saturday, I well and truly heard the songs of innocence. It is particularly important to provide artistic opportunities for children in primary schools. We all know that they will learn soon enough the songs of experience and the melancholy that comes with age.

This exercise in local community arts was something made possible, in part, by a grant from the Brisbane City Council. I thank the council for that, as indeed I thank local businesses which helped to sponsor this great opportunity. It shows the importance of supporting the arts in our own local communities. I pay tribute to all of the parents, teachers and school authorities involved in this exercise and, of course, I pay tribute to the children themselves. No doubt in the years to come we will have coming from them many Nijinskys and Dame Joan Sutherlands.

Time expired.

Peace Lutheran College Revegetation Project

Ms WARWICK (Barron River) (7.17 p.m.): I wish to take this opportunity to inform the House of a very special project which has been undertaken by a group of fine young students who attend a school in my electorate. In 1993, 30 acres of land was purchased to establish Peace Lutheran College. At the time of purchase, the land was

degenerated sugarcane land devoid of any vegetation except for weeds and remnants of a previous cane crop. In 1993-94, the land was cleared and construction of the school commenced. Turf and various shrubs were planted and there are currently 2,000 plants in the ground.

At the beginning of this year, during an environmental studies class, the Year 7 students discussed ways in which they could contribute in a practical way to the revegetation of an area which had been stripped of native trees in previous years. The class decided that initially it would contribute to the revegetation of their school and then, as they progressed, they could then move into revegetation of some degenerated areas of the city.

The students of Year 7 decided to establish a greenhouse in which seeds could be planted and trees could be cultivated and grown for later use. The students also decided, in conjunction with their school principal, to use the greenhouse as an integral part of the environmental studies program in their school. The goal then was to provide a structure and equipment which would be suitable for the propagation of native trees and other plants. These would serve two purposes. The school grounds would become aesthetically pleasing and practical and the vegetation would provide a habitat which would encourage native animals, birds and other creatures to live in harmony with the students at Peace College.

Each student in Year 7 made a commitment to plant 10 seeds per week, which would hopefully provide approximately 10,000 trees per year. The class was then able to access some information on a Rotary sponsorship project called "Trees for 2000". Assistance from this project was in the form of some sponsorship for the greenhouse as well as some technical assistance from organisations such as Landcare. The application was made and the students were successful with the application. The total cost of the project was $3,275. The students found that this amount would provide a structure which would be well constructed, secure and would last for many years after the present Year 7 class had graduated.

These students then decided to raise the required funds in order to proceed with their project. They prepared a very professional submission and invited various business and public figures to visit the school and attend a presentation. I was most impressed with the standard and the professionalism of this presentation, as were other people who pledged their support. The Rotary Club of Cairns/Mulgrave, of which I am a member—although not a very frequent one, I am afraid—became involved and donated $500. This rotary club also allowed the students to become involved in one of its annual fundraising events, which is the operation of a car park at the Cairns Show. So for three days and three nights these students worked alongside Rotarians and raised money for their project.

Between April and September this year, these wonderful kids raised $3,000. They now have their greenhouse, plus they have an extension complete with irrigation. They have also paved the area inside the greenhouse. They have done all this work themselves. They have done it after school and during lunch hours, and they have also taken some class time to do it. The class also visited the Government nursery at Lake Eacham on the Atherton Tableland, where they learned all about propagation, revegetation, irrigation, potting and planting. Seeds were donated by the nursery. They have now been potted and at the end of the wet season they will have about 200 plants ready to go into the ground. I thank the Department of Environment officers at that nursery at Lake Eacham who very kindly assisted these students with their initiative. The students are also collecting seeds and young plants and preparing them for planting next year.

I pay tribute to and congratulate the students of Year 7 at the Peace Lutheran College. These young people have empowered themselves. They had a dream and they saw that dream through to fruition. I congratulate also the Year 7 teacher. Brian Doolan impresses with his energy, his enthusiasm and his very positive attitude to life. The principal, the teachers and the parents of these future adults are also to be commended. This was a school community project, and the school was 100 per cent behind it.

Time expired.

Mining Warden

Mr PEARCE (Fitzroy) (7.22 p.m.): Last week, during a tour of the western part of my electorate I was approached by a person employed in the coal industry who is in the know as far as the development of the mining industry in Queensland is concerned. He is one of those people who seems to know what is going on, whether it is in central Queensland or in Brisbane. I have to say that his

information is more reliable than some of the tips I get on the horses!

The matter raised by my good friend causes me much anger, and I raise it in this place today so as to bring it to the attention of the Parliament and the people of Queensland. What it highlights is the incompetence of the Mines and Energy Minister and the arrogance of the Treasurer. It highlights the incompetence of a department which continues to accept a high level of death and injury in the industry so long as budget targets are met. The coroner made this point in his report into the Moura No. 2 mine disaster. The issue today is the Warden's Court and the failure of this minority Government to provide appropriate funding to allow it to function in accordance with its obligations under the Mineral Resources Act.

I am told that the Warden's Court is bogged down and, because of a lack of resources, the integrity and efficiency of the court has now been called into question. There have been budget cuts where there should have, in real terms, been budget increases. The point that angers me most is that there are now five mining industry fatalities that require investigation—three in Mount Isa and two in central Queensland, the latest being only last week, when a mineworker was killed just doing his job in an underground coalmine. My sympathy goes out to his family and his workmates. I am told that an acting warden has been appointed to inquire into the first of the Mount Isa fatalities, which occurred in early June this year, but I understand that to date this inquiry has not yet commenced.

Mineworkers continue to become statistics in this State because we have returned to the black days of the National Party Government when mineworkers' health and safety was a low priority. I worked there in those days. The Minister can squeal as much as he likes, but he cannot ignore this most serious matter. Mining industry accidents must be investigated as a matter of urgency, because it is what we learn from the cause of an accident that brings about change which, in turn, can reduce the risk of a similar incident in the future. Many people in the industry know that the current Coal Mining Act is what it is today simply because of fatalities and serious injuries to mineworkers and the investigations that followed.

There is a clear message: the Mining Warden must be allowed to do his job. The lives of other mineworkers are at risk as long as there remains an incident that has not been properly investigated. Budget cuts are putting at risk the lives of mineworkers right across this State because this Government cannot get its priorities right. The Minister has had no difficulty in signing off thousands of dollars to refurbish the offices of the department and to re-employ National Party hacks like the director-general, who walked away with a million-dollar package after the change of Government in 1989.

The Treasurer has committed, as we all know, over $100m to a tollway and to the Metway merger. Earlier tonight, the member for Logan, Mr Goss, raised some legitimate concerns about that deal. The Premier and the Police Minister will benefit from the public purse through the payment of legal bills arising from the Carruthers inquiry, which has been effectively scuttled. A more serious consequence is that the watchdog of politicians and police has been reduced to pussycat status. The Mining Warden cannot get a registrar because the Minister refuses to appoint one. I have been informed that his helpers today are public servants awaiting VERs.

The Government will stop at nothing to protect its own but will do nothing to protect the workers of this great State. The workers' compensation proposal is an example of just how far this Government will go. The deliberate underresourcing of the Mining Warden's Court is an act of cowardice. It is a shameful act and one that should anger the people of Queensland. I call on Minister Gilmore to stop navel gazing, come down out of the clouds, put his backside on his ministerial chair and make some decisions about the Mining Warden, his resources and service delivery.

Members on the other side of the House must accept that the Government of the day has no moral right to walk away from fatalities and serious injuries that occur in the mining industry and refuse to accept some responsibility. The Government, by association and legislation, is part of the mining industry. It therefore has an obligation to provide the resources so that entities like the Mining Warden and the Mining Inspectorate can do the job they are required to do.

Telephone Counselling Service for Men

Mrs WILSON (Mulgrave) (7.27 p.m.): For some time now, the vital 24-hour domestic violence telephone service has been something of a success story in providing a Statewide telephone counselling and referral

service to people directly affected by this socially unacceptable criminal form of violence. I am pleased to inform the Parliament that this service has been extended to include a similar service for men who are either victims or perpetrators of domestic violence.

Although statistical evidence shows that women are usually the victims in domestic violence—and the overall telephone service certainly reflects that trend—there are instances where men have become victims of physical abuse, and until now their options for help have been relatively limited in terms of counselling and referrals. The extension of this telephone service will be able to fill some of that void with the use of specially trained male counsellors who are on hand to assist the growing number of male perpetrators who are seeking help through a phone call and who can retain anonymity.

It is an encouraging sign when a man who inflicts this type of abuse on his spouse or other family members takes that first step in seeking help. Although there may be various ways men can go about getting appropriate help, many are either too ashamed or too fearful to actively go out and seek it. Now, through this service, they can receive the best counselling and can be assisted by simply making a phone call. Most importantly, the man who does take this step can tell his story to another man who is not going to berate him for his actions but who is there to counsel him.

The telephone counselling service for men has been established as a pilot project which has been funded by the Department of Families, Youth and Community Care under its Domestic Violence Initiatives Program. In all, the additional funding of services to assist men affected by domestic violence totals $200,000 on a recurrent basis. There are currently eight funded perpetrator programs which are located mainly in the south east of the State, but of course the service will cover the whole State eventually.

This Government is committed to supporting initiatives and policies which can help reduce this ugly and totally unacceptable form of behaviour. It also recognises that the perpetrator of domestic violence is often a person in dire need of professional assistance. To be able to reach this person and provide the help which can potentially change his ways is a success story in itself.

Time expired.

Motion agreed to.

The House adjourned at 7.30 p.m.